

REFERRAL FROM WICHITA-SEDCWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION
TO HAYSVILLE CITY PLANNING COMMISSION.

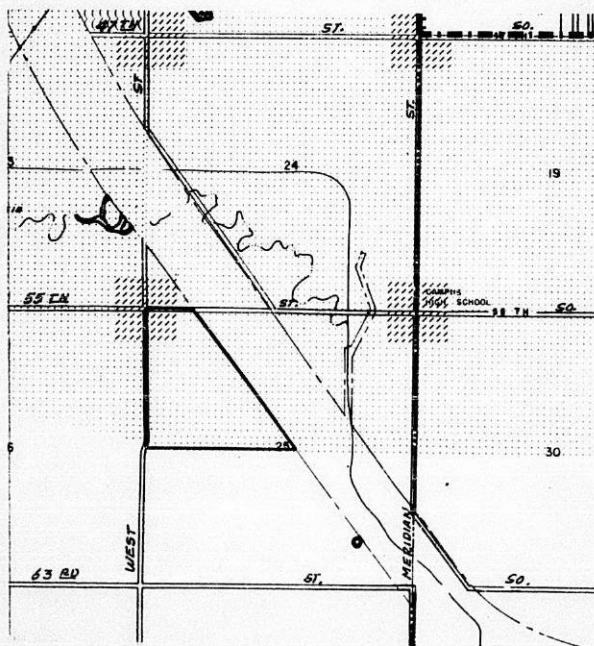
CASE No. CU-75 To BE HEARD BY THE M. A. P. C. ON March 5, 1964

Request for a Conditional Use Permit to establish a Sanitary Landfill Site.

LOCATION OF PROPERTY: Southeast corner of West Street and 55th Street
South
LEGAL DESCRIPTION OF PROPERTY: NW $\frac{1}{4}$ of Section 25, Township 28 South,
Range 1 West lying west of the west line of the Big Ditch Cowskin Flood-
way as condemned in Condemnation Case #A-29459.

PETITIONER: Metropolitan Area Planning Commission
ADDRESS: 104 South Main

COUNCIL FOR PETITIONER: Leland R. Edmonds, Secretary
SURROUNDING LAND USE: East, vacant; south, vacant; west, vacant; and
north, vacant, farm house and single family.



RECOMMENDATION OR COMMENTS BY H. C. P. C. :

Summary Report
on
Refuse Disposal and Landfill Site Hearings
in the Metropolitan Area

In accordance with instructions from the Board of City Commissioners and the City Manager, and with the concurrence of the Planning Commission, the Metropolitan Area Planning Department prepared a report entitled "Refuse Disposal in the Wichita Metropolitan Area". This report concerned the problems of a short-range and a long-range method of refuse disposal in the Metropolitan Area. Major recommendations in the report were:

- a. Utilize the sanitary landfill method for refuse disposal as both a short-range and a long-range solution to the disposal problem.
- b. Utilize a two-site disposal system; pairing sites generally on opposite sides of the Urbanized Area.
- c. Work toward a county-wide system of refuse collection and disposal whereby all existing open dumps would be closed and all collection vehicles operating in the county would be controlled.
- d. Select two sites from among five pairs recommended for use in the immediate future as landfill areas.

The report was presented in full to a public meeting of the City Commission, County Commission and Planning Commission in a joint meeting on January 16, 1964. At this meeting the Planning Commission took the following actions, concurred in by the City and County Commissions sitting "en banc":

- a. The short-range solution was approved as recommended. It was agreed that "short range" should generally be considered as a period of five years.
- b. The Department was directed to advertise for public hearing those sites included in all five pairs recommended for consideration.

Seven sites were included among the five pairs recommended. These were:

- a. DR 64-2, 93 acres, located inside the City of Wichita on MacArthur Road west of Hydraulic (Extension of the existing "Chapin" site).

- b. CU-75, 140 acres, located in the 3-mile periphery, at 55th Street South and West Street.
- c. CU-73 - 146 acres, located in the 3-mile periphery, at 13th and Hoover.
- d. DR 64-1, 117 acres, located inside the City of Wichita, at 29th Street North and Hillside.
- e. CU-72, 160 acres, located in the 3-mile periphery, at 37th Street North and Rock Road.
- f. CU-74, 160 acres, located in the 3-mile periphery, at 55th Street South and Oliver.
- g. CU-76, 203 acres, located in the 3-mile periphery, between Clifton and the River, south of 55th Street South.

Of the above seven (7) sites, five (5) are so located as to be controlled by the Sedgwick County Zoning Resolution. Two (2) are so located as to be controlled by the City of Wichita Zoning Ordinance.

The sites in the 3-mile periphery require, before their use as sanitary landfill sites, approval of "Conditional Use" under Section 11.F of the County Zoning Resolution. This section requires the Planning Commission to hold a public hearing and make a recommendation to the County Commission for final action.

The sites in the City Require, before their use as sanitary landfill sites, approval by the Board of City Commissioners under Section 28.04.180A8 of the Code of the City of Wichita. As such, a hearing by the Planning Commission was not required, but such was held after full notice was given as requested by the City Commission.

After due notice by advertising and individual mailed notice to property owners within 1000 feet, the Planning Commission held a hearing on the seven (7) sites listed on March 5, 1964. At that time, after hearing proponents and opponents; and after considering each of the sites in the light of the report, "Refuse Disposal in the Wichita Metropolitan Area", the Planning Commission made the following recommendations (Minutes attached as Exhibit 1):

- a. To the County Commission:
 - 1. Disapprove the use of Sites CU-73, CU-74 and CU-75 as landfill areas.
 - 2. Approve the use of Sites CU-72 and CU-76 as landfill areas, subject to specifically listed conditions (attached hereto as Exhibit 2).

b. To the City Commission:

1. Disapprove the use of Site DR 64-1 as a landfill area.
2. Approve the use of Site DR 64-2 as a landfill area subject to specifically listed conditions (attached hereto as Exhibit 3).

The Planning Commission also directed that two additional sites be advertised for public hearing; these being:

- a. CU-77, 116 acres, located in the 3-mile periphery, at 29th Street North and West Street.
- b. CU-78, 240 acres, located in the 3-mile periphery, at 47th Street South and Rock Road.

After due notice, public hearing was held on the application for a Conditional Use permit on the above two sites; such hearing being held on April 2, 1964. After hearing proponents and opponents and carefully considering the sites, the Planning Commission recommended to the County Commission that both sites be disapproved for use as sanitary landfill sites (Minutes attached as Exhibit 4).

Recommendations regarding all sites in the 3-mile periphery were presented to the Board of County Commissioners for action on April 16, 1964. After hearing from all who wished to speak; after considering protest petitions submitted; after considering the recommendations of the Planning Commissions of the Cities of Derby and Haysville recommending disapproval of sites in their areas of interest; and after considering the recommendation of the County Zoning Administrator that Sites CU-72 and CU-76 be disapproved; the Board of County Commissioners took action

- a. To disapprove Sites CU-72 and CU-76, not concurring with the recommendation of the Planning Commission;
- b. To disapprove Sites CU-73, CU-74, CU-75, CU-77 and CU-78 as recommended by the Planning Commission.

Thus, the seven sites located in the 3-mile periphery, controlled by the Sedgwick County Zoning Resolution, may no longer be considered as possible landfill sites unless and until new Conditional Use Applications and hearings are initiated. The only sites remaining for consideration are those located inside the city limits of Wichita.

Conclusions

In summary, the following actions have been taken with respect to specific sites advertised for hearing:

- a. Sites CU-72 and CU-76, recommended for approval by Planning Commission, disapproved by County Commission.
- b. Sites CU-73, CU-74, CU-75, CU-77 and CU-78 recommended for disapproval by Planning Commission, disapproved by County Commission.
- c. Site DR 64-2, recommended for approval by Planning Commission.
- d. Site DR 64-1, Recommended for disapproval by Planning Commission.

Planning Commission public hearing and recommendations noted in (c) and (d) immediately above are to be considered as informal since they are not required by the Zoning Ordinance; and final action regarding those recommendations should be taken by the City Commission as it deems advisable.