

DR 87-5: Big Lake Mobile Home Park, Etal.  
request special use permit to establish a  
concrete batch plant and rock crusher on  
property zoned "G" south of 31st St. So.  
in an area west of West St.

POSTED 4-1-87 RC

# ACTION

DATE

COMMITTEE

M.A.P.C. Approved subject to  
of conditions 4-16-87

B.C.C./B-00.C. Approved as  
recommended 5-12-87

DATA SHEET

Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 DR- 87-5  
 DP- \_\_\_\_\_

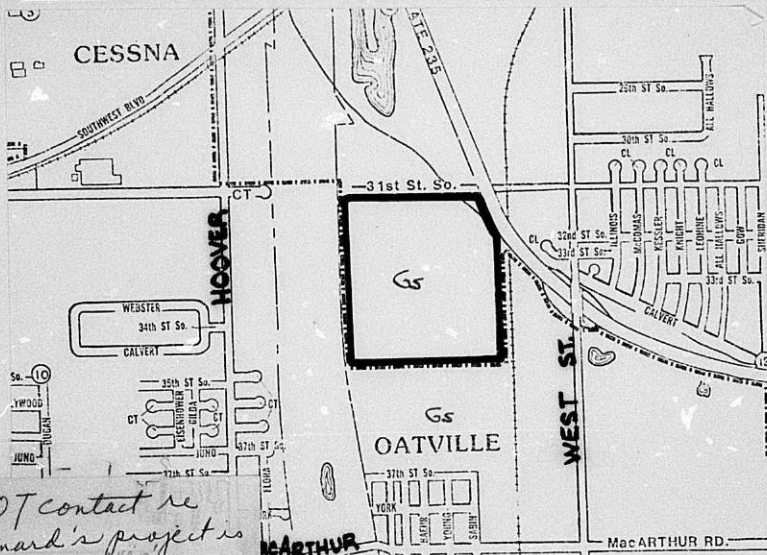
Amend  
 Case Filed: 3-17-87  
 Associated Case: \_\_\_\_\_

- APPLICATION DATA: Map No. 5143 A&D
1. General Location: South of 31st Street South and I-235 in an area west of West Street
  2. From \_\_\_\_\_ to \_\_\_\_\_
  3. Proposed Use: Special Use Permit to Establish a Concrete Batch Plant and Rock Crusher on Property Zoned the "C" Mobile Home Park District
  4. DP Name: \_\_\_\_\_
  5. Applicant: Big Lake Mobile Home Park c/o Don Cain, Sr.  
 Address 8027 West Kellogg, Wichita, KS. 67209 Phone 722-6071
  6. Applicant: Stannard Construction Co., Inc.  
 Address 6015 North Broadway, Wichita, KS. 67219 Phone 744-0433
  7. Agent: David Stannard  
 Address 6015 North Broadway, Wichita, KS. 67219 Phone 744-0433

- AREA DATA:
1. Acres: 70 ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
  2. Adjoining Zoning: N "E" & "R-5" S "C" E "E" W "C" & "E"
  3. Land Use: North \_\_\_\_\_ East \_\_\_\_\_  
 South \_\_\_\_\_ West \_\_\_\_\_

PICTURE SHEET

PHOTO DATA: Taken by (K) Date 4-10-87 Time \_\_\_\_\_



*KDOT contact re  
 Stannard's project is  
 Benny Terverdi  
 744-1271  
 Project # 87K-2514-01  
 From US54 to KTA  
 To be completed by  
 mid-August 1988*

**Smith**  
 No. 2153C  
 HASTINGS, MN  
 LOS ANGELES-CHICAGO-LOGAN, CA  
 McNERSON, TX-LOCUST GROVE, CA  
 U.S.A.

June 1, 1987

Mr. David Stannard  
6015 North Broadway  
Wichita, Kansas 67219

RE: DR 87-5 - Special Use Permit for a temporary concrete batch plant  
and rock crusher on a portion of Big Lake Addition.

Dear Mr. Stannard:

On May 12, 1987, the Wichita City Council adopted a resolution which authorizes the above-referenced special use and specifies the conditions of approval. I have enclosed a copy of the resolution for your files.

Please note that this use of the property is to be associated with Project #87K-2514-01 (resurfacing of interstate between Kellogg and the Turnpike) only and that only the peninsula of land in the east central portion of Big Lake Addition is to be utilized for this purpose.

If you have any questions about this special use permit, please call our office.

Sincerely,

Louise Olivarez  
Senior Planner

LO:blw  
Enclosure

cc: Monty Robson, Superintendent of Central Inspection  
Big Lake Mobile Home Park, c/o Don Cain, Sr. 8027 West Kellogg,  
Wichita, Kansas 67209

RECEIVED

MAY 29 1987

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_

DUPPLICATE

Approved / Accepted By City Council  
MAY 12 1987  
This \_\_\_\_\_

RESOLUTION

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.180.4 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION I. That having received a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and proper notice having been given and hearing held, and under authority and subject to the provision of Section 28.04.180.4 of the Code of the City of Wichita, Kansas, a Special Use Permit is hereby authorized for a temporary concrete batch plant and rock crusher associated with a governmental paving project on property legally described below subject to the following conditions:

CASE NO. DR 87-5

Special Use Permit to Establish a Temporary Concrete Batch Plant and Rock Crusher Associated with a Governmental Paving Project on Property Zoned "C" Manufactured Home District

Lot 1, Block 1, Big Lake Addition to Wichita, Sedgwick County, Kansas. Generally located south of 31st Street South and I-235, in an area west of West Street.

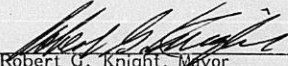
CONDITIONS OF APPROVAL:


1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East Central portion of Big Lake Addition, and no other portion of this Addition shall be used for these facilities.
2. Upon completion of this contractor's interstate resurfacing project (Project #87K-2514-01), all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).
3. The installation and operation of this batch plant facility shall comply with all Kansas air pollution regulations. The applicant shall contact the local Environmental Health Division of the Health Department for the necessary permit application.
4. Any violation of conditions attached shall declare this special use permit null and void.
5. Approval of this request does not authorize the filling of the existing lake.

SECTION II. That this Resolution shall take effect and be in force from and after its adoption.

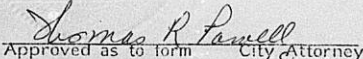
ADOPTED AT WICHITA, KANSAS, this 12<sup>th</sup> day of MAY, 1987.

ATTEST:

  
Robert G. Knight, Mayor

  
Dale E. Rea, Deputy City Clerk

(SEAL)

  
Approved as to form \_\_\_\_\_ City Attorney

PL/6684/5

R E S O L U T I O N

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.180.4 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION I. That having received a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and proper notice having been given and hearing held, and under authority and subject to the provision of Section 28.04.180.4 of the Code of the City of Wichita, Kansas, a Special Use Permit is hereby authorized for a temporary concrete batch plant and rock crusher associated with a governmental paving project on property legally described below subject to the following conditions:

CASE NO. DR 87-5

Special Use Permit to Establish a Temporary Concrete Batch Plant and Rock Crusher Associated with a Governmental Paving Project on Property Zoned "G" Manufactured Home District

Lot 1, Block 1, Big Lake Addition to Wichita, Sedgwick County, Kansas, Generally located south of 31st Street South and I-235, in an area west of West Street.

CONDITIONS OF APPROVAL:

1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East Central portion of Big Lake Addition, and no other portion of this Addition shall be used for these facilities.
2. Upon completion of this contractor's interstate resurfacing project (Project #87K-2514-01), all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).
3. The installation and operation of this batch plant facility shall comply with all Kansas air pollution regulations. The applicant shall contact the local Environmental Health Division of the Health Department for the necessary permit application.
4. Any violation of conditions attached shall declare this special use permit null and void.
5. Approval of this request does not authorize the filling of the existing lake.

SECTION II. That this Resolution shall take effect and be in force from and after its adoption.

ADOPTED AT WICHITA, KANSAS, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

ATTEST:

\_\_\_\_\_  
Robert G. Knight, Mayor

\_\_\_\_\_  
Dale E. Rea, Deputy City Clerk

(SEAL)

\_\_\_\_\_  
Approved as to form City Attorney

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
May 12, 1987

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: DR-87-5 - REQUEST FOR SPECIAL USE PERMIT TO ESTABLISH A  
TEMPORARY CONCRETE BATCH PLANT AND ROCK CRUSHER ASSOCIATED  
WITH A GOVERNMENTAL PAVING PROJECT, GENERALLY LOCATED SOUTH  
OF 31ST STREET SOUTH AND I-235 IN AN AREA WEST OF WEST STREET.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve (9-0)

Staff Recommendation: Approve

Background: On April 16, 1987 the MAPC held a public hearing to consider a special use permit for a concrete batch plant and rock crusher to be located at the site of a former sand and gravel extraction operation south of 31st Street South and I-235 and west of West Street. The sand extraction operation was completed several years ago and the entire 70 acres was rezoned and platted for a mobile home park which has not yet begun to develop. This batch plant and rock crusher site is being requested in conjunction with the project to resurface the interstate between Kellogg and the Turnpike which will take two construction seasons. The equipment will be removed from the site upon completion of the project. One area resident spoke in opposition to the request. The Planning Commission unanimously recommended approval of the application subject to several conditions.

CPD Council "4B" recommended 7-0 that the request be approved.

Analysis: A large peninsula extends into the 35-acre lake from the east shoreline with access to Bolin Drive, the frontage road along the south side of the interstate. The batch plant and rock crusher are to be located on this peninsula. Adjacent properties in this vicinity are zoned and developed for industrial purposes.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff justified the approval of the special use permit.

- Actions:
1. Concur with the findings of the MAPC and approve the special use permit subject to the recommended conditions; adopt the resolution authorizing the special use permit; or
  2. Take appropriate action stating reasons.

Attachments: Area map  
4/16/87 MAPC Minutes  
CPO Memorandum

PL/6647/5



EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 16, 1987

LEGAL:

6. Case No. DR 87-5 - Big Lake, Inc. requests Special Use Permit for Lot 1, Block 1, Big Lake Addition to Wichita, Sedgwick County, Kansas. Generally located south of 31st Street South and I-235 in an area west of West Street.

OLIVAREZ pointed out land use, zoning and showed slides of the general area. She reviewed the following staff report:

**Background:** The applicants are requesting a special use permit for a concrete batch plant and rock crusher to be located at the site of a former sand and gravel extraction operation south of 31st Street South and I-235 and west of West Street. The sand extraction operation was completed several years ago and the entire 70 acres was rezoned and platted for a mobile home park which has not yet begun to develop. This batch plant and rock crusher site is being requested in conjunction with the project to resurface the interstate between Kellogg and the Turnpike which will take two construction seasons. The equipment will be removed from the site upon completion of the project.

**Analysis:** A large peninsula extends into the 35-acre lake from the east shoreline with access to Bolin Drive, the frontage road along the south side of the interstate. The batch plant and rock crusher are to be located on this peninsula. Adjacent properties in this vicinity are zoned and developed for industrial purposes.

A recommendation of approval should be subject to the following conditions:

1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East Central portion of Big Lake Addition, and no other portion of this Addition shall be used for these facilities.
2. Upon completion of this contractor's interstate resurfacing project, all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).

DISCUSSION:

OLIVAREZ stated that this location seems to be a better location for a batch plant. Most areas around it are of an industrial nature. She said that this batch plant will be temporary, and if approved, the resolution will cite the project number so that any future policing or checking of this facility will relate it to a specific project in determining whether that project has been closed out or is still an ongoing project. OLIVAREZ said that staff recommended approval of this application subject to the printed staff comments as well as two additional ones which are as follows:

- "3. The installation and operation of this batch plant facility shall comply with all Kansas air pollution regulations. The applicant shall contact the local Environmental Health Division

of the Health Department for the necessary permit application.

4. Any violation of conditions attached shall declare this special use permit null and void."

DAVID STANNARD, agent representing the applicant, stated that he had talked to Walt Keeler and his one concern was that the northwest portion of the site would be used for this batch plant and rock crusher. STANNARD said that he planned to fill some of the northeast corner of the lake with waste fill from the interstate.

WALT KEELER, 2124 Garland, stated that he owns the property on the north side of 31st Street directly across from this site. He said that he was speaking for two families who also live either on his property or adjacent to his property. He said that he has no objections to the broken concrete that Mr. Stannard proposes to put along the water's edge which comes from the construction project in the form of either dirt, sand, brick, asphalt or concrete. KEELER said that he has no objection whatsoever to the applicant building a concrete plant for the purpose of furnishing the concrete on this particular project. He said that the project would be done in two years but he would not be hard to get along with if the job was not done in two years and they would have to get permission to stay another month or two.

KEELER said that he was only concerned about the crushing operation. Having been in the crushing business himself for many years, KEELER said that he knows that crushing operations create a lot of noise, dust, and in this particular area the prevailing winds are from the southwest, and he was especially concerned about this crushing operation not creating a dust problem across the street where the two families he represents are living. He said that directly across the railroad track from this parcel of land is an asphalt plant, and directly south of this location is a pumped out sandpit that his company pumped out several years ago. Directly to the west is the Big Ditch and then across Bolin Avenue and 31st Street is his location. KEELER said that he was only suggesting one thing, that this application stop at the half section line rather than the Big Ditch. The half section line which splits this parcel of land runs from 31st Street on the north to the half section line on the south, and runs down the half section line halfway between West Street and Hoover Road, and if that provision could be added, then he would have absolutely no problem with it.

GARY WEBB, 3936 Calvert Court, concurred that Mr. Stannard had cleaned this property up considerably, however, not to his satisfaction. He said that the property over the last few years has had everything from junk automobiles to metal sheds that deteriorated to no-use value. He said that he understood the need for a place to have a batch plant. Although the dust does not worry him considerably, he was a little concerned about the rubble and rubbish, etc. that would most certainly be dumped there. WEBB said that this site has been a favorite dumping place over the past few years for people to dump trash, and he felt that could still be a problem, and would definitely

be a problem after the application period expired. He asked that the Commission oppose this application.

GALBRAITH commented that this site had a conditional use for a sandpit (CU-259, approved in 1983) but that case expired when the property was annexed into the city and the property became zoned "G" Mobile Home zoning. He said that there was always the question about what could be done about stabilizing the bank of the lake. GALBRAITH said that what he was hearing today was that as part of the batch plant operation, Mr. Stannard has entered into some type of contract with the person leasing him the land to do substantial fill on the land. He mentioned that at the County Commission meeting last week they had a demolition construction material type landfill south of Derby that was opposed by adjacent property owners. GALBRAITH said that there has been no permit authorized by the state to create a landfill operation at this site, and if that is occurring, it is in violation.

PARSONS said that he did not see anything in this application that asks for anything other than for a batch plant. He said that there was not anything that addresses the fill issue.

GARDNER commented that where they may only be dealing with a crusher and a batch plant, he was not sure the proper interpretation of this conditional use permit precludes alteration of the bank or property. He said that he slightly differed from Galbraith in that he sees a dramatic difference between this site and what is being proposed and what was being dealt with on Lusk's and its prior history. He felt that there was a tendency to shave these things so thin occasionally that they are trapped by semantics in terms of what is and what is not being approved, is or is not required of a conditional use permit. He said that rather than have their remarks interpreted as precluding the reshaping of the bank, the applicant should settle with Central Inspection or the County inspection department.

PARSONS said that he thought he had heard staff say that the Planning Commission did not have the authority to grant the applicants permission to alter the pit, and that is not even what the application is addressing. The application is only addressing the operation of the batch plant at a very confined area.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East

4-16-87  
Page 4

Central portion of Big Lake Addition, and no other portion of this Addition shall be used for these facilities.

2. Upon completion of this contractor's interstate resurfacing project, all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).
3. The installation and operation of this batch plant facility shall comply with all Kansas air pollution regulations. The applicant shall contact the local Environmental Health Division of the Health Department for the necessary permit application.
4. Any violation of conditions attached shall declare this special use permit null and void.
5. Approval of this request does not authorize the filling of the existing lake.

Wilson moved, Peters seconded and it carried  
unanimously. Miles was absent.

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PL/1174/2

THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE April 23, 1987

TO Jack Galbraith, Chief Planner, Current Plans

FROM Shirley Mast, Administrative Aide III *SM*

SUBJECT DR 87-5: South of 31st Street  
South and I-235 in an area west  
of West Street

Due to meeting schedule conflicts that occasionally occur, the area CPO Council was unable to provide a recommendation on the captioned case to the MAPC for the April 16th meeting.

CPO Council District 4B considered the captioned case at its April 21st meeting and voted 7-0 to recommend that the special use permit request for a concrete batch plant and rock crusher operation be approved.

No one was present to speak in support or opposition to the case.

Please advise the City Council of the Council's recommendation when case DR 87-5 is considered.

SM:dm

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

April 28, 1987

TO: Monty Robson, Superintendent of Central Inspection  
FROM: Jack H. Galbraith, Chief Planner, Current Plans Division  
SUBJECT: Permits for adding fill to sand pit lakes.

At the April 16, 1987 MAPC meeting, questions were raised as to what type of controls the City has and what permits are required for someone wanting to fill portions of a lake for redevelopment purposes. The specific site in question was the lake created by the former sand extraction operation of Big River Sand Company at 31st Street South and Bolin Drive. That site is now zoned "G" and a preliminary mobile home park layout has been approved although no development has occurred. Dave Stannard, lessee of the property, in requesting a special use permit for a temporary concrete batch plant and rock crusher at this location, mentioned that he would be filling in the northeast portion of the lake with broken concrete from the interstate resurfacing project for which he has the contract. The questions were then raised as to how this could be done in the "G" district and what assurances the City had that the type of fill material would be acceptable. There has been much discussion and concern lately about the types of materials used for this purpose and whether or not they pollute the water or seep into the underground water source.

A restrictive covenant obtained at the time Conditional Use Permit #CU-259 was approved stated that "no foreign matter, including but without limitation to, rubbish, trees, car bodies or other trash shall be deposited.... within any sand pit..." (copy attached). The covenant was made to run with the land and is therefore still binding. Following discussions with Joe Donnelly and Jim Cranford last week, it was determined that the building code requires a grading permit for any substantial filling of land which is to occur. A grading plan would be required of the applicant with information as to what type of fill materials would be used, how they would be compacted, how much area would be filled, etc. The Health Department would be asked to review any plans for filling a lake.

By copy of this memo we are providing this information to the owners and lessees of Big Lake Addition. The requirement for a grading plan and permit should also apply to all other lakes in Wichita which are being filled or proposed to be filled.

JHG/LO:blw  
Attachment

cc: Joe Donnelly, Zoning Administrator, City of Wichita  
Jim Cranford, Building Code Administrator, City of Wichita  
Don Cain, Sr., 8027 West Kellogg, Wichita, KS. 67209  
Tom Weir, 1107 North Broadway, Wichita, KS. 67214  
David Stannard, 6015 North Broadway, Wichita, KS. 67219  
Richard Hunter, Director, Environmental Health, W-SC Health Dept.  
Jack Brown, Chief, Environmental Quality, W-SC Health Dept.

PL/0280/4

RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS: That

The undersigned, FOUNDATION, INC., does hereby impose upon the following described real property, to-wit:

The East Half of the Northwest Quarter of Section 11, Township 28 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, lying East of the Wichita-Valley Center Floodway, AND

The Northeast Quarter of Section 11, Township 28 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, lying Southwest of Interstate 235 and West of the Missouri Pacific Railroad Right-of-Way,

covenant to run with the land as follows:

1. No foreign matter, including but without limitation to, rubbish, trees, car bodies or other trash shall be deposited on the above described real property or within any sand pit excavated thereon.

The covenant herein contained shall be binding upon the undersigned, his successors in interest and assigns. The said covenant may be enforced in any appropriate action in any Court having jurisdiction thereof by the City of Wichita, the County of Sedgwick or any member of the public in whose favor and for whose benefit this covenant is made.

IN WITNESS WHEREOF, we have hereunto set our hands this 24th day of March, 1983.

FOUNDATION, INC.

By Wanda Cain  
WANDA CAIN  
Authorized Officer

STATE OF KANSAS, SEDGWICK COUNTY, SS:

BE IT REMEMBERED, that on this 24th day of March, 1983, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came WANDA CAIN, personally known to me to be the identical person who executed the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Deborah B. Stewart  
Notary Public

My Appointment Expires:



STATE OF KANSAS } SS  
SEDGWICK COUNTY }  
FILED FOR RECORD AT  
8:00 A.M.

APR 20 1983  
6 26737

HO. BETTE F. McCART  
REGISTER OF DEEDS

MICROFILMED  
OF RECORD

Sue Kettler  
Deputy

City Club

5.00

THE CITY OF WICHITA

OFFICE OF Citizen Participation      DATE    April 23, 1987

TO      Jack Galbraith, Chief Planner, Current Plans

FROM    Shirley Mast, Administrative Aide III *SM*

SUBJECT    DR 87-5: South of 31st Street  
              South and I-235 in an area west  
              of West Street

Due to meeting schedule conflicts that occasionally occur, the area CPO Council was unable to provide a recommendation on the captioned case to the MAPC for the April 16th meeting.

CPO Council District 4B considered the captioned case at its April 21st meeting and voted 7-0 to recommend that the special use permit request for a concrete batch plant and rock crusher operation be approved.

No one was present to speak in support or opposition to the case.

Please advise the City Council of the Council's recommendation when case DR 87-5 is considered.

SM:dm

April 17, 1987

Stannard Construction Co., Inc.  
c/o David Stannard  
6015 N. Broadway  
Wichita, Ks 67219

Re: DR 87-5 - Special Use Permit to establish a temporary concrete batch plant and rock crusher associated with a governmental paving project, generally located south of 31st Street South and I-235 in an area west of West Street.

Dear Mr. Stannard:

At its regular meeting on April 16, 1987, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East Central portion of Big Lake Addition, and no other portion of this Addition shall be used for these facilities.
2. Upon completion of this contractor's interstate resurfacing project, all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).
3. The installation and operation of this batch plant facility shall comply with all Kansas air pollution regulations. The applicant shall contact the local Environmental Health Division of the Health Department for the necessary permit application.
4. Any violation of conditions attached shall declare this special use permit null and void.
5. Approval of this request does not authorize the filling of the existing lake.

PL/0117/1

David Stannard  
April 17, 1987  
Page 2

This matter will be forwarded to the City Council for consideration at their regular meeting on Tuesday, May 12, 1987. This meeting will be held in the City Council Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

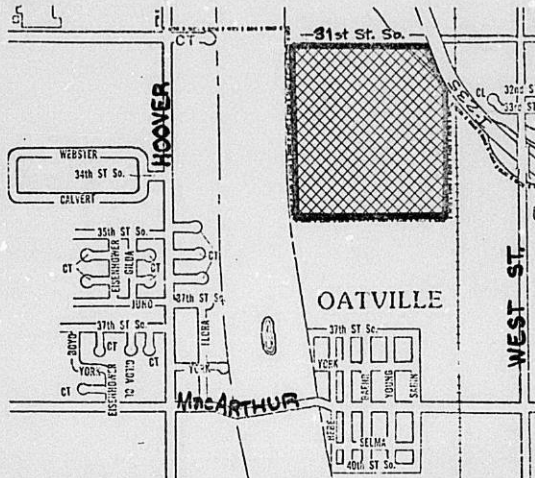
JHG/lw

cc: Big Lake, Inc., c/o Don Cain, Sr., P. O. Box 9090, Wichita, KS 67277  
Walt Keeler, 2124 Garland, Wichita, KS 67203

PL/0117/1

APRIL 16, 1987

STAFF REPORT



DR 87-5 - REQUEST FOR SPECIAL USE PERMIT TO ESTABLISH A TEMPORARY CONCRETE BATCH PLANT AND ROCK CRUSHER ASSOCIATED WITH A GOVERNMENTAL PAVING PROJECT, GENERALLY LOCATED SOUTH OF 31ST STREET SOUTH AND I-235 IN AN AREA WEST OF WEST STREET.

Applicant: Big Lake, Inc., c/o Don Cain, Sr., P. O. Box 9090, Wichita, KS 67277 (owner)  
Stannard Construction Co., Inc., c/o David Stannard, 6015 N. Broadway, Wichita, KS 67219 (lessee)

	Land Use	Zoning	Size
Application Area North	Lake & Undeveloped Single-family residence & Undeveloped	"G"	70 acres
South East	Lake & Undeveloped Highway, Asphalt Plant & Construction yard	"R-5" & "E" "E"	
West	Flood Control r.o.w.	"E" (n/a)	
History:	CU-259 (Expansion of Sand & Gravel Extraction Operation)	3/10/83 4/13/83	MAPC approved BCoC approved
	Z-2591 "E" to "G"	4/5/84 5/1/84	MAPC approved BCC approved

Background: The applicants are requesting a special use permit for a concrete batch plant and rock crusher to be located at the site of a former sand and gravel extraction operation south of 31st Street South and I-235 and west of West Street. The sand extraction operation was completed several years ago and the entire 70 acres was rezoned and platted for a mobile home park which has not yet begun to develop. This batch plant and rock crusher site is being requested in conjunction with the project to resurface the interstate between Kellogg and the Turnpike which will take two construction seasons. The equipment will be removed from the site upon completion of the project.

Analysis: A large peninsula extends into the 35-acre lake from the east shoreline with access to Bolin Drive, the frontage road along the south side of the interstate. The batch plant and rock crusher are to be located on this peninsula. Adjacent properties in this vicinity are zoned and developed for industrial purposes.

A recommendation of approval should be subject to the following conditions:

1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East Central portion of Big Lake Addition, and no other portion of this Addition shall be used for these facilities.
2. Upon completion of this contractor's interstate resurfacing project, all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).

CASE NO. DR 87-5

5	Notices to adjoining property owners mailed on 4-2-87 for MAPC meeting on 4-16-87.
3	One each to Applicant and Agent.
3	One each to CPO, Carl Gipson and Karen Crook.
3	One each to Louise, Barbara and Glen.

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14	TOTAL
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WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

April 2, 1987

NOTICE OF PUBLIC HEARING

Case No.: DR 87-5.

Location: South of 31st Street South and I-235 in an area west of West Street.

Address: 3900 West 31st Street South.

Request: Special Use Permit to Establish a Concrete Batch Plant and Rock Crusher Operation on Property Zoned the "G" Mobile Home Park District.

A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

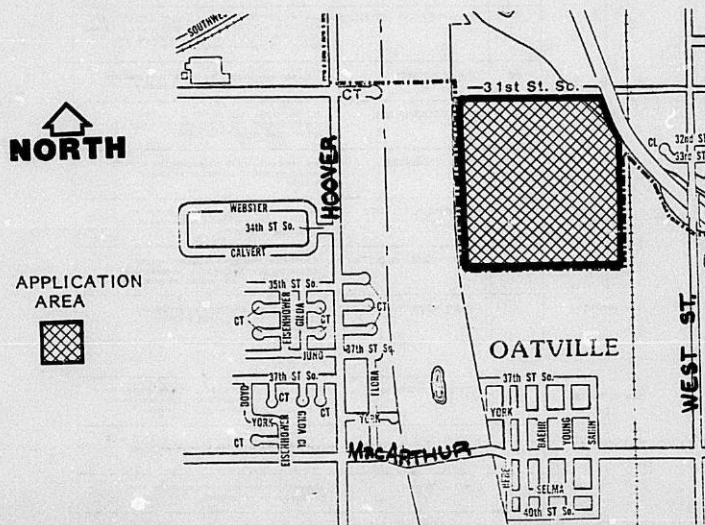
APRIL 16, 1987

The meeting will begin at 1:30 p.m. in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information about this case, please call the Planning Office at 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council "4B" will consider this case at their meeting to be held on Tuesday, April 21, 1987, at 7 p.m., at the National Guard Armory, 3617 South Seneca. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 87-5

Special Use Permit to Establish a Concrete Batch Plant  
and Rock Crusher on Property Zoned the "G"  
Mobile Home Park District

Lot 1, Block 1, Big Lake Addition to Wichita, Sedgwick County, Kansas.  
Generally located south of 31st Street South and I-235 in an area west of  
West Street.

DISTRICT	NAME OF DISTRICT AND USES PERMITTED (FOR COMPLETE REGULATIONS AND EXCEPTIONS - SEE TEXT OF ORDINANCE)	
AA	ONE FAMILY DWELLINGS	One family dwellings, parks, schools, libraries, golf courses, nurseries, churches
A	TWO FAMILY DWELLINGS	Uses permitted in "AA" district and two family dwellings, care homes (5 or less)
RB	FOUR FAMILY DWELLINGS	Any use permitted in "AA" or "A" districts and four family dwellings
R-5	GENERAL RESIDENCE DISTRICT	Any use permitted in more restrictive districts and multiple family dwellings. Density: 17.5 dwelling units per acre
R-6	GENERAL RESIDENCE DISTRICT	Any use permitted in more restrictive districts and multiple family dwellings. Density: 23 dwelling units per acre
B	MULTIPLE FAMILY DWELLING	Any use permitted in more restrictive districts and multiple family dwellings, boarding houses, medical offices, hospitals, greenhouses, parking lots. Density: 75 dwelling units per acre
BB	OFFICE DISTRICT	Any uses permitted in more restrictive districts any general offices, medical laboratories
OC	OFFICE COMMERCIAL DISTRICT	Offices, limited retail and service uses operated within a building, and residential uses as permitted in the "R-5" district
LC	LIGHT COMMERCIAL DISTRICT	Any use permitted in more restrictive districts and purely retail business operated in a building
C	COMMERCIAL DISTRICT	Uses permitted in more restrictive districts and other uses not offensive because of dust, noise, odor or smoke
E	LIGHT INDUSTRIAL DISTRICT	All industrial and commercial uses except those most offensive because of noise, dust, odor and smoke, and except residential uses
F	HEAVY INDUSTRIAL DISTRICT	Any use, some conditional upon specific approval of City Commission; except residential uses

Special Districts		
D	CENTRAL BUSINESS DISTRICT	Those uses permitted in the "C" district and more restrictive districts and other uses not offensive because of dust, noise, odor or smoke
G	MOBILE HOME	Mobile home park when complying with Title 28 of the City Code, schools, churches, parks, day nurseries, home occupations
U	UNIVERSITY	Universities, colleges, seminaries and other institutions of learning and related uses
CUP	COMMUNITY UNIT PLAN	Commercial/residential. Permits those uses approved as part of a total development plan

( ) Published in The Daily Record on March 24, 1987 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN THAT ON THURSDAY, April 16, 1987, the WICHITA-SEDCWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main Street, Wichita, Kansas, beginning at 1:30 p.m., will consider the following applications:

CASE NO. Z-2840

Zone Change from the "AA" One-Family Dwelling District to the "A" Two-Family Dwelling District

Lot 9, in Hankin's Addition to Wichita, Sedgwick County, Kansas, except that part of Lot 9 lying Southeasterly of a line drawn 30 feet Northwesterly from and parallel to the southeast line of said Lot 9. Generally located at the northeast corner of Charles Street and McLean Boulevard.

CASE NO. Z-2841

Zone Change from the "AA" One-Family Dwelling District and the "B" Multiple-Family Dwelling District to the "LC" Light Commercial District

Lot 27, Block 1, Galyardt's First Addition, Wichita, Sedgwick County, Kansas. Generally located on the west side of West Street in an area between Ninth Street and Murdock Street.

CASE NO. DR 87-5

Special Use Permit to Establish a Concrete Batch Plant and Rock Crusher Operation on Property Zoned the "G" Mobile Home Park District

Lot 1, Block 1, Big Lake Addition to Wichita, Sedgwick County, Kansas. Generally located south of 31st Street South and I-235 in an area west of West Street.

As provided in Section 28.04.210 of the Code of the City of Wichita, Kansas, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matter(s) will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the Zoning Ordinance will be considered by the MAPC as by law provided.

WITNESS MY HAND this 24th day of March, 1987.

Marvin S. Krout, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning Commission

ok

CASE NO. DR 87-5

Special Use Permit to Establish a Concrete Batch Plant  
and Rock Crusher on Property Zoned the "G"  
Mobile Home Park District

Lot 1, Block 1, Big Lake Addition to Wichita, Sedgwick County, Kansas.  
Generally located south of 31st Street South and I-235 in an area west of  
West Street.

PL/0165/4

APPLICATION FOR SPECIAL PERMIT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

DR 87-5

This is an application for a Special Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

- 1. The names of the owners of all property included in this application must be listed as applicants. Contract purchasers, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

A. APPLICANT Big Lake Mobile Home Park (Don Cain Sr) X
ADDRESS 8027 W. Kellogg Zip Code 67209 PHONE 722-6071
AGENT

ADDRESS 8027 W. Kellogg Zip Code 67209 PHONE 722-6071

B. APPLICANT Stannard Construction Co., Inc.

ADDRESS 6015 N. Broadway X Zip Code 67219 PHONE 744-0433

AGENT David Stannard

ADDRESS 6015 N. Broadway Zip Code 67219 PHONE 744-0433

C. APPLICANT

ADDRESS Zip Code PHONE

AGENT

ADDRESS Zip Code PHONE

(Use separate sheet if necessary for names of additional applicants).

- 2. A. The applicant proposes to establish a

Concrete Batch Plant and Rock Crusher (use)

Home Park on property zoned R-5 Mobile and legally described as Lot 1

Block 1

of the Big Lake Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

Part of NE 1/4 - Sec. 11, Twp. 28S - Rg 1W lying west of MoPac Rd & S & W of I-235

(Presently platted as Lot 1 Block 1 Big Lake Addition)

use as legal

B. There are 70 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 5143A+D Zoning (N) E (S) G (E) E (W) G +E MAPC 4-16-87
+R-5 in City Co. in County

T9-212-2

Revised 9/86

CPO 4B 4-21-87 2yr.

3. This property is located at (address) 3900 W. 31st So.  
Lying Wst of MoPac Rd.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the \_\_\_\_\_ corner of \_\_\_\_\_ and \_\_\_\_\_

OR

B. On the South side of 31st St. So and I-235 in  
an area west of West St. (Ave.) Street between  
(Ave.) Street and \_\_\_\_\_ (Ave.) Street.

The property included in this application is zoned \_\_\_\_\_  
(ZONING DISTRICT CLASSIFICATION).

4. We request this special permit for the following reasons:

**To process concrete and crush used concrete for the resurfacing  
of the South portion of I235 & I135**

5. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY OR COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

*[Signature]*  
APPLICANT'S SIGNATURE

BY *[Signature]*  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at \_\_\_\_\_ 11 30  
(AM, PM) on 3-17-87 (day, month, year). It has been checked and  
found to be complete and accompanied by required documents and the appropriate fee of \$ 150.00.

*Ownership list coming.*

*Boarb Harris* Name  
*Senior Planner* Title

March 16, 1987

LETTER OF INTENT

Jack Galbraith  
Wichita Zoning Commission  
Wichita, Kansas

Stannard Construction Co., Inc. has a contract with the Kansas Department of Transportation to reconstruct I-135 and I-235. Contract will require crushing the old concrete pavement as salvageable material to be used as a recycle aggregate in the Portland Cement Treated Base. The crusher will be at this location until the projects are complete and at that time, the crushing equipment will be removed. This contract also requires use of a concrete batch plant which will be at the same location as the rock crusher.

intent/766A

March 16, 1987

LETTER OF INTENT

Jack Galbraith  
Wichita Zoning Commission  
Wichita, Kansas

Stannard Construction Co., Inc. has a contract with the Kansas Department of Transportation to reconstruct I-135 and I-235. Contract will require crushing the old concrete pavement as salvageable material to be used as a recycle aggregate in the Portland Cement Treated Base. The crusher will be at this location until the projects are complete and at that time, the crushing equipment will be removed. This contract also requires use of a concrete batch plant which will be at the same location as the rock crusher.

intent/766A

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 200 feet of:  
Lot 1, Block 1, BIG LAKE ADDITION,  
Wichita, Sedgwick County, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>DESCRIPTIONS</u>	<u>RECORD OWNERS</u>
Lot 1, Block 1, BIG LAKE ADDITION,	X Big Lake, Inc. P.O. Box 9090 Wichita, Kansas 67277
Lot 1, KEELER ADDITION,	X The Walt Keeler Co. P.O. Box 197 Wichita, Kansas 67201
That part of the Southeast Quarter lying West of I-235 Highway, A-76777, EXCEPT beginning at the Southwest corner of the Southeast Quarter; thence North 430 feet; thence East 110 feet to Protection Drainage Ditch; thence Southeasterly along Ditch to South line of Southeast Quarter; thence West to beginning, Section 2, Township 28 South, Range 1 West,	X Walter M. & Irma M. Keeler 2124 Garland Wichita, Kansas 67203

Fidelity  Title  
COMPANY, INC.

DESCRIPTIONS

RECORD OWNERS

Lot 1, Block 1, MID KANSAS ADDITION, AND Lot 1, Block A, ROYAL INDUSTRIAL ADDITION, X Mid-Kansas Construction Co., Inc. 1245 S. Santa Fe Wichita, Kansas 67202

That part of the North Half of the Southwest Quarter lying East of Floodway and abandoned Missouri Pacific Railroad Right of Way on the East, Section 11, Township 28 South, Range 1 West, X Victor B. Eisenring 4620 W. 21st Street North Wichita, Kansas 67212

Beginning at the Southwest corner of the Southeast Quarter; thence North 430 feet; thence East 110 feet to Protection Drainage Ditch; thence Southeasterly along ditch to South line of Southeast Quarter; thence West to beginning, Section 2, Township 28 South, Range 1 West, X Jerry & Nancy Ann Westeman 4032 W. 31st Street South Wichita, Kansas 67215



That part of the Southeast Quarter, lying West of Missouri Pacific Railroad Right of Way, EXCEPT West 933 feet of the South 1133 feet and EXCEPT the South 350 feet of the East 140 feet and EXCEPT MacArthur Road, Section 11, Township 28 South, Range 1 West, X The Walt Keeler Company, Inc. P.O. Box 197 Wichita, Kansas 67201

Dated at Wichita, Kansas, this 18th day of March, 1987 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

*Medina L. Sutter*

By Medina L. Sutter  
Administrative Secretary

Tracer No. 73782



EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 16, 1987

LEGAL:

6. Case No. DR 87-5 - Big Lake, Inc. requests Special Use Permit for Lot 1, Block 1, Big Lake Addition to Wichita, Sedgwick County, Kansas. Generally located south of 31st Street South and I-235 in an area west of West Street.

OLIVAREZ pointed out land use, zoning and showed slides of the general area. She reviewed the following staff report:

**Background:** The applicants are requesting a special use permit for a concrete batch plant and rock crusher to be located at the site of a former sand and gravel extraction operation south of 31st Street South and I-235 and west of West Street. The sand extraction operation was completed several years ago and the entire 70 acres was rezoned and platted for a mobile home park which has not yet begun to develop. This batch plant and rock crusher site is being requested in conjunction with the project to resurface the interstate between Kellogg and the Turnpike which will take two construction seasons. The equipment will be removed from the site upon completion of the project.

**Analysis:** A large peninsula extends into the 35-acre lake from the east shoreline with access to Bolin Drive, the frontage road along the south side of the interstate. The batch plant and rock crusher are to be located on this peninsula. Adjacent properties in this vicinity are zoned and developed for industrial purposes.

A recommendation of approval should be subject to the following conditions:

1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East Central portion of Big Lake Addition, and no other portion of this Addition shall be used for these facilities.
2. Upon completion of this contractor's interstate resurfacing project, all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).

DISCUSSION:

OLIVAREZ stated that this location seems to be a better location for a batch plant. Most areas around it are of an industrial nature. She said that this batch plant will be temporary, and if approved, the resolution will cite the project number so that any future policing or checking of this facility will relate it to a specific project in determining whether that project has been closed out or is still an ongoing project. OLIVAREZ said that staff recommended approval of this application subject to the printed staff comments as well as two additional ones which are as follows:

- "3. The installation and operation of this batch plant facility shall comply with all Kansas air pollution regulations. The applicant shall contact the local Environmental Health Division

of the Health Department for the necessary permit application.

4. Any violation of conditions attached shall declare this special use permit null and void."

DAVID STANNARD, agent representing the applicant, stated that he had talked to Walt Keeler and his one concern was that the northwest portion of the site would be used for this batch plant and rock crusher. STANNARD said that he planned to fill some of the northeast corner of the lake with waste fill from the interstate.

WALT KEELER, 2124 Garland, stated that he owns the property on the north side of 31st Street directly across from this site. He said that he was speaking for two families who also live either on his property or adjacent to his property. He said that he has no objections to the broken concrete that Mr. Stannard proposes to put along the water's edge which comes from the construction project in the form of either dirt, sand, brick, asphalt or concrete. KEELER said that he has no objection whatsoever to the applicant building a concrete plant for the purpose of furnishing the concrete on this particular project. He said that the project would be done in two years but he would not be hard to get along with if the job was not done in two years and they would have to get permission to stay another month or two.

KEELER said that he was only concerned about the crushing operation. Having been in the crushing business himself for many years, KEELER said that he knows that crushing operations create a lot of noise, dust, and in this particular area the prevailing winds are from the southwest, and he was especially concerned about this crushing operation not creating a dust problem across the street where the two families he represents are living. He said that directly across the railroad track from this parcel of land is an asphalt plant, and directly south of this location is a pumped out sandpit that his company pumped out several years ago. Directly to the west is the Big Ditch and then across Bolin Avenue and 31st Street is his location. KEELER said that he was only suggesting one thing, that this application stop at the half section line rather than the Big Ditch. The half section line which splits this parcel of land runs from 31st Street on the north to the half section line on the south, and runs down the half section line halfway between West Street and Hoover Road, and if that provision could be added, then he would have absolutely no problem with it.

GARY WEBB, 3936 Calvert Court, concurred that Mr. Stannard had cleaned this property up considerably, however, not to his satisfaction. He said that the property over the last few years has had everything from junk automobiles to metal sheds that deteriorated to no-use value. He said that he understood the need for a place to have a batch plant. Although the dust does not worry him considerably, he was a little concerned about the rubble and rubbish, etc. that would most certainly be dumped there. WEBB said that this site has been a favorite dumping place over the past few years for people to dump trash, and he felt that could still be a problem, and would definitely

be a problem after the application period expired. He asked that the Commission oppose this application.

GALBRAITH commented that this site had a conditional use for a sandpit (CU-259, approved in 1983) but that case expired when the property was annexed into the city and the property became zoned "C" Mobile Home zoning. He said that there was always the question about what could be done about stabilizing the bank of the lake. GALBRAITH said that what he was hearing today was that as part of the batch plant operation, Mr. Stannard has entered into some type of contract with the person leasing him the land to do substantial fill on the land. He mentioned that at the County Commission meeting last week they had a demolition construction material type landfill south of Derby that was opposed by adjacent property owners. GALBRAITH said that there has been no permit authorized by the state to create a landfill operation at this site, and if that is occurring, it is in violation.

PARSONS said that he did not see anything in this application that asks for anything other than for a batch plant. He said that there was not anything that addresses the fill issue.

GARDNER commented that where they may only be dealing with a crusher and a batch plant, he was not sure the proper interpretation of this conditional use permit precludes alteration of the bank or property. He said that he slightly differed from Galbraith in that he sees a dramatic difference between this site and what is being proposed and what was being dealt with on Lusk's and its prior history. He felt that there was a tendency to shave these things so thin occasionally that they are trapped by semantics in terms of what is and what is not being approved, is or is not required of a conditional use permit. He said that rather than have their remarks interpreted as precluding the reshaping of the bank, the applicant should settle with Central Inspection or the County inspection department.

PARSONS said that he thought he had heard staff say that the Planning Commission did not have the authority to grant the applicants permission to alter the pit, and that is not even what the application is addressing. The application is only addressing the operation of the batch plant at a very confined area.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

1. The concrete batch plant, rock crusher, and all activity associated with these uses shall be located on the peninsula of land in the East

4-16-87  
Page 4

Central portion of Big Lake Addition, and i.o other portion of this Addition shall be used for these facilities.

2. Upon completion of this contractor's interstate resurfacing project, all materials and equipment associated with the batch plant and rock crusher shall be removed from the site and the site restored to its current condition (or better).
3. The installation and operation of this batch plant facility shall comply with all Kansas air pollution regulations. The applicant shall contact the local Environmental Health Division of the Health Department for the necessary permit application.
4. Any violation of conditions attached shall declare this special use permit null and void.
5. Approval of this request does not authorize the filling of the existing lake.

Wilson moved, Peters seconded and it carried  
unanimously. Miles was absent.

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PL/1174/2

FORM 29

PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
Special Board	150
to take action	

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

FUND \_\_\_\_\_ DUE DATE \_\_\_\_\_

COMMENTS \_\_\_\_\_

DATE \_\_\_\_\_ BY \_\_\_\_\_



