

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 16, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3053 - ZONE CHANGE FROM THE "E" LIGHT INDUSTRIAL AND "AA" ONE-FAMILY DISTRICTS TO THE "F" HEAVY INDUSTRIAL DISTRICT, LOCATED AT THE SOUTHEAST CORNER OF THE KANSAS TURNPIKE AND MacARTHUR ROAD.

DR 92-12 - SPECIAL USE PERMIT REQUEST TO EXPAND A DEMOLITION LANDFILL. (District #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



MAPC Recommendation: Approve (7-4).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council "3" recommended approval. (4-1-1)
(Ora Nestleroad abstained).

Background: On May 21, 1992, the MAPC held a public hearing to consider a zone change from the "F" Heavy Industrial and an associated special use permit for a demolition and construction landfill. Landfills are permitted by the Zoning Ordinance only in the "F" Heavy Industrial District and by special permit. The proposed landfill will be located on a 53.4-acre unplatted tract at the southeast corner of the Kansas Turnpike and MacArthur Road. A flood control easement, under separate ownership, is included within the application area. The Metropolitan Area Planning Commission has authorized incorporating the flood control easement as part of the public hearing for the rezoning and special use permit. The property is currently zoned "E" Light Industrial and "AA" One-Family. Adjacent property to the north and south is also zoned "E" Light Industrial. Residential districts to the east and west are separated from the site by the Arkansas River and the Kansas Turnpike.

The development for the landfill includes three phases:

- I. To increase the closure grades on an existing portion of the landfill.
- II. To expand the landfill to the west and the south.
- III. To relocate the existing levee and complete the landfill as one unit.

Approval of the landfill by the Kansas Department of Health and Environment (KDHE) requires that proper zoning and special permits be obtained first. The landfill will accept only construction and demolition debris from Boeing. The regular hours of operation are 7:30 a.m. - 5 p.m. Monday through Friday and 7:30 a.m. - 12 Noon on Saturdays. However, later hours may occasionally be necessary to accommodate special construction projects.

Phase I: Boeing has indicated that it first began disposing of demolition debris at this location in 1953, prior to County zoning. The property was classified as "E" Light Industrial when the County first adopted zoning in 1958. In 1962, the property was annexed into the City of Wichita and retained its light industrial zoning. According to Bob Kinder, KDHE, the landfill was licensed by the State in 1976, the first year for licensing of landfills by the State.

The current landfill occupies 29.4 acres and is at 95% capacity. At closure, the landfill will be graded at an elevation of 1,310 feet with a 5:1 slope. Drainage will be handled by stone-lined open channels, open ditches and below-grade drain lines.

Groundwater contamination from sludge disposal prior to 1976 was discovered in the 1980s. As a result, Boeing operates a groundwater recovery/treatment system. Monitor wells along the southeast side of the landfill are analyzed quarterly under the direction of KDHE. Asbestos disposal has been previously approved at this location by the KDHE. The material is covered with one foot of soil after disposal. The area of asbestos disposal is covered by a deed restriction which notifies any future buyers that asbestos has been buried on the property and the exact location of the burial. Asbestos will continue to be disposed of at this site.

Although Phase I is legally nonconforming and almost complete, staff encouraged the applicant to include it in the application, since it will ultimately be one property under single ownership and the access to Phase II & III is through Phase I.

Phase II: Boeing plans to expand the landfill to the west and south on a 39.8-acre tract. Six monitor wells have been located in Phase II. Groundwater is located nine to twelve feet below grade and maximum excavation from the site will be four feet. The excavated soil will be stockpiled and used for daily cover.

Boeing has stated that it will maintain a 50-foot clearance between the landfill and the property lines. Additionally, fire breaks, areas of non-combustible material, will be provided at 50-foot intervals. Security measures include a six-foot chainlink fence with locking gate, on-site Boeing personnel, a guardhouse, and surveillance after hours.

The current elevation of Phase II, approximately 1,267 feet, places it approximately eight to ten feet below the Kansas Turnpike. The north edge is approximately 25 feet below the Turnpike, due to the

increasing elevation of the Turnpike. At closure, the landfill will be approximately 35 feet above the Turnpike, assuming a closing elevation of 1,310 feet. The final grade will include a two-foot compacted clay soil cover and a 5:1 slope. Drainage will be handled as in Phase I.

Phase III: Boeing is currently negotiating with the owners of the flood control easement to obtain title to the property. Upon obtaining title, Boeing plans to pursue a release of the current flood control easement and relocate the levee along the eastern property boundary. The landfill will then be completed as a single unit.

Boeing is not planning to incorporate liners, leachate or methane collection devices. They will continue quarterly sampling of monitor wells, sampling of runoff, and yearly testing for methane. Monitoring will be maintained for ten years after closure.

The estimated life of the landfill is 16 years at current rates of 1,200 cubic yards per day. However, Boeing is incorporating a recycling program for wood by-products and concrete that is anticipated to extend the life of the landfill for an additional four years. Upon closure, the site will be used as a recreational area for Boeing employees.

Expansion of the landfill to the west and south is an appropriate use of the site. Limited access and a lack of readily available municipal services make the site undesirable for other industrial uses. The proposed landfill requires review by various government agencies and allows conditions of operation and redevelopment to be placed upon the use of the property. In addition, adjacent residential properties are separated from this site by natural and man-made barriers. Staff recommends approval of the rezoning and special use permit, subject to conditions.

- RECOMMENDATIONS/ACTIONS:
1. Concur with the findings of the MAPC and approve the special use permit and zone change, subject to conditions; adopt the resolution authorizing the special use permit and place the ordinance establishing the zone change on first reading; or
 2. Return the application to the MAPC for reconsideration, stating reasons.

NOTE: Protest petitions have been received; the percentage of protest will be announced at the June 16 hearing.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: September 29, 1992

TO: Kurt Schroeder, Acting Superintendent
Central Inspection

FROM: Robert L. Young, Principal Planner - Current Plans *RLY*

SUBJECT: Approved landscape plan for DR 92-12 - Special use
permit request from Boeing to expand a demolition
landfill on property zoned the "F" Heavy Industrial
District, and Z-3053. Associated zone change request
from the "E" Light Industrial District to the "F"
Heavy Industrial District, located south of MacArthur
Road, on the east side of the Kansas Turnpike.

On July 7, 1992, the Wichita City Council approved the above-referenced cases, subject to several conditions. One of the conditions called for the submission of a landscape plan to the Metropolitan Area Planning Commission for their review and approval prior to the commencement of Phase II of the landfilling operation.

Attached are two copies of a landscape plan for subject property that was submitted to and approved by the Metropolitan Area Planning Commission during their meeting on September 24, 1992. Please place these copies in your files for future reference.

RLY:jcm
Attachments

FILE COPY