



Wichita-Sedgwick County Metropolitan Area Planning Department

March 31, 2014

LKQ Mid-America Auto Parts, Inc., DBA LKQ Pick Your Part
700 East 21st Street North
Wichita, KS 67214

Mark Forcum
22180 S.W. Taylors Dr.
Tualatin, OR 97062

Re: CON2014-00017 – City Administrative Adjustment to adjust the boundary of the site plan associated with CON2003-00015 that permits the operation of a wrecking and salvage yard on 23.51 acres zoned GI General Industrial and located north of East 21st Street North and east of Broadway (700 East 21st Street North).

Dear Sirs:

We have reviewed your request for a City Administrative Adjustment to the boundary of the site plan associated with CON2003-00015, which permits the development of a wrecking and salvage yard as shown on the site plan dated October 6, 2003. The legal description of the 23.51 acres approved for the wrecking and salvage yard on October 6, 2003 is included in the attached resolution, dated August 19, 2003. Since the August 19, 2003, approval date, new perimeter fencing enclosing 21.38 acres has been installed, as shown on the attached exhibit prepared by Ruggles and Bohm and titled “as-built fence exhibit.” The issue creating the need for this administrative adjustment is the new perimeter fence encloses approximately 340 feet by 530 feet located in the northwest corner of the as-built fence that was not approved for wrecking and salvage by CON2003-00015, and is depicted as the hatched area on the attached site plan. CON2003-00015 approved the cross-hatched area for wrecking and salvage; however, it was not included in the newly fenced area.

An administrative adjustment is **approved** to permit wrecking and salvage operations in the newly fenced-in area - the approximately 530 feet by 340 feet depicted on the site plan as the hatched area – provided the cross hatch area is not used for wrecking and salvage operations until such time as the hatched area ceases to be used for wrecking and salvage or an amendment to the Conditional Use permits wrecking and salvage on the hatched area. Nothing in this adjustment waives or revokes the original approval to use the original area approved for wrecking and salvage, including the property located between the as-built fence and the property boundary as shown the revised site plan, except for the cross-

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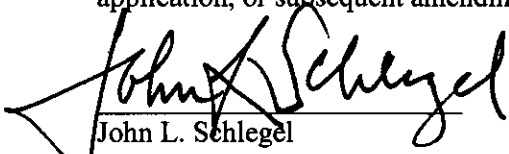
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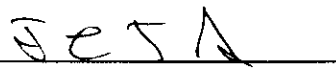
hatch area, which, under the conditions of this administrative adjustment, cannot be used for wrecking and salvage until such time as the expanded area shown in the hatched area ceases to be used for wrecking and salvage or an amendment to permit wrecking and salvage within that hatched area has been approved. In short, this adjustment swaps the use of the cross-hatch area for the hatched area until such time as the hatched area is approved for wrecking and salvage by amendment or ceases to be used for wrecking and salvage operations. Nothing in this adjustment expands the area permitted for wrecking and salvage beyond the area approved by CON2003-00015.

Art. V, Sec. V-D.14 of the UZC states that the Planning Director, with the concurrence of the Director of the Metropolitan Area Building and Construction Department, may approve minor adjustments to approved Conditional Use site plans or conditions of approval, unless finding that the proposed development would have one or more of the negative impacts stated in Sec. V-I.6, as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed adjustments to the site plan should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity, as the requested adjustment does not change public vehicular or pedestrian circulation patterns.
- 2) Impact on existing uses in surrounding areas: Exchanging one site for the other for wrecking and salvage should not have any noticeable impact on surrounding properties. The overall area permitted for wrecking and salvage activities does not increase as a result of this adjustment.
- 3) Compatibility with existing or permitted uses on abutting sites: The use of the site for a wrecking and salvage yard was approved after formal consideration by both the Metropolitan Area Planning Commission and the Wichita City Council, and was found to be a use compatible with existing or permitted uses on abutting sites.
- 4) Effect on public health, safety or welfare: Approval of the request will not change the use of the subject tract. The original Conditional Use was approved after public hearings and notice. Modifying the site plan as described above will not negatively impact the public's health, safety or welfare.

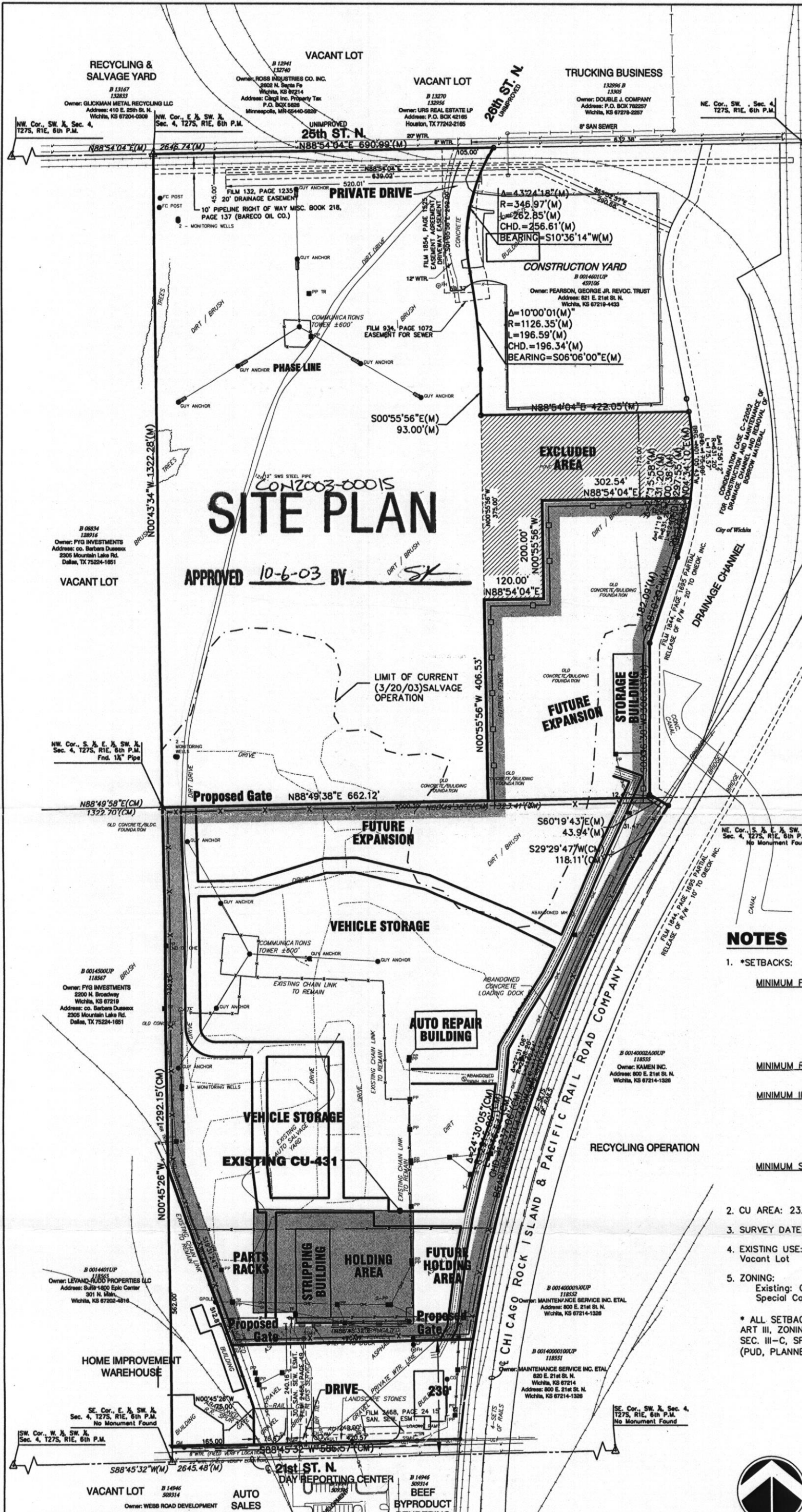
Our signatures below indicate that the requested adjustment is hereby **GRANTED** as described above. The site plan is adjusted as indicated on the attached site plan subject to the conditions noted above. All of the conditions of approval required by CON2003-00015 apply unless specifically modified by this adjustment. None of the other conditions of approval associated with the original Conditional Use application, or subsequent amendments or adjustments, are modified by this administrative action.


John L. Schlegel
Planning Director


Thomas J. Stolz
Director, Metropolitan Area Building and Construction
Department

Attachments

cc: Webb Road Development, Inc., 1223 Rock Road, H-200, Wichita, KS 67206
J. R. Cox, MABCD, 7th Floor, City Hall



LEGAL DESCRIPTION

* SEE ATTACHED *

LEGEND

- Sign
 - Bush
 - Power Pole And Guy Anchor
 - Electric Box
 - Sewer Clean Out
 - Edge Of Trees
 - Fence
 - Benchmark
 - Storm Water Manhole
 - Sanitary Sewer Manhole
 - Gate
 - Wall
 - Light Pole
 - Fire Hydrant
 - Water Valve
 - Water Meter
 - Irrigation Control Valve
 - Grate Inlet
 - Telephone Riser
 - Inlet
 - Gas Meter
 - Storm Sewer Pipe
 - Water Line
 - Sanitary Sewer Line
 - Gas Line
 - Telephone Line
 - Underground Electric Line
 - Overhead Telephone
 - Overhead Electric
 - Underground Fiber Optic Cable
 - 5/8" Rebar/misc Cts #39 Set
 - Section Corner Monument
 - Benchmark
 - Building Setback
 - Utility Easement
 - Deed Measurement
 - Measured
 - Calculated From Deeded Measurement
 - Calculated From Measurement
 - Tax key number
 - Control number
 - Access Roads
- *Per Condition #3*
- Required Screening Fence
 - Required Screening Fence to be installed in conjunction with the expansion of operations

SITE PLAN

APPROVED 10-6-03 BY *SK*

NOTES

1. *SETBACKS:
 - MINIMUM FRONT SB:** 20.00', PROVIDED THAT THE MINIMUM REQUIRED FRONT SETBACK MAY BE REDUCED PURSUANT TO SEC. III-E.2.e.(5)
 - MINIMUM REAR SB:** NO MINIMUM
 - MINIMUM INTERIOR SIDE SB:** 0.00', BUT IF AN INTERIOR SIDE SETBACK IS PROVIDED IT SHALL BE AT LEAST IN WIDTH
 - MINIMUM STREET SIDE SB:** NO MINIMUM
 2. CU AREA: 23.51 acres
 3. SURVEY DATE: March 20th, 2003
 4. EXISTING USE: Salvage Yard, Auto Sales, and Vacant Lot
 5. ZONING: Existing: General Industrial Special Case: CU-431
- * ALL SETBACKS ACCORDING TO: ART III, ZONING DISTRICT STANDARDS, SEC. III-C, SPECIAL PURPOSE/OVERLAY DISTRICTS (PUD, PLANNED UNIT DEVELOPMENT)

**AMENDMENT TO:
CONDITIONAL USE PLAN FOR CU-431
AUTO & TRUCK SALVAGE FACILITY**

DATE: APRIL 28th, 2003
Revised : Sept. 18th, '03

OWNER/DEVELOPER: Webb Road Development Inc. Bldg. E Suite 100, 1223 N. Rock Rd. Wichita, KS 67206-1269 316-636-2100



DRAWN: J. W. BROWN, CHECKED: J. W. BROWN, DATE: 04/07/03, 11:08:06 AM, CDT