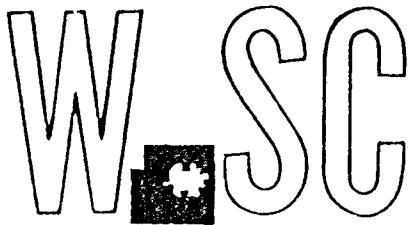


August 24, 1999



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4421  
FAX (316) 268-4390

*FILE COPY*

Coastal Refining and Marketing Inc.  
%Reed Copeland  
1100 E. 21<sup>st</sup> Street  
Wichita, Kansas 67214

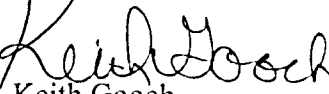
**RE: CU – 530 – Conditional Use permit to allow a wrecking salvage yard operation. On property generally located north of 21<sup>st</sup> Street North and west of New York.**

Dear Ladies and Gentlemen:

On August 24, 1999, the Wichita City Council considered the above-captioned request. The action of the Council was to APPROVE the request, subject to the conditions stated in the letter dated July 30, 1999. If you have any further questions concerning this matter, please contact the Planning Department office at 268-4421.

- A. This Conditional Use shall authorize the operation of an iron, metal, and auto salvage yard. In no event shall the storage or baling of waste, scrap paper, rags or junk (excluding metal) be permitted other than incidental storage and baling of some that may arrive with scrap metal.
- B. The salvage yard shall be in general conformance with a revised site plan, which indicates the location of the proposed office, scale, entrance, vehicle storage areas, customer and employee parking. The site, which will be used by the applicant as an area to stockpile scrap metal parts and wrecked vehicles on Lot 6 and Lot 7, shall be enclosed with a fence not less than eight feet in height and openings not in excess of five percent of the area of such fence. A black mesh material (typically used on golf driving ranges) may be used to provide this screening or other appropriate material as deemed suitable by the City Zoning Administrator. In the event that any or all ten storage tanks are removed to the east and/or south of this property, and the Zoning Administrator determines that there is no longer sufficient screening provided from this site to I-135 and/or to 21<sup>st</sup> Street North, then a 15 foot tall screening fence consisting of poles and a black mesh material as stated above shall be constructed along those portions of the property line or the zoning Administrator deems necessary. All access roads shall be paved with asphalt.

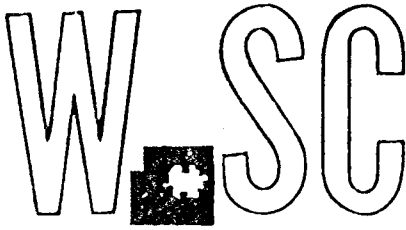
- C. The applicant shall guarantee the extension of municipal sewer and water to serve this site.
- D. The height of scrap metal piles and wrecked vehicles shall not exceed 30 feet from ground level on Lot 6 and the west half of Lot 7, nor 8 feet on the east half of Lot 7.
- E. Salvaged materials are to be piled and stored in an orderly manner such as would be provided by racks or bins. In order to reduce rodent potential, racks and bins shall be elevated so there is at least 18 inches between the bottom of the rack or bin and the ground. Racks or bins shall be a minimum of 48 inches away from any wall, fence, or other rack or bin. Non-rackable material shall be stored with an exposed perimeter or in a manner specified by the Health officer to prevent harborage and breeding.
- F. The applicant shall maintain at all times an active program for the eradications and control of rodents.
- G. Weeds shall be controlled within the salvage area and adjacent to and along the outside perimeter of the wall or fence.
- H. Entrance gates shall be provided with breakaway locking devices or other appropriate method to permit access by the Fire Department.
- I. Gasoline, solvents, oils and other automotive liquids shall be stored and managed and disposed of in a manner that minimizes potential for groundwater contamination, and complies with all applicable KDHE regulations pertaining hazardous materials and hazardous waste.
- J. Any on-site sewer system shall be used only for disposal of domestic sewage. No chemicals, solvents, and automotive wastes shall be disposed in the sewage facility. If solvents or hazardous wastes are generated or stored, they are to be managed in accordance with KDHE regulations.
- K. Any violation of conditions attached shall declare the Conditional Use null and void.

Sincerely,  
  
Keith Gooch  
Senior Planner

KG/rs

cc: Caster Excavating, P O Box #10, Kechi, KS 67067  
Steve Stark, P O Box 997, Wichita, KS 67201  
Kurt Schroder, Office of Central Inspection  
Paul Hays, Office of Central Inspection  
Randy Sparkman, Office of Central Inspection  
J.R. Cox, Office of Central Inspection

WICHITA — SEDGWICK COUNTY



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DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4421  
FAX (316) 268-4390

**FILE COPY**

September 28, 1999

Caster Excavating  
Jeff Caster  
P.O. Box #10  
Kechi, KS 67067

**Re: An administrative adjustment to CU-530 Conditional Use permit to allow a wrecking salvage yard operation, located north of 21<sup>st</sup> Street North and west of New York.**

Dear Mr. Caster:

We have reviewed your request for an administrative adjustment to allow an access opening to New York Street in lieu of the permitted opening along vacated Cleveland Street. The Conditional Use as approved by the Wichita City Council was permitted an opening to 21<sup>st</sup> Street North through vacated Cleveland Street. You have stated that instead of Cleveland Street you would prefer to have access to New York Street via an access road across your property.

Upon review of your request, staff believes the request is minor in nature since no additional traffic will be generated and there will actually be more separation between openings along 21<sup>st</sup> Street North which will allow for better traffic flow.

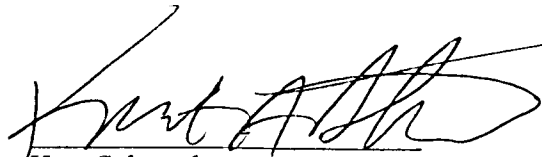
Our signatures below indicate that an administrative adjustment to allow an access opening to New York Street in lieu of the permitted opening along vacated Cleveland Street is hereby granted subject to the following condition:

- 1) The property shall be developed in general conformance with the attached site plan and all other conditions of CU-530 shall be met except for no access shall be permitted to vacated Cleveland Street. The only opening shall be via New York Street.

The zoning adjustment sign shall now be removed from the property.



Marvin S. Krout  
Director of Planning



Kurt Schroeder  
Superintendent of Central Inspection

cc: Kurt Schroeder, Office of Central Inspection  
Randy Sparkman, Office of Central Inspection  
Paul Hayes, Office of Central Inspection

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↑

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SHREDDER  
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SCRAP STORAGE  
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SCALE  
SCALE OFFICE

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CL-530

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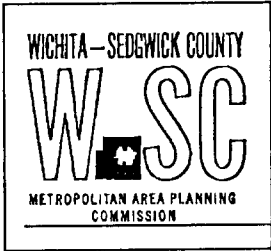
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AGENDA ITEM NO. \_\_\_\_\_

## STAFF REPORT

CPO (6) July 28, 1999

MAPC July 29, 1999

CASE NUMBER: CU-530

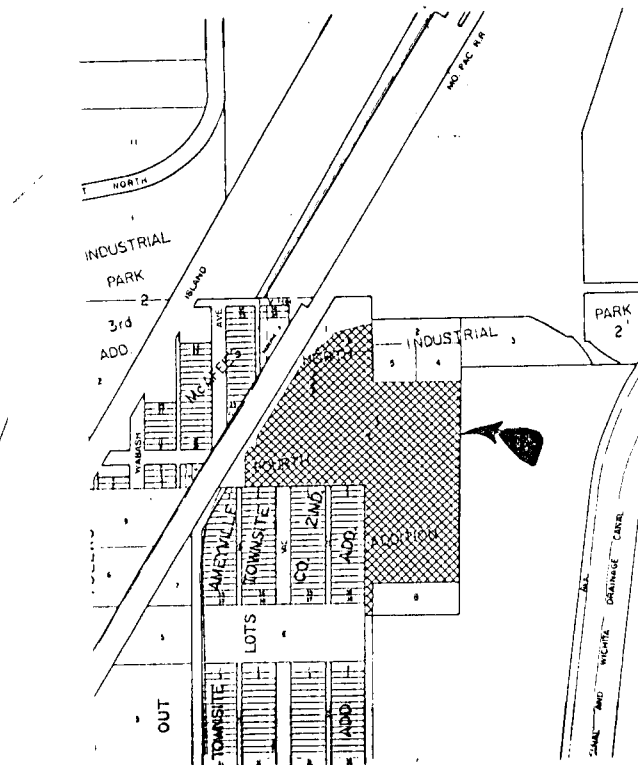
APPLICANT/AGENT: Coastal Refining and Marking Inc. c/o Reed Copeland (Owner); Caster Excavating c/o Jeff Caster (Contract Purchaser); and Steve Stark (Agent)

REQUEST: Conditional Use permit to allow a wrecking salvage yard operation

CURRENT ZONING: "LI" Limited Industrial

SITE SIZE: 12 acres

LOCATION: North of 21<sup>st</sup> Street North and west of New York



**BACKGROUND:** The applicant is requesting a Conditional Use permit to allow a wrecking salvage yard on a 12 acre platted tract of land located north of 21<sup>st</sup> Street North and west of New York Street. The Unified Zoning Code only permits salvage yard operations to be located in the "LI" Limited Industrial and "GI" General Industrial districts and are also required to obtain a Conditional Use permit.

The applicant's current business is located at 61<sup>st</sup> Street North and Woodlawn. The applicant has operated an excavating business at this location for some time. He recently added the salvage operation at the present location and was issued a citation by Sedgwick County Code Enforcement. In the opinion of the County Zoning Administrator, the salvage operation was not a legal land use. The applicant appealed this decision to the Sedgwick County Board of Zoning Appeals and was denied. The applicant subsequently filed an appeal of the BZA's action in District Court. If this request was approved to relocate his salvage yard operation to this site, the applicant has indicated that he would drop the existing lawsuit.

The applicant has stated that he buys metal from other demolition contractors and recyclers. He then shreds or shears this material and sells it to steel mills in Kansas City or Tulsa. There are 8-10 employees involved in the salvage operation at its current location. These individuals would move to this new location, if this request is approved.

The applicant has submitted a site plan, which shows this 12 acre site split into five different uses. Scrap and storage area is to be located just east of the access road from 21<sup>st</sup> Street North (vacated Cleveland Street), between existing Coastal storage tanks. A scale and office is to be located north of the western Coastal storage tanks, and just west of the proposed scrap/storage area to be located at the terminus of the vacated street. A proposed shredder is north of the scale and office area, and a shear is to be located just west of these two areas. A revised site plan will have to be submitted showing the exact location of the scale and office, employee and customer parking, and the proposed shredder and shear, if this request is approved.

The Unified Zoning Code requires one parking space per 250 square feet of office or retail sales area, plus per 2,000 square feet of building area used for warehousing of salvaged part; plus one per 43,560 square feet of outdoor storage area. Staff is unable to estimate the required number of parking spaces until the revised site plan is provided.

There is "GI" General Industrial zoning located to the north, east, west and south. The Coastal Refinery property is located to the south, east and west. There are railroad and industrial uses also located west of the property. North of the property is Safety Kleen, which is a toxic chemical disposal company.

**CASE HISTORY:** None

**ADJACENT ZONING AND LAND USE:**

NORTH:	"GI"	Safety Kleen
SOUTH:	"GI"	Coastal Refinery
EAST:	"GI"	Coastal Refinery
WEST:	"GI"	Coastal Refinery, railroad and other industrial uses

**PUBLIC SERVICES:** This site has access to 21<sup>st</sup> Street North, a four-lane arterial with current traffic volumes of 13,623. The 2020 Transportation Plan estimates the volume on 21<sup>st</sup> Street will increase to 19,218. No improvements are scheduled in the City of Wichita "Capital Improvement Program" for this stretch of 21<sup>st</sup> Street North.

Municipal water and sewer are available to serve this site.

**CONFORMANCE TO PLANS/POLICIES:** The City of Wichita "Land Use Guide" identifies this area as appropriate for industrial uses. The industrial locational guidelines of the Comprehensive Plan indicate that such uses should be located in close proximity to support services and provided good access to major arterials, belt highways, utility lines, along railroad spurs, near airports, and as extensions of existing industrial areas.

**RECOMMENDATION:** Based on the fact that this property is surrounded by similar heavy industrial uses and is screened from view from 21<sup>st</sup> Street North, it should have no significant impact on the surrounding property. Based on the information available prior to the public hearing, planning staff recommends that the request be APPROVED, subject to the following conditions:

- A. This Conditional Use shall authorize the operation of an iron, metal, and auto salvage yard. In no event shall the storage or baling of waste, scrap paper, rags or junk (excluding metal) be permitted.
- B. The salvage yard shall be in general conformance with a revised site plan, which indicates the location of the proposed office, scale, entrance, vehicle storage areas, customer and employee parking. The site shall be enclosed with a fence not less than eight feet in height and openings not in excess of five percent of the area of such fence. All access roads shall be paved with asphalt.
- C. The applicant shall guarantee the extension of municipal sewer and water to serve this site.
- D. The height of scrap metal piles and wrecked vehicle shall not exceed the height of the screening fence.

- E. Salvaged materials are to be piled and stored in an orderly manner such as would be provided by racks or bins. In order to reduce rodent potential, racks and bins shall be elevated so there is at least 18 inches between the bottom of the rack or bin and the ground. Racks or bins shall be a minimum of 48 inches away from any wall, fence, or other rack or bin. Non-rackable material shall be stored with an exposed perimeter or in a manner specified by the Health officer to prevent harborage and breeding.
- F. The applicant shall maintain at all times an active program for the eradications and control of rodents.
- G. Weeds shall be controlled within the salvage area and adjacent to and along the outside perimeter of the wall or fence.
- H. Entrance gates shall be provided with breakaway locking devices or other appropriate method to permit access by the Fire Department.
- I. Gasoline, solvents, oils and other automotive liquids shall be stored and managed and disposed of in a manner that minimizes potential for groundwater contamination, and complies with all applicable KDHE regulations pertaining hazardous materials and hazardous waste.
- J. Any on-site sewer system shall be used only for disposal of domestic sewage. No chemicals, solvents, and automotive wastes shall be disposed in the sewage facility. If solvents or hazardous wastes are generated or stored, they are to be managed in accordance with KDHE regulations.
- K. Any violation of conditions attached shall declare the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The general area is characterized by a number of heavy industrial uses, which have been in existence for some time. The proposed use is consistent with the properties located in the general area.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently limited to heavy industrial uses. Wrecking/salvage yards are permitted in this zoning classification with a Conditional Use. This site could be developed with a use (i.e. asphalt or concrete plant, freight terminal, outdoor storage, vehicle storage yard, warehousing, etc.) that is permitted "by-right" in this zoning classification.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Since the general area is already characterized by heavy industrial uses, the impact upon nearby properties should be minimal when considering the impact created by those uses currently operating in the area. For the most part the site is buffered from view by the Coastal refinery from 21<sup>st</sup> Street, and all materials will be screened.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: This site is in conformance with the land use guide and locational guidelines of the Wichita-Sedgwick County Comprehensive Plan which identifies this area as appropriate for industrial uses.
5. Impact of the proposed development on community facilities: None identified.