



Wichita-Sedgwick County Metropolitan Area Planning Department

June 24, 2009

Salpulpa Auto Pool
Attn: Ted Holt
9101 Francoma Rd
Salpulpa, OK 74066

John Peninger
407 Circle Dr
Derby, KS 67037

RE: ZON2009-13 and CON2009-14 - County Zone change from SF-20 Single-Family Residential and LC Limited Commercial to LI Limited Industrial and Conditional Use for Wrecking/Salvage Yard to expand existing auto pool, east of West Street and north of MacArthur Road.

Dear Ladies and Gentlemen:

At its regular meeting on **June 24, 2009**, the Sedgwick County Commission considered the above captioned request. The action of the Commission was to **APPROVE** the request subject to the applicant requesting annexation within 120 days, and the following conditions:

1. The Conditional Use shall authorize the operation of a wrecking/salvage yard to store and auction/sell wrecked/inoperable vehicles that are owned by insurance companies as total insurance losses; commonly referred to as an insurance pool. There shall be no mechanical or body work done on the site. There shall be no dismantling of vehicles on the site. There shall be no storage or sale of vehicle parts on the site. In no event shall the Conditional Use authorize collecting, dismantling, storing, and/or salvaging of machinery, equipment, appliances, bulky waste, salvage materials, junk, storage or bailing of solid waste, scrap materials or discarded materials and/or the sale of parts thereof. An auction of wrecked/inoperable vehicles owned by insurance companies as total insurance losses (an insurance pool) shall be once per week from 10AM to 1PM.
2. All of the conditions of UZC, Art II, Sec III-D.6.e will be enforced, including the approval of solid fencing or wall materials. Compatibility setbacks will be applied to all property lines shared with residential zoning. Vehicles shall not be parked or stored

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within required setbacks. Compatibility noise standards shall apply to the site. An approved landscape buffer of evergreen trees, a minimum of 5 feet in height shall be planted every 25 feet where the site abuts residential zoning with residential or institutional uses, and every 40 feet where the site abuts commercial zoning with residential uses. The landscape buffer shall be a minimum of 15 feet. All landscaping shall be irrigated and shall be planted and maintained in general conformance with a landscape plan approved by Planning staff prior to operations beginning.

3. An on-site parking area paved with asphalt or concrete with a paved access drive to West Street shall be provided for employee and customer parking. The paved access drive will also be used for the delivery of vehicles for sale or auction. Parking shall be per the UZC and will be shown with the landscape plan.
4. Unpaved areas for the storage and selling of wrecked/inoperable vehicles shall be an approved all-weather surface.
5. A revised site plan and landscape plan addressing the conditions of approval shall be approved by the Planning Director prior to beginning the operation.
6. No wrecked/inoperable vehicles shall be visible from ground-level view from West Street or abutting properties.
7. Storage of all wrecked/inoperable vehicles shall be in an orderly manner with an exposed perimeter as specified by Environmental Services to prevent rodent harborage and breeding.
8. The applicant shall maintain at all times an active program for the eradication and control of rodents.
9. Weeds shall be controlled within the subject property and adjacent to and along the outside perimeter of the screening fence.
10. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the site shall be provided by fire lanes per the direction and approval of the Fire Department.
11. Access to the subject property shall be provided for on-going inspections of the site for groundwater and soil contaminants by Environmental Services and other applicable governmental agencies. If the inspections determine it to be necessary, the applicant shall be required to install monitoring wells and/or perform soil testing on the property to

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monitor the quality of groundwater and/or soil, and shall pay the cost of an annual groundwater and/or soil test for contaminants as designated by Environmental Services.

12. Notification shall be given to Environmental Services of any on-site storage of fuels, oils, chemicals, hazardous waste or hazardous materials. A disposal plan for fuels, oils, chemicals, hazardous wastes or hazardous materials shall be placed on file with Environmental Services. All manifests for the disposal of fuels, oils, chemicals, hazardous wastes or hazardous materials must be kept on file at the site and available for review by Environmental Services.
13. The applicant shall implement a drainage plan prior to the commencement of operations. The drainage plan shall be consistent with the plat, approved by the responsible government engineer, and shall minimize non-point source contamination of surface and ground water.
14. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of a wrecking/salvage yard.
15. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Jess McNeely, AICP
Senior Planner
Current Plans Division

JMC:mc

Copies to: Ferris Consulting, C/O Greg Ferris, Po Box 573, Wichita, KS 67201
James Orange, 3616 W. MacArthur, Wichita, KS 67217
Merle W. Souders, 3528 W. MacArthur, Wichita, KS 67217
BCoC II, Tim R. Norton, Mail Stop County, Room 320
Bill Buchanan, County Manager, County Room 343
Bob Parnacott, County Law, Mail Stop Room 359

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Southwest Village, Dick Kovich, 3150 S. Gow Circle, Wichita, KS 67217
Waco Township, Charles Becker, 5741 S Maize Rd, Clearwater, KS 67026
Glen Wiltse County Code Enforcement, 1144 S Seneca, Wichita, KS 67213
Jim Weber County Public Works, 1144 S Seneca, Wichita, KS 67213

A RESOLUTION FOR A CONDITIONAL USE FOR A WRECKING/SALVAGE YARD ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D AS ADOPTED BY RESOLUTION NO. 84-01, AS SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita Sedgwick County unified Zoning Code, a Conditional Use for a Wrecking/Salvage Yard on 8.4-acres of property zoned LI Limited Industrial ("LI").

Case No. CON 2009-14

Legally described as: A tract in the Southwest Quarter of Section 12, Township 28 South, Range 1 West of the 6th P.M. Sedgwick County, Kansas, described as: Beginning at a point on the West line and 1435.93 feet South of the Northwest corner of said Southwest Quarter; thence East, parallel with the North line of said Southwest Quarter, 325 feet'; thence North, parallel with the West line of said Southwest Quarter, 504.08 feet; thence East, parallel with the North line of said Southwest Quarter, 367.15; thence South parallel with the West line of said Southwest Quarter, 1376 feet more or less to a point 350 feet North of the South line of said Southwest Quarter; thence West parallel with the South line of said Southwest Quarter, 180 feet; thence North, Parallel with the West line of said Southwest Quarter 822.8 feet more or less to a point 1485.93 feet South of the North line of said Southwest Quarter, thence West, parallel with the North line of said Southwest Quarter, 512.15 feet to a point on the West line of said Southwest Quarter; thence North, along the West line of said Southwest Quarter, 50 feet to the point of beginning..

SUBJECT TO THE APPLICANT REQUESTING ANNEXATION WITHIN 120 DAYS OF FINAL APPROVAL AND THE FOLLOWING CONDITIONS:

1. The Conditional Use shall authorize the operation of a wrecking/salvage yard to store and auction/sell wrecked/inoperable vehicles that are owned by insurance companies as total insurance losses; commonly referred to as an insurance pool. There shall be no mechanical or body work done on the site. There shall be no dismantling of vehicles on the site. There shall be no storage or sale of vehicle parts on the site. In no event shall the Conditional Use authorize collecting, dismantling, storing, and/or salvaging of machinery, equipment, appliances, bulky waste, salvage materials, junk, storage or baling of solid waste, scrap materials or discarded materials and/or the sale of parts thereof. An auction of wrecked/inoperable vehicles owned by insurance companies as total insurance losses (an insurance pool) shall be once per week from 10AM to 1PM.
2. All of the conditions of UZC, Art II, Sec III-D.6.e will be enforced, including the approval of solid fencing or wall materials. Compatibility setbacks will be applied to all property lines shared with residential zoning. Vehicles shall not be parked or stored within required setbacks. Compatibility noise standards shall apply to the site. An approved landscape buffer of evergreen trees, a minimum of 5 feet in height shall be planted every 25 feet where the site abuts residential zoning with residential or institutional uses, and every 40 feet where the site abuts commercial zoning with residential uses. The landscape buffer shall be a minimum of 15 feet. All landscaping shall be irrigated and shall be planted and maintained in general conformance with a landscape plan approved by Planning staff prior to operations beginning.

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5. A revised site plan and landscape plan addressing the conditions of approval shall be approved by the Planning Director prior to beginning the operation.
6. No wrecked/inoperable vehicles shall be visible from ground-level view from West Street or abutting properties.
7. Storage of all wrecked/inoperable vehicles shall be in an orderly manner with an exposed perimeter as specified by Environmental Services to prevent rodent harborage and breeding.
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10. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the site shall be provided by fire lanes per the direction and approval of the Fire Department.
11. Access to the subject property shall be provided for on-going inspections of the site for groundwater and soil contaminants by Environmental Services and other applicable governmental agencies. If the inspections determine it to be necessary, the applicant shall be required to install monitoring wells and/or perform soil testing on the property to monitor the quality of groundwater and/or soil, and shall pay the cost of an annual groundwater and/or soil test for contaminants as designated by Environmental Services.
12. Notification shall be given to Environmental Services of any on-site storage of fuels, oils, chemicals, hazardous waste or hazardous materials. A disposal plan for fuels, oils, chemicals, hazardous wastes or hazardous materials shall be placed on file with Environmental Services. All manifests for the disposal of fuels, oils, chemicals, hazardous wastes or hazardous materials must be kept on file at the site and available for review by Environmental Services.
13. The applicant shall implement a drainage plan prior to the commencement of operations. The drainage plan shall be approved by the responsible government engineer, and shall minimize non-point source contamination of surface and ground water.
14. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of a wrecking/salvage yard.
15. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

Commissioners present and voting were:

DAVID M. UNRUH	<u>Aye</u>
TIM R. NORTON	<u>Aye</u>
KELLY PARKS	<u>Aye</u>
GWEN WELSHIMER	<u>Aye</u>
KARL PETERJOHN	<u>Aye</u>

DATED this 24th day of June, 2009

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Kelly Parks
CHAIRMAN

ATTEST:

Karen S. Bailey
for KELLY B. ARNOLD
County Clerk

APPROVED AS TO FORM ONLY:

Robert W. Parnacott
ROBERT W. PARNACOTT
Assistant County Counselor