FILE COPY

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

April 5, 2007

C&D Recyclers of Kansas, Inc.
Attn: Doug Sommers
4250 W. 37th St., North
Wichita, KS 67204

RE: **ZON2007-01 & CON2007-02** - County zone change from "SF-20" Single-family Residential to "LI" Limited Industrial and a Conditional Use to permit a construction and demolition landfill, generally located west of West Street on the north side of 37th Street North

Dear Ladies and Gentlemen:

At its regular meeting on **April 4, 2007**, the Sedgwick County Commission considered the above-captioned request. The action of the Commission was that the request for "LI" Limited Industrial zoning be **APPROVED**, and the Conditional Use to permit a construction and demolition landfill be **APPROVED**.

The Conditional Use is subject to the following conditions:

A. Demolition and construction solid waste resulting from the construction, remodeling, repair, repair and demolition of structures, roads, sidewalks and utilities as further defined in K.S.A. 65-3402(u) shall be the only landfill material permitted. Household solid waste, hazardous or toxic wastes, as defined by K.S.A. 65-3430 et. seq. shall not be permitted for disposal at this site.

B. The landfill operation shall obtain all applicable permits or licenses. Operations shall proceed in accordance with all conditions established by the Kansas Department of Health and Environment (KDHE), Wichita-Sedgwick County Health Department, FEMA, the Corps of Engineers, the Department of Wildlife and Parks or any other agency having jurisdiction or oversight authority for the activities conducted on the application area.

C. A landfill operator shall be on the site during all hours of operations for the purpose of screening incoming loads for authorization, inventory of the type, size and quantity of loads, and direction of loads to the appropriate cells. Access to the subject property shall be prohibited except during the hours of operation.

B. C&D facilities will not cause significant degradation of wetlands. (Applicant must provide a letter from the Corps of Engineers stating that this is not a wetland area.)
C. C&D facilities will not result in the destruction of critical habitat of endangered or threatened species nor contribute to the taking of same. (No evidence has been presented which would suggest that this is an issue.)
D. The vertical separation between the lowest point of the lowest cell and the predicted maximum water table elevation shall be sufficient to maintain a five foot vertical distance between deposited material and the water table elevation.
E. No permit for a C&D facility shall be issued on or after the effective date of this resolution if such area is located within 1 mile of an intake point for any public water supply system. The owner may petition the County Commissioners for an exception based upon proof of protection of the public water supply. (Staff is unaware of any public wells within a mile of this location.)

Given this site's proximity to K-96 Highway and the massive landform that Brooks landfill already creates, it is critical to evaluate this request with respect to the landform this project will ultimately create – a 70 foot high mound – adjacent to Brooks and K-96 Highway. K-96 is a true "gateway" to and from northwest Wichita. The final grades on the site should be "less engineered" looking and more sculptural in appearance. There should also be dense evergreen tree plantings along the perimeter of the proposed site within the required setback, in place prior to the faculty beginning operations.

CASE HISTORY: The site is an unplatted agricultural field.

ADJACENT ZONING AND LAND USE:

NORTH: "SF-5"	K-96 Highway, former Brooks Landfill
SOUTH: "SF-20" "LC"	Sand pits
EAST: ""LI"	C&D Landfill, solid waste transfer station
WEST: "SF-20"	Agricultural field, single-family residence

PUBLIC SERVICES: West Street is a paved two-lane arterial roadway. County Public Works indicates the paving is thicker than normal due in part to the higher than usual volume of truck traffic. 37th Street North is a dirt section line road, maintained by Park Township. An eastern portion of 37th is paved to the entrance of the solid waste transfer station and has a continuous right-turn lane from West Street to the entrance of the transfer station. It is anticipated that twenty-five to thirty trips per day are to be generated by this facility. No public sewer or water services exist in this general area.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide" depicts this site as appropriate for "major utility/transportation" uses. This category of uses includes airports, landing strips, landfills, waste transfer stations, water treatment and sanitary sewer plant facilities. Location guidelines contained in the Comprehensive Plan indicate that these uses should be located near support services and be provided with good access to major arterials and should be extensions of existing industrial uses. The plan does not have location guidelines for C&D landfills. However, plan objectives recognize the need to minimize the potential for environmental

contamination while maintaining cost efficiency by proper management of construction debris generated within the county.

RECOMMENDATION: This area is an established location for solid waste and construction and demolition landfills and similar types of activities, such as solid waste transfer stations, an asphalt processing plant and rock crusher. These are essential services to the City and the area. The addition of another landfill to the area probably adds to the likelihood that future redevelopment of the area is doubtful, unless it would be for some type of Public Park of limited use. However any site used for a landfill would have the same redevelopment issues attached to it, thus keeping such uses clustered together is probably the best course of action. The proposed site is out of any flood plains and is just beyond a ½-mile from the Arkansas River. Its proximity to K-96 is to its advantage, but presents a challenge in that it will project a negative visual impact on regional traffic entering and leaving the City. Although the proposed site is outside the K-96 Economic Development Plan, which begins at Maize Road and K-96, the negative visual impact must be addressed through landscaping, thus partially obscuring the site and catching and holding blowing debris from the site. Based upon information available prior to the public hearings, planning staff recommends that the request for "LI" Limited Industrial zoning be APPROVED, and the Conditional Use to permit a construction and demolition landfill be APPROVED,

The Conditional Use is subject to the following conditions:

A. Demolition and construction solid waste resulting from the construction, remodeling, repair, repair and demolition of structures, roads, sidewalks and utilities as further defined in K.S.A. 65-3402(u) shall be the only landfill material permitted. Household solid waste, hazardous or toxic wastes, as defined by K.S.A. 65-3430 et. seq. shall not be permitted for disposal at this site.

B. The landfill operation shall obtain all applicable permits or licenses. Operations shall proceed in accordance with all conditions established by the Kansas Department of Health and Environment (KDHE), Wichita-Sedgwick County Health Department, FEMA, the Corps of Engineers, the Department of Wildlife and Parks or any other agency having jurisdiction or oversight authority for the activities conducted on the application area.

C. A landfill operator shall be on the site during all hours of operations for the purpose of screening incoming loads for authorization, inventory of the type, size and quantity of loads, and direction of loads to the appropriate cells. Access to the subject property shall be prohibited except during the hours of operation.

D. The delivery of construction and demolition waste to the site shall be only by way of West Street to 37th Street and west to the existing entrance drive of the applicant's existing construction and demolition landfill. If approved by the County Engineer entrance to the site off of 37th Street North from West Street will require the applicant to pave 37th per the standards recommended by the County Engineer from West Street to an approved entrance off of 37th Street North, at the applicant/owners expense.

E. A minimum 6-foot high fence shall be installed around the perimeter of the site to minimize the blowing of any materials onto adjacent properties. The fence shall be

either chain link or welded or woven wire with openings no larger than two inches. The fence shall be installed prior to the beginning of filling operations.

F. Upon written notice of any violation by the appropriate zoning administrator or any agency authorized to permit, review or evaluate operations, operations shall cease and the violation shall be corrected within 48 hours.

G. A detailed grading/drainage plan shall be submitted to the Sedgwick Department of Public Works and the Wichita Parks Director for review and approval prior to commencement of operations. As part of that review, the Department may require that easements be dedicated for drainage purposes. A copy of the approved grading and drainage plan shall be submitted to the Planning Department for filing with other case materials. The operation of the landfill shall be in conformance with the approved grading and drainage plan, and with the "Site Plan". Landfill operations shall be conducted so as to minimize the area that could blow. In order to minimize the potential for blowing material, a maximum of 3 acres at any one time may be utilized as fill area. Prior to the opening of any new area, the previous area shall be graded and seeded with at least 18 inches of clean cover material. All fill, work or drive areas shall be maintained in a manner that minimizes blowing dust or fugitive material.

H. Material is to be piled no higher than 70 feet. Filling shall be phased so as to create an initial "slope" face along K-96 Highway in order to create a screen for later filling activity.

I. A landscape plan shall be submitted for review and approval by the Director of Planning and the Wichita Parks Director. All plant materials shall be maintained in good condition and shall be replaced as necessary and immediately within the context of the growing season. Evergreens, a minimum of 5-feet in height shall be installed between the boundaries of the Conditional Use and the right-of-way lines along K-96, 37th Street North and the west side of the site, at a rate of at least one tree per 15-feet along the K-96 side and one tree per 20-feet along the 37th and west side. The landscaping is to be installed within one year of publication of the resolution making this rezoning effective.

J. Right-of-way dedications commensurate with those required by the Subdivision regulations shall be required if existing rights-of-way are substandard.

K. Provide a revised site plan for review and approval.

L. The C&D landfill shall developed and operated be in compliance with all conditions of approval or this Conditional Use, including a revised site plan submitted for review and approval within 60 days, or it shall be considered null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: All nearby surrounding properties are mostly in the County, zoned "GI", "LI", "LC", "SF-20", and "SF-5", with numerous Conditional Uses permitting sand extraction, an asphalt plant, construction and demolition landfills and a solid waste transfer station. There is

also a closed solid waste landfill, Brooks, in the immediate area. The character of the area is industrial.

2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned "SF-20." The property is less likely to be developed as zoned given its proximity to the various industrial uses already located in close proximity to the application area, and the low lying topography created by the sand extraction operations conducted on this site in the late 1960's.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: If properly designed and managed, a construction and demolition landfill in this location should not detrimentally affect nearby properties.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Construction and demolition landfills are needed to handle the community's demolition waste needs. Expansion of the existing site at this location keeps this use clustered with other construction and demolition sites, which are located across K-96 from proposed site, rather than introducing the use to an area that currently has no other such uses. Redevelopment of such sites is problematic at best, with its use probably being limited to some type of park, which itself will have very narrow types of uses; keeping them together is perhaps the best direction to take. The expansion of the second significant landform across the road from Brooks Landfill could negatively impact the "gateway" to and from northwest Wichita if the site is not managed and finished in a sensitive manner. A filling scheme that creates a berm along K-96, which can screen later filing activity, landscaping along road frontages and adequate setbacks can mitigate impacts on the public. These mitigating improvements can be accomplished with minimal cost or inconvenience to the applicant

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The "2030 Wichita Functional Land Use Guide" depicts this site as appropriate for "major utility/transportation" uses. Location guidelines contained in the Comprehensive Plan indicate that industrial uses should be located near support services and be provided with good access to major arterials and should be extensions of existing industrial uses. The plan does not have location guidelines for construction and demolition landfills. However, plan objectives recognize the need to minimize the potential for environmental contamination while maintaining cost efficiency by proper management of construction debris generated within the county.

6. Impact of the proposed development on community facilities: Approval of the request would provide additional construction and demolition landfill space necessary to meet anticipated needs. West Street to the site are already constructed to meet truck traffic. If 37th Street is to be used it will need to be paved as recommended by the County Engineer. This type of use has minimal sewer and water needs, which can be met without the presence of public services.

D. The delivery of construction and demolition waste to the site shall be only by way of West Street to 37th Street and west to the existing entrance drive of the applicant's existing construction and demolition landfill. If approved by the County Engineer entrance to the site off of 37th Street North from West Street will require the applicant to pave 37th per the standards recommended by the County Engineer from West Street to an approved entrance off of 37th Street North, at the applicant/owners expense.

E. A minimum 6-foot high fence shall be installed around the perimeter of the site to minimize the blowing of any materials onto adjacent properties. The fence shall be either chain link or welded or woven wire with openings no larger than two inches. The fence shall be installed prior to the beginning of filling operations.

F. Upon written notice of any violation by the appropriate zoning administrator or any agency authorized to permit, review or evaluate operations, operations shall cease and the violation shall be corrected within 48 hours.

G. A detailed grading/drainage plan shall be submitted to the Sedgwick Department of Public Works and the Wichita Parks Director for review and approval prior to commencement of operations. As part of that review, the Department may require that easements be dedicated for drainage purposes. A copy of the approved grading and drainage plan shall be submitted to the Planning Department for filing with other case materials. The operation of the landfill shall be in conformance with the approved grading and drainage plan, and with the "Site Plan". Landfill operations shall be conducted so as to minimize the area that could blow. In order to minimize the potential for blowing material, a maximum of 3 acres at any one time may be utilized as fill area. Prior to the opening of any new area, the previous area shall be graded and seeded with at least 18 inches of clean cover material. All fill, work or drive areas shall be maintained in a manner that minimizes blowing dust or fugitive material.

H. Material is to be piled no higher than 70 feet. Filling shall be phased so as to create an initial "slope" face along K-96 Highway in order to create a screen for later filling activity.

I. A landscape plan shall be submitted for review and approval by the Director of Planning and the Wichita Parks Director. All plant materials shall be maintained in good condition and shall be replaced as necessary and immediately within the context of the growing season. Evergreens, a minimum of 5-feet in height shall be installed between the boundaries of the Conditional Use and the right-of-way lines along K-96, 37th Street North and the west side of the site, at a rate of at least one tree per 15-feet along the K-96 side and one tree per 20-feet along the 37th and west side. The landscaping is to be installed within one year of publication of the resolution making this rezoning effective.

J. Right-of-way dedications commensurate with those required by the Subdivision regulations shall be required if existing rights-of-way are substandard.

K. Provide a revised site plan for review and approval.

L. The C&D landfill shall developed and operated be in compliance with all conditions of approval or this Conditional Use, including a revised site plan submitted for review and approval within 60 days, or it shall be considered null and void.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office at 268-4421.

Sincerely,

Bill Longnecker
Senior Planner
Current Plans Division

WL:mc

Copies to: Steve Simon, 6042 North Ridge Road, Maize, KS 67101
Dave Buchholtz, PO Box 7717, Wichita, KS 67277
Kelly Parks, BOCC IV, Mail Stop, County Room, 320
Bill Buchanan, County Manager, Mail Stop, County Room, 343
Bob Parnacott, County Law, Mail Stop, County Room 359
Glen Wiltse, County Code Enforcement, 1144 S. Seneca, Wichita, KS 67213
Jim Weber, County Public Works, 1144 S. Seneca, Wichita, KS 67213
Plus Protestors: Hudson, Riverside, Arthur & Marquetite Sanders, Marilyn Gupton

RESOLUTION N.O. 38-09

A RESOLUTION FOR A CONDITIONAL USE TO DEVELOP A CONSTRUCTION AND DEMOLITION WASTE LANDFILL 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.

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 to develop a construction and demolition waste landfill.

Case No. CON 2007-00002

Legally described below:

The West 660 feet of the Southeast Quarter of Section 26, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas. Generally located approximately 1/3-mile west of West Street on the north side of 37th Street North.

SUBJECT TO THE FOLLOWING CONDITIONS:

A. Demolition and construction solid waste resulting from the construction, remodeling, repair, repair and demolition of structures, roads, sidewalks and utilities as further defined in K.S.A. 65-3402(u) shall be the only landfill material permitted. Household solid waste, hazardous or toxic wastes, as defined by K.S.A. 65-3430 etc. seq. shall not be permitted for disposal at this site.

B. The landfill operation shall obtain all applicable permits or licenses. Operations shall proceed in accordance with all conditions established by the Kansas Department of Health and Environment (KDHE), Wichita-Sedgwick County Health Department, FEMA, the Corps of Engineers, the Department of Wildlife and Parks or any other agency having jurisdiction or oversight authority for the activities conducted on the application area.

C. A landfill operator shall be on the site during all hours of operations for the purpose of screening incoming loads for authorization, inventory of the type, size and quantity of loads, and direction of loads to the appropriate cells. Access to the subject property shall be prohibited except during the hours of operation.

D. The delivery of construction and demolition waste to the site shall be only by way of West Street to 37th Street and west to the existing entrance drive of the applicant's existing construction and demolition landfill. If approved by the County Engineer entrance to the site off of 37th Street North from West Street will require the applicant to pave 37th per the standards recommended by the County Engineer from West Street to an approved entrance off of 37th Street North, at the applicant/owners expense.

E. A minimum 6-foot high fence shall be installed around the perimeter of the site to minimize the blowing of any materials onto adjacent properties. The fence shall be either chain link or welded

or woven wire with openings no larger than two inches. The fence shall be installed prior to the beginning of filling operations.

E. Upon written notice of any violation by the appropriate zoning administrator or any agency authorized to permit, review or evaluate operations, operations shall cease and the violation shall be corrected within 48 hours.

G. A detailed grading/drainage plan shall be submitted to the Sedgwick Department of Public Works and the Wichita Parks Director for review and approval prior to commencement of operations. As part of that review, the Department may require that easements be dedicated for drainage purposes. A copy of the approved grading and drainage plan shall be submitted to the Planning Department for filing with other case materials. The operation of the landfill shall be in conformance with the approved grading and drainage plan, and with the "Site Plan". Landfill operations shall be conducted so as to minimize the area that could blow. In order to minimize the potential for blowing material, a maximum of 3 acres at any one time may be utilized as fill area. Prior to the opening of any new area, the previous area shall be graded and seeded with at least 18 inches of clean cover material. All fill, work or drive areas shall be maintained in a manner that minimizes blowing dust or fugitive material.

H. Material is to be piled no higher than 70 feet. Filling shall be phased so as to create an initial "slope" face along K-96 Highway in order to create a screen for later filling activity.

I. A landscape plan shall be submitted for review and approval by the Director of Planning and the Wichita Parks Director. All plant materials shall be maintained in good condition and shall be replaced as necessary and immediately within the context of the growing season. Evergreens, a minimum of 5-feet in height shall be installed between the boundaries of the Conditional Use and the right-of-way lines along K-96, 37th Street North and the west side of the site, at a rate of at least one tree per 15-feet along the K-96 side and one tree per 20-feet along the 37th Street West and west side of the site. The landscaping is to be installed within one year of signing of the resolution making this rezoning effective.

J. Right-of-way dedications commensurate with those required by the Subdivision regulations shall be required if existing rights-of-way are substandard.

K. Provide a revised site plan for review and approval.

L. Operation of the landfill will begin when the existing abutting landfill (ZON2001-68 and CON2001-63) ceases to operate, per the terms of the noted zoning case, the Conditional Use case and the approved site plan. Operation of the landfill will be from 7AM - 6PM, Monday – Friday and 7AM – 2PM, Saturday.

M. The C&D landfill shall developed and operated be in compliance with all conditions of approval or this Conditional Use, including a revised site plan submitted for review and approval within 60 days, or it shall be considered 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	Aye
TIM R. NORTON	Absent
THOMAS G. WINTERS	Aye
KELLY PARKS	Aye
GWEN WELSHIMER	Aye

DATED this 4th day of March

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Kelly Parks

KELLY PARKS, Chair
Fourth District

ATTEST:

KELLY B. ARNOLD
County Clerk

CLERK OF SEDGWICK COUNTY SEDGWICK COUNTY KANSAS KANSAS

APPROVED AS TO FORM ONLY:

ROBERT W. PARNACOTT
Assistant County Counselor

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. _____

STAFF REPORT

MAPC 03-01-07

CASE NUMBER: ZON2007-00001 & CON2007-00002

APPLICANT/AGENT: Steve Simon (owner) / C&D Recyclers of Kansas, c/o Doug Sommers

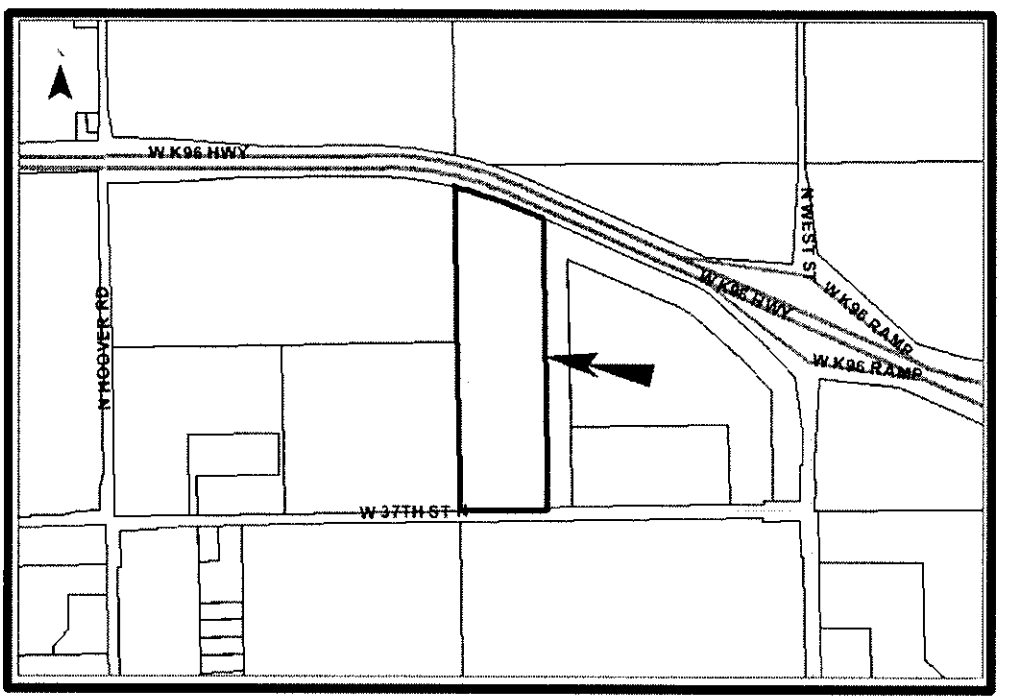
REQUEST: "LI", Limited Industrial and Conditional Use to permit a construction & demolition landfill

CURRENT ZONING: "SF-20" Single-family Residential

SITE SIZE: 36-acres

LOCATION: West of West Street on the north side of 37th Street North (BoCC #4)

PROPOSED USE: Provide room for future expansion of existing construction and demolition landfill



BACKGROUND: The applicant is requesting "LI" Limited Industrial zoning and a Conditional Use to allow for the future expansion of an existing construction and demolition waste landfill. The proposed unplatted 36-acre site is located in the County, zoned "SF-20" Single-family Residential and is currently an agricultural field. The proposed site abuts the west side of the above-mentioned 35.98-acre C&D Recyclers of Kansas construction and demolition waste landfill. The existing landfill was approved by the MAPC and the BoCC, per ZON2001-68 ("SF-20" to "LI") and CON2001-63.

The site plan submitted shows some dimension control, its general configuration, the location of three (3) soil bores/ ground water monitoring wells, the unidentified solid waste transfer station, some type of integration into the existing landfill and announces that it will be an expansion of the applicant's existing construction and demolition landfill. It is not clear where access to the proposed site is located, although it appears to be off of 37th. The proposed site is approximately 2,220-feet west of 37th's intersection with West Street. 37th at this location is a dirt, section line road maintained by Park Township. If the applicant proposes to use 37th as it appears to be indicated on the site plan, the applicant will be required to pave 37th up the entrance per the standards recommended by the County Engineer. The site plan shows no setbacks and no screening or landscape buffers. A revised site will be required. The K-96 – West Street interchange provides quick access from the site to the greater Wichita area.

The County Solid Waste Management Committee approved the proposed site for applicant's expansion of the existing construction and demolition landfill at a recent meeting. The meeting established that the proposed site for the expansion will: not be operating until the existing landfill shuts down, which is in approximately 10-years, the proposed expansion site will operate 15-25 years, be built up to a height of up to 70-feet in a pyramid configuration, take in approximately 100-300 tons of material per day, and recycle up to 60% or more of materials received. It was also established that the proposed site will have crews sort through the material and divert recyclable and inappropriate material from the proposed site to more appropriate facilities, such as loads of concrete or asphalt being sent to an asphalt plant east of the site, across West Street or sending municipal solid waste to the abutting transfer station. Operations of the proposed expansion site will essentially mirror the existing construction and demolition landfill, as established by CON2001-63.

The proposed site does not need approval for a "transfer station" as the sorting and diverting of inappropriate material from this site is considered to be incidental to the primary C&D landfill operation. The applicant's are not advertising this as an appropriate place to deliver all types of waste, nor do they encourage or want inappropriate materials to be delivered to the site. In order to minimize the number of errant loads, the applicant works with contractors, and others who are likely to be regular customers, to ensure that loads are properly directed to the appropriate disposal facility as they leave the job site.

The proposed site's north side abuts K-96 highway, which separates it from the City' closed solid waste landfill, its currently operating construction and demolition landfill(s) and its asbestos mono-landfill, all zoned "SF-5" Single-family Residential. The City landfill is the highest point in Sedgwick County and is proposed to be used as a public park when all of its facilities are closed. All of the properties west of the proposed site (on the north side of 37th) to Hoover Road, are in the County, zoned "SF-20" (with a later noted exception) and are being used as agricultural fields and a farmstead, built 1900, located approximately 1/3-mile from the site. All of the properties located south of the

proposed site, across 37th, are in the County, zoned "SF-20" (with a later noted exception) and are being used as a spent sand pit, an active sand pit and an airfield. There is "LC" Limited Commercial zoning at the Hoover and 37th intersection, but it is developed as agricultural fields, a single-family residence (1999) and a sandpit. Properties located to the east of the proposed site include C&D's construction and demolition landfill, a active sand pit, an asphalt processing plant/rock crusher (zoned "LI", "LC" and "GI" General Industrial) and "SF-20 and "LC" zoned farm ground. All of these properties are located in the County.

As previously stated the proposed site has been reviewed by Sedgwick County's Solid Waste Management Committee and has received their approval. Licensing by the County is required as is conformance with the County's C & D landfill design and operation requirements. Pertinent site design requirements include:

A. No operations shall be located closer than 500 feet of an occupied dwelling, school, or hospital that was occupied on the date when the owner first applied for a permit, unless the owner of such dwelling, school or hospital consents in writing. (Nearest occupied residence is approximately 1/3-mile away)
B. Newly permitted C&D facilities shall maintain a minimum 150-foot buffer from the edge of the C&D landfill's property line. (As shown on the site plan it does not comply with these design requirements along the west, north and south sides; no setbacks are given. The site plan will need to be revised in the event the County Commission does not grant a reduction in the size of buffer required.)
C. Surface water drainage and control systems shall divert surface water away from areas where waste is present or from operational areas.
D. Discharge of pollutants is prohibited.
E. C&D facilities shall be reasonably screened from adjacent roads, streets, and commercial or residential properties except at points of ingress and egress, to a minimum height of 8 feet by the use of berms, walls, fences or plantings. (No landscaping is shown. Unless a waiver is obtained, or the perimeter fill area is to act as the required screen, the site plan will need to be revised.)
F. Landscaping shall be maintained in proper order.
G. Facility property and property within one-half mile from the facility shall be kept reasonably free of debris, litter or vectors resulting from the C&D facility. (There have been complaints about blowing debris from the existing construction and demolition landfill; without a recommended landscape buffer debris from the proposed site is a potential issue.)
H. Access roads to the facility shall be all weather and negotiable at all times. Load limits on bridges and access roads shall be sufficient to support traffic generated by the facility. (Access to the proposed site should be from the existing landfill, unless 37th, a dirt section line road, maintained by Park Township is paved to County standards to an access point off it onto the proposed site.)

Location restrictions include:

A. C&D facilities shall not be located within the 100-year floodplain unless protected by flood control levees. (Site appears to be out of 100-year flood plain)