

DR 87-12; Sedgwick County Board of Commissioners request special use permit to establish a wastewater treatment facility on property zoned "R-1" at the northeast corner of Harry and Brookhaven.

ACTION

DATE

COMMITTEE

M.A.P.C. *Approved sent to* 5-28-87  
*Handwritten*

BCC '2 *Approved to* 6-24-87  
*Recommended* *Ward*

DATA SHEET

Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 DR- 87-12  
 DP- \_\_\_\_\_  
 Amend \_\_\_\_\_  
 Case Filed: 4-22-87  
 Associated Case: \_\_\_\_\_

APPLICATION DATA: Map No. 6446 B

1. General Location: At the northeast corner of Harry and Brookhaven
2. From \_\_\_\_\_ to \_\_\_\_\_
3. Proposed Use: SPECIAL USE PERMIT to establish a wastewater treatment facility on property zoned the "R-1" Suburban Residential District
4. DP Name: \_\_\_\_\_
5. Applicant: Board of County Commissioners of Sedgewick County, Kansas  
 Address County Courthouse, 525 North Main, Wichita, KS. 67203 Phone \_\_\_\_\_
6. Agent: Richard A. Euson, Assistant County Counselor  
 Address 525 North Main Street, #315, Wichita, Kansas 67203 Phone 268-7111

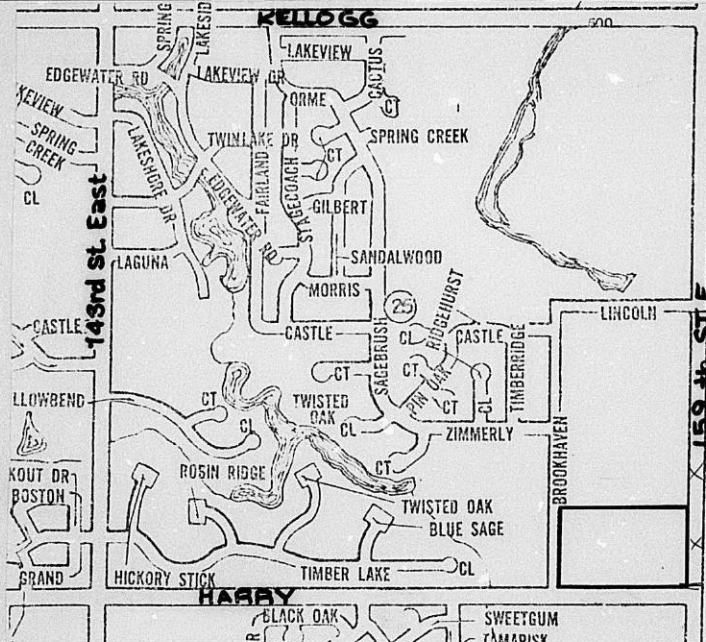
AREA DATA:

1. Acres: 24.4 ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: N "R-1" S "R-1" E Butler Co. W "R-1"
3. Land Use: North \_\_\_\_\_ East \_\_\_\_\_  
 South \_\_\_\_\_ West \_\_\_\_\_

PICTURE SHEET

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



NOTES:

*Four Mile Creek Addition*  
 recorded 12-2-88

T9-214-2

LOS ANGELES-CHICAGO-LOGAN-CHICAGO  
 MCKESSON, TIMUCOST GROVE CA  
 U.S.A.

**Smith**  
 N. 2-153C

Published in The Daily Reporter on 10/26/89  
RESOLUTION NO. R# 225-1987

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 13.F. OF THE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and proper notice having been given and hearing held and under authority of and subject to the provisions of Section 13.F of the Zoning Regulations for the Unincorporated Area of Sedgwick County, Kansas, a Special Use Permit to establish a regional wastewater treatment facility on property zoned the "R-1" Suburban Residential district is hereby approved on lands legally described as follows:

CASE NO. DR 87-12

The south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. Generally located at the northeast corner of Harry and Brookhaven.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The property shall be platted within one year after approval by the Board of County Commissioners of the special use or the application shall be considered denied and closed. The resolution authorizing this special use permit shall not be released until the plat has been recorded.

SECTION II. That this Resolution shall take effect and be in force from and after the recording of a plat of this property.

ADOPTED AT WICHITA, KANSAS, this 24th day of June, 1987.

Tom Scott, Chairman  
Tom Scott

Mark F. Schroeder, Chairman pro tem  
Mark F. Schroeder

Bernard A. Hertzgen, Commissioner  
Bernard A. Hertzgen

David Bayouth, Commissioner  
David Bayouth

Billy G. McCray, Commissioner  
Billy G. McCray

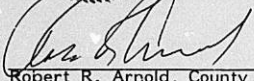
Sent to be published 10/24/89

ATTEST:

  
Don Wright, County Clerk

The seal of the County of Alameda, California, is circular with a double border. The outer border contains the text "COUNTY OF ALAMEDA" at the top and "CALIFORNIA" at the bottom. The inner border contains the text "SEAL OF THE COUNTY OF ALAMEDA" at the top and "1852" at the bottom. In the center of the seal is a figure of a Native American holding a bow and arrow.

APPROVED AS TO FORM:

  
Robert R. Arnold, County Counselor

Planning Agenda

Item #

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR SPECIAL USE PERMIT

DR 87-12 - REQUEST FOR SPECIAL USE PERMIT TO ESTABLISH A WASTE-WATER TREATMENT FACILITY ON PROPERTY ZONED THE "R-1" SUBURBAN RESIDENTIAL DISTRICT, LOCATED AT THE NORTHEAST CORNER OF HARRY AND BROOKHAVEN.

The MAPC recommends that the application be approved subject to conditions.  
(see minutes for full motion)

Parsons moved, Peters seconded and it carried unanimously.

- ACTION: 1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the special use permit subject to the recommended conditions; adopt a resolution authorizing the special use permit and instruct the Planning Department to withhold release of the resolution until the appropriate conditions have been complied with; or
2. Adopt findings and deny the application.

-----  
DATA AND MINUTES

MAPC Hearing Date: 5/28/87 Approve

BCoC Hearing Date: 6/24/87

COMMISSION DISTRICT #5

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Undeveloped	"R-1"	24.4 acres
North	Agriculture	"R-1"	
South	Agriculture	"R-1"	
East	Agriculture & undeveloped	(Butler County zoning)	
West	Timberlakes sewage lagoons	"R-1"	

History: None.

Applicant: Board of County Commissioners of Sedgwick County, Kansas, 525 N. Main, Wichita, KS 67203

Protestors: None.

-----

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 28, 1987

LEGAL:

6. Case No. DR 87-12 - Board of County Commissioners of Sedgwick County, Kansas requests Special Use Permit to establish a wastewater treatment facility on the south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. Generally located at the northeast corner of Harry and Brookhaven.

GALBRAITH pointed out land use, zoning and showed slides of the general area. He reviewed the following staff report:

**Background:** The applicants are requesting a special use permit to establish a regional wastewater treatment facility for Four-Mile Creek on a 24.4-acre tract of unplatted land located at the northeast corner of Harry and Brookhaven (½ mile west of 159th Street East). The site is now undeveloped.

**Analysis:** To the north, east and south are agricultural lands in the "R-1" district while to the west, also in the "R-1", are the sewage lagoons for the Timberlakes area. The application area is to be the site of the Four-Mile Creek Wastewater Treatment Facility which will eliminate all area lagoon systems except the Timberlakes one which will be kept to function as a back-up system. The facility will be built in two phases with the first phase to be completed in early 1989. The aeration basin and clarifier for phase one are to be located at least 400 feet from the perimeter streets. All facilities are to be enclosed within a six-foot chainlink fence. The area within the fence will be grassed and landscaped with trees, shrubs and earth berms. One access to Harry is proposed.

A recommendation of approval should be subject to platting the property within one year after approval by the Board of County Commissioners of the special use or the application shall be considered denied and closed. The resolution authorizing this special use permit shall not be released until the plat has been recorded.

DISCUSSION:

GALBRAITH stated that it was staff's understanding that when this treatment facility is constructed, the Timberlake lagoons will function as a backup system. He said that they want to develop this site in two phases. This will replace all of the lagoon and treatment systems now in the Four Mile Creek area. GALBRAITH said that staff recommended approval of the request subject to platting the property.

RICHARD EUSON, Assistant County Counselor, stated that they were in agreement with the recommendation of platting in this matter.

There was no one present in opposition to the application.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to platting the property within one year after approval by the Board of County Commissioners of the special use or the application shall be considered denied and closed. The resolution authorizing this special use permit shall not be released until the plat has been recorded. Parsons moved, Peters seconded and it carried unanimously.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 13.F. OF THE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and proper notice having been given and hearing held and under authority of and subject to the provisions of Section 13.F of the Zoning Regulations for the Unincorporated Area of Sedgwick County, Kansas, a Special Use Permit to establish a regional wastewater treatment facility on property zoned the "R-1" Suburban Residential district is hereby approved on lands legally described as follows:

CASE NO. DR 87-12

The south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. Generally located at the northeast corner of Harry and Brookhaven.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The property shall be platted within one year after approval by the Board of County Commissioners of the special use or the application shall be considered denied and closed. The resolution authorizing this special use permit shall not be released until the plat has been recorded.

SECTION II. That this Resolution shall take effect and be in force from and after the recording of a plat of this property.

ADOPTED AT WICHITA, KANSAS, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_, Chairman  
Tom Scott

\_\_\_\_\_, Chairman pro tem  
Mark F. Schroeder

\_\_\_\_\_, Commissioner  
David Bayouth

\_\_\_\_\_, Commissioner  
Bernard A. Hentzen

\_\_\_\_\_, Commissioner  
Billy Q. McCray

ATTEST:

Don Wright, County Clerk \_\_\_\_\_

(SEAL)

APPROVED AS TO FORM:

Robert R. Arnold, County Counselor \_\_\_\_\_

May 29, 1987

Richard Euson  
Assistant County Counselor  
Sedgwick County Courthouse  
525 North Main  
Wichita, Kansas 67203

Re: DR 87-12 - Special Use Permit to establish a wastewater treatment facility.

Dear Mr. Euson:

At its regular meeting on May 28, 1987, the Metropolitan Area Planning Commission considered the above-captioned request for a Special Use Permit to establish a wastewater treatment facility. The action of the Planning Commission was to recommend that this application be approved subject to platting the property within one year after approval by the Board of County Commissioners of the special use or the application shall be considered denied and closed. The resolution authorizing this special use permit shall not be released until the plat has been recorded.

This matter will be forwarded to the Board of County Commissioners for consideration at their regular meeting on Wednesday, June 24, 1987. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 North Main, Wichita, Kansas, beginning at 9:00 a.m.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

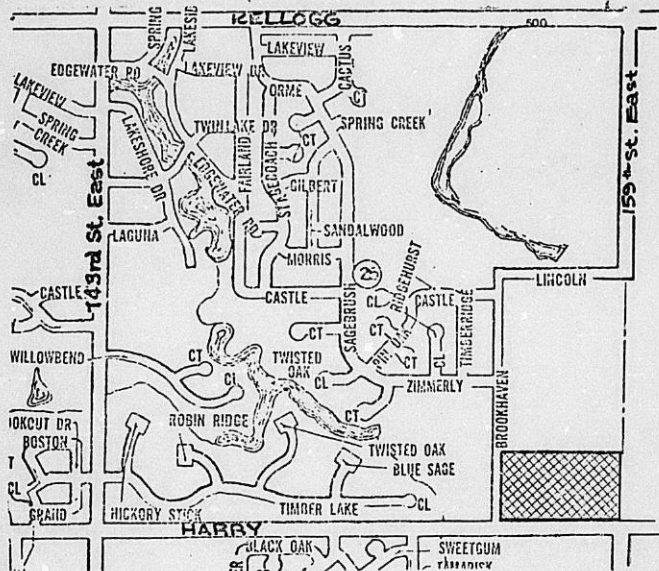
JHG/lw

cc: Jim Weber, Director of Sewer Operations and Maintenance  
Ron Worley, County Zoning Administrator

PL/0178/1

MAY 28, 1987

STAFF REPORT



DR 87-12 - REQUEST FOR SPECIAL USE PERMIT TO ESTABLISH A WASTE-WATER TREATMENT FACILITY ON PROPERTY ZONED THE "R-1" SUBURBAN RESIDENTIAL DISTRICT, LOCATED AT THE NORTHEAST CORNER OF HARRY AND BROOKHAVEN.

Applicant: Board of County Commissioners of Sedgwick County, Kansas, 525 N. Main, Wichita, KS 67203

	Land Use	Zoning	Size
Application Area	Undeveloped	"R-1"	24.4 acres
North	Agriculture	"R-1"	
South	Agriculture	"R-1"	
East	Agriculture & undeveloped	(Butler County zoning)	
West	Timberlakes sewage lagoons	"R-1"	

History: None.

Background: The applicants are requesting a special use permit to establish a regional wastewater treatment facility for Four-Mile Creek on a 24.4-acre tract of unplatted land located at the northeast corner of Harry and Brookhaven (¼ mile west of 159th Street East). The site is now undeveloped.

Analysis: To the north, east and south are agricultural lands in the "R-1" district while to the west, also in the "R-1", are the sewage lagoons for the Timberlakes area. The application area is to be the site of the Four-Mile Creek Wastewater Treatment Facility which will eliminate all area lagoon systems except the Timberlakes one which will be kept to function as a back-up system. The facility will be built in two phases with the first phase to be completed in early 1989. The aeration basin and clarifier for phase one are to be located at least 400 feet from the perimeter streets. All facilities are to be enclosed within a six-foot chainlink fence. The area within the fence will be grassed and landscaped with trees, shrubs and earth berms. One access to Harry is proposed.

A recommendation of approval should be subject to platting the property within one year after approval by the Board of County Commissioners of the special use or the application shall be considered denied and closed. The resolution authorizing this special use permit shall not be released until the plat has been recorded.

CASE NO. DR 87-12

20 Notices to adjoining property owners mailed  
on 5-14-87 for MAPC meeting on 5-28-87.

2 One each to Applicants and Agents.

3 One each to Ron Worley, David Spears  
and Karen Crook.

3 One each to Louise, Barbara and Glen.

---

28 TOTAL

+ 3  
+ 1

---

32

Adjoining Property Owners (Butler Co.)  
Jim Weber (Sedgwick Co. Public Services Bureau)

Total

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

May 14, 1987

NOTICE OF PUBLIC HEARING

Case No.: DR 87-12.

Location: At the northeast corner of Harry and Brookhaven.

Address: 15900 East Harry.

Request: SPECIAL USE PERMIT to establish a wastewater treatment facility on property zoned the "R-1" Suburban Residential District.

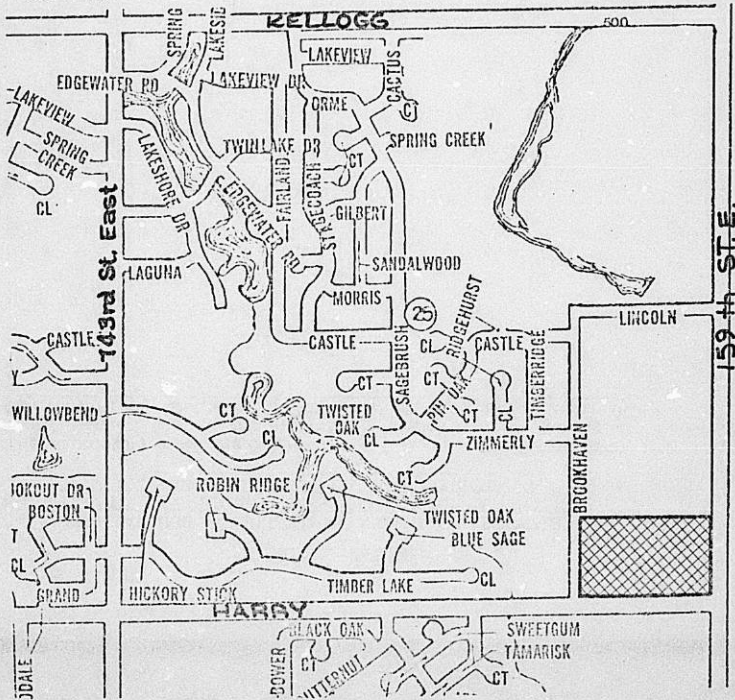
A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

MAY 28, 1987

The meeting will begin at 1:30 p.m. in the City Council Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information, please call 268-4421.



SEE REVERSE SIDE

PL/0277/4

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 87-12

SPECIAL USE PERMIT TO ESTABLISH A WASTEWATER  
TREATMENT FACILITY ON PROPERTY ZONED THE "R-1"  
SUBURBAN RESIDENTIAL DISTRICT

The south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27  
South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.  
Generally located at the northeast corner of Harry and Brookhaven.

Most Restrictive



Least Restrictive

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

\*\*\*Mobile home parks and trailer camps are not permitted.

CASE NO. DR 87-12

SPECIAL USE PERMIT TO ESTABLISH A WASTEWATER  
TREATMENT FACILITY ON PROPERTY ZONED THE "R-1"  
SUBURBAN RESIDENTIAL DISTRICT

The south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27 South,  
Range 2 East of the 6th P.M., Sedgwick County, Kansas. Generally lo-  
cated at the northeast corner of Harry and Brookhaven.

PL/0278/4



SEDGWICK COUNTY, KANSAS

LEGAL DEPARTMENT

Richard A. Euson  
Assistant County Counselor

COUNTY COURTHOUSE • SUITE 315 • WICHITA, KANSAS 67202 • TELEPHONE (316) 268-7111

TO: James Weber, P.E., Director  
Sewer Operations and Maintenance

FROM: Richard A. Euson, Assistant County Counselor *RAE*

RE: Special Permit for Four Mile Creek  
Regional Wastewater Treatment Facility

DATE: April 22, 1987

Today, I have filed our application for special use permit, and we should expect a hearing sometime around the end of May. Jack Galbraith would like to meet with us to discuss conditions of approval such as landscaping, fencing, setbacks, access, etc. This is to request that you contact the responsible engineer at PEC and arrange a meeting with Jack the week of May 11-15. I am available any time that week except Wednesday morning, and I would prefer Thursday or Friday. Please let Jamie know the time and date.

RAE/jmh

cc: Robert R. Arnold, County Counselor  
Jack Galbraith, MAPD ✓

RECEIVED

APR 23 1987

METROPOLITAN PLANNING  
ROUTE  20

APPLICATION FOR SPECIAL PERMIT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

This is an application for a Special Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

- 1. The names of the owners of all property included in this application must be listed as applicants. Contract purchasers, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

DR 87-12

A. APPLICANT Board of County Commissioners of Sedgwick County, Kansas

ADDRESS County Courthouse Zip Code PHONE

AGENT Richard A. Euson, Assistant County Counselor

ADDRESS 525 N. Main, #315 Zip Code 67203 PHONE 268-7111

B. APPLICANT

ADDRESS Zip Code PHONE

AGENT

ADDRESS Zip Code PHONE

C. APPLICANT

ADDRESS Zip Code PHONE

AGENT

ADDRESS Zip Code PHONE

(Use separate sheet if necessary for names of additional applicants).

- 2. A. The applicant proposes to establish a wastewater treatment facility (use) on property zoned R-1 and legally described as Lot(s) , Block(s) of the Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

The South 800 feet of the Southeast Quarter of the Southeast Quarter, Section 25, Township 27 South, Range 2 East, Sedgwick County, Kansas.

of the 6-2-87

- B. There are 24.4 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 6446B Zoning (N) R-1 (S) R-1 (E) (Butler County) (W) R-1 MAPC 5-28-87

3. This property is located at (address) 15900 E. Harry.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the ~~Northwest~~<sup>east</sup> corner of Harry and Brookhaven, OR

B. On the \_\_\_\_\_ side of \_\_\_\_\_ (Ave.) Street between \_\_\_\_\_ (Ave.) Street and \_\_\_\_\_ (Ave.) Street.

The property included in this application is zoned R-1 (ZONING DISTRICT CLASSIFICATION).

4. We request this special permit for the following reasons:

To construct and operate the Four Mile Creek Regional Wastewater Treatment Facility (see attached site plan).

5. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY OR COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY *Richard E. Gibson*  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 11:00 (AM, ~~PM~~) on April 22, 1987 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 200 fee.

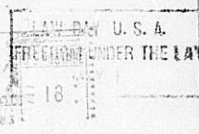
*Nancy H. Barbraith* Name  
*City Planner* Title

WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

PRESORTED  
FIRST-CLASS



RECEIVED

MAY 22 1987

METROPOLITAN PLANNING  
ROUTE

DE-87-18

P.B.  
C.D.



KCV, Inc.  
786 North Ridge Road  
Wichita, Kansas 67212

NOT AT THIS ADDRESS

Important! Notice of Meeting Enclosed

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

May 14, 1987

NOTICE OF PUBLIC HEARING

Case No.: DR 87-12.

Location: At the northeast corner of Harry and Brookhaven.

Address: 15900 East Harry.

Request: SPECIAL USE PERMIT to establish a wastewater treatment facility on property zoned the "R-1" Suburban Residential District.

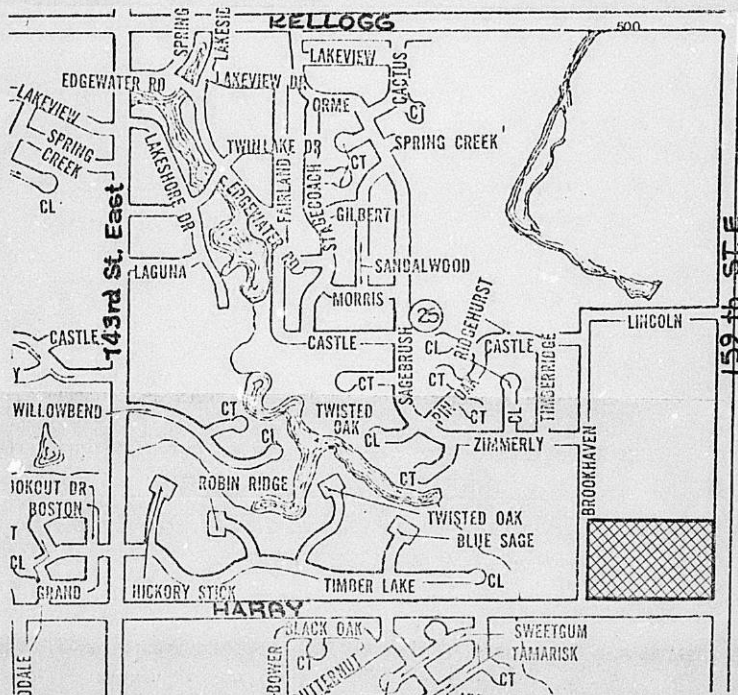
A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

MAY 28, 1987

The meeting will begin at 1:30 p.m. in the City Council Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information, please call 268-4421.



PL/0277/4

SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 87-12

SPECIAL USE PERMIT TO ESTABLISH A WASTEWATER  
TREATMENT FACILITY ON PROPERTY ZONED THE "R-1"  
SUBURBAN RESIDENTIAL DISTRICT

The south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27  
South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.  
Generally located at the northeast corner of Harry and Brookhaven.

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

Most Restrictive



Least Restrictive

\*\*\*Mobile home parks and trailer camps are not permitted.

OWNERSHIP LIST

Tract Description

Property Owner

*including application of area*

The  $\frac{1}{2}$  of the  $\frac{1}{2}$  of Section 25, Township 27 South, Range 2 East except the South 40 feet for road and except part taken for county road in Road Record C - Page 54 over the North and West sides.

Sedgwick County,  
Kansas  
525 N. Main  
Wichita, KS 67202

Beginning on the East line and 985 feet North of the SE/c of the  $\frac{1}{2}$  of the  $\frac{1}{2}$  of Section 25, Township 27 South, Range 2 East; th. along the East line of the  $\frac{1}{2}$  bearing N 0°02'15" E 415 feet; th. N 89°51'30" W 950 feet; th. S 0°08'30" W 864.31 feet m/l; th. bearing S 45° E 151.25 feet m/l, said line being boundary of Reserve A, Timber Lakes Estates; th. N 90° E 60.27 feet m/l to said line being point of boundary of Reserve A of Timber Lakes Estates; th. bearing N 0°08'30" E 555.83 feet; th. bearing S 89°51'30" E 783.21 feet to the p.o.b.

The Board of County Commissioners,  
Sedgwick County, Kansas,  
acting as Governing Body, Timberlakes-Springdale Jt. Sewer District  
525 N. Main  
Wichita, KS 67202

A tract in the  $\frac{1}{2}$  of the  $\frac{1}{2}$  of Section 25, Township 27 South, Range 2 East described as: Beginning at the SE/c of the  $\frac{1}{2}$  of the  $\frac{1}{2}$ ; th. along the South line of said  $\frac{1}{2}$  bearing N 89°51'30" W a distance of 492.12 feet; th. bearing N 0°08'30" E a distance of 165.75 feet; th. bearing N 30°00'00" W a distance of 305 feet; th. bearing N 90°00'00" W a distance of 139.73 feet; th. N 0°08'30" E a distance of 555.83 feet; th. S 89°51'30" E a distance of 783.21 feet to the East line of the  $\frac{1}{2}$  of the  $\frac{1}{2}$ ; th. along said East line bearing S 0°02'15" W a distance of 985 feet to the p.o.b.

Same As Above

The NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 36, Township 27 South, Range 2 East.

Elmer E. Fox  
Address Unknown  
AND  
William H. Shively Sr.  
X Eva J. Shively  
7500 E. 63rd St. South  
Derby, KS 67037

The NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 36, Township 27 South, Range 2 East, except that part platted as Arbor Lakes Estates.

KCV, Inc.  
786 N. Ridge Road  
Wichita, KS 67212

*letter returned*

<u>Lot</u>	<u>Block</u>	<u>Addition</u>
Reserve A		Timber Lakes Estates 2nd Addition
Lot 48	Block 1	Timber Lakes Estates

Timber Lakes Homeowners Association  
X P.O. Box 781518  
Wichita, KS 67278

Mark A. Michaelis  
X Amelia E. Michaelis  
15204 Timber Lakes Circle  
Wichita, KS 67230

WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

PRESORTED  
FIRST-CLASS



**RECEIVED**

MAY 26 1987

METROPOLITAN PLANNING  
ROUTE  DR 87-18  
 \_\_\_\_\_

Important! Notice of Meeting Enclosed

Magnum Land Corporation  
7701 East Kellogg, Suite 575  
Wichita, Kansas 67207

MAG 01 041511N1 05/15/87

RETURN TO SENDER  
NO FORWARDING ORDER ON FILE  
UNABLE TO FORWARD

*204/11*



LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 87-12

SPECIAL USE PERMIT TO ESTABLISH A WASTEWATER  
TREATMENT FACILITY ON PROPERTY ZONED THE "R-1"  
SUBURBAN RESIDENTIAL DISTRICT

The south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27  
South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.  
Generally located at the northeast corner of Harry and Brookhaven.

Most Restrictive



Least Restrictive

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

\*\*\*Mobile home parks and trailer camps are not permitted.

Lot	Block	Addition	Property Owner
Lot 49	Block 1	Timber Lakes Estates	X Marjorie A. Wagoner 15209 Timberlake Circle Wichita, KS 67230
Lot 50	Block 1	"	X Garner E. Shriver Martha Jane Shriver 15205 Timber Lakes Circle Wichita, KS 67230
Lot 1	Block 1	Timber Lakes Estates 3rd Addition	X Central Bank & Trust Wichita, Kansas 3433 E. Central Wichita, KS 67208
Lot 2	Block 1	"	X Curtis E. Venn Box 157 Jet, OK 73749
Lot 14	Block 1	"	X Car-Ree Enterprises Inc. Suite 402 2024 N. Woodlawn Wichita, KS 67208
Lot 1	Block 3	"	Same As Above
Lot 36	Block 3	"	X Letourneau College, a Texas Corporation Box 7333 Longview, TX 75607
Lots 9 & 10	Block 5	Arbor Lakes Estates	X Daniel Foley Carolyn Sue Foley 15239 Sweetgum Ct. Wichita, KS 67230
Lot 11	Block 5	"	X Magnum Land Corporation Suite 575 7701 E. Kellogg Wichita, KS 67207
Lot 4	Block 6	"	X Brett D. Hite Kay A. Hite 15229 Sweetgum Ct. Derby, KS 67037
Lot 5	Block 6	"	dup Magnum Land Corporation Suite 575 7701 E. Kellogg Wichita, KS 67207
Lot 6	Block 6	"	X Lee Builders Inc. 6110 Bella Rd. Wichita, KS 67204
Lot 1	Block 7	"	dup Magnum Land Corporation Suite 575 7701 E. Kellogg Wichita, KS 67207

letter  
returned

Lot	Block	Addition	Property Owner
Lot 2	Block 7	Arbor Lakes Estates	Douglas D. Webster Nancy B. Webster X 1620 Tamarisk Wichita, KS 67230
Lot 3	Block 7	"	Carliss J. Nelson X Mary Kay Nelson 1630 Tamarisk Wichita, KS 67230
Lot 4	Block 7	"	Magnum Land Corporation Suite 575 <i>dup</i> 7701 E. Kellogg Wichita, KS 67207
Lot 5	Block 7	"	Phyllis Voss X 6510 E. 29th St. North Wichita, KS 67226
Lot 6	Block 7	"	Gary R. Hackney Donna L. Bartlett Hackney X 1648 Tamarisk Ct. Wichita, KS 67230
Lot 7	Block 7	"	Larry A. Eagleton X Elizabeth B. Eagleton 1652 Tamarisk Ct. Wichita, KS 67230
Lot 8	Block 7	"	G. Stanley Bennett X Lois J. Bennett 1656 Tamarisk Ct. Wichita, KS 67230
Lot 9	Block 7	"	Magnum Land Corporation Suite 575 <i>dup</i> 7701 E. Kellogg Wichita, KS 67207

We hereby certify the foregoing to be a true and correct list of the property owners in Sedgwick County, Kansas, of the hereinbefore described lots and tracts lying within a 1000 foot radius of:

The South 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 25, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 20th day of April, 1987, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

*Mary Seale*

By

Sr. Vice-President

UNCERTIFIED  
OWNERSHIP LIST

- | <u>Description</u>  | <u>Record Owner(s)</u>                           | <u>Address as shown<br/>by Tax Records</u>          |
|---|--|---|
| 1. Lots Numbered 3 and 4, sometimes described as the West Half of the Southwest Quarter of Section Numbered 30, Township Numbered 27 South, Range Numbered 3 East of the 6th P.M.   | W. Howard Whiteside and ✓<br>Joanne B. Whiteside | 3420 Elmwood<br>Wichita, Ks. 67218                  |
| 2. Beginning at a point that is 496.34 feet South and 50 feet East of the Northwest Corner of the Northwest Quarter of Section Numbered 31, Township Numbered 27 South, Range Numbered 3 East of the 6th P.M. thence bearing South 0° 07' 37" West parallel with the West line of said Northwest Quarter a distance of 968.49 feet, bearing South 74° 25' East a distance of 360 feet, bearing North 68° 20' East a distance of 320 feet, bearing North 5° 20' West a distance of 710 feet, bearing North 27° 40' West a distance of 270.00 feet, bearing North 89° 52' 23" West a distance of 450.65 feet to the point of beginning. | David A. Haines and ✓<br>Lynda Sharen Haines     | Box 1441<br>Wichita, Ks. <u>67201</u>               |
| 3. The Northwest Quarter (NW¼) of Section Thirty-one (31), Township Twenty-seven (27) South, Range Three (3) East of the 6th P.M., Except the above shown tract.  | Frank L. Carney ✓                                | Suite 210<br>302 N. Rock Road<br>Wichita, Ks. 67206 |

WE HEREBY CERTIFY, that the above is a true and correct list as of April 15th, 1987.

#101329

THE F. S. ALLEN ABSTRACT COMPANY

BY PARICE D. HUMIG

No. \_\_\_\_\_

F.S.  
ALLEN

Abstract  
and  
Title  
Company



Butler  
County  
Kansas

5-11-87

Regional Wastewater Treatment Facility for Four Mile Creek

Phase I to <sup>serve</sup> 15,000 people (7-8,000 people and there now)

Phase II to serve another 15,000

This <sup>Phase II</sup> will eliminate all area lagoon systems (except Timberlakes)  
fenced off smaller than site plan

this site will accommodate Phase II also

one Sludge Vehicle

will use area to route for sludge (one full day a week  
trucks will  
will be injected underground  
inject  
sludge on  
site to north

check st road needs

extended aeration type plant

existing lagoons will function as <sup>an</sup> extension flow basin  
(to handle excess) Will be part of  
the system. Will be backup system

Dec '89 - finish date for Phase I

June 11<sup>th</sup> plant will be bid for construction  
then Canada has 60 days to hold public hearing

Shemaker

Will any landscaping be provided?

Pump station in SW corner mainly below grade.  
Kerowake building in NW corner

Sudge will be injected into the soil

extended aeration basin mainly <sup>at or</sup> below grade  
clarifier at grade

lot's fenced area to be grassed & irrigated

entire dept 8 people  
4 or 5 people per day on site - weekdays  
1 at night  
1 on weekends

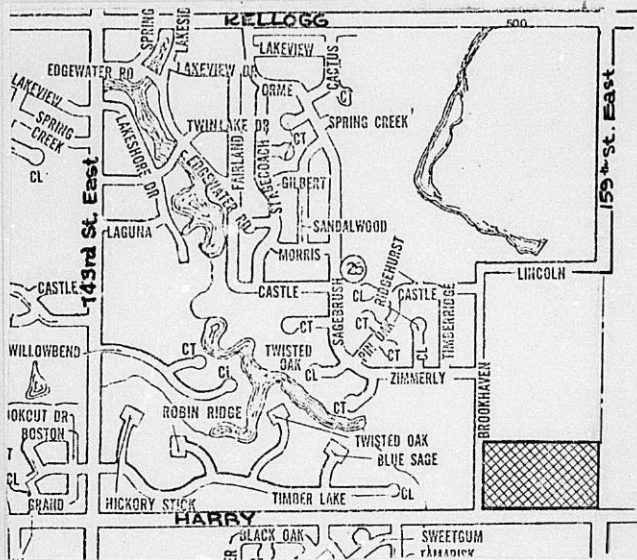
Lincoln & Brookhaven are paved. 2-lane. Township maintained.

1 access to Brookhaven } on plat, not  
2 to Harry } with DR

2-11-81

MAY 28, 1987

STAFF REPORT



**DR 87-12 - REQUEST FOR SPECIAL USE PERMIT TO ESTABLISH A WASTE-WATER TREATMENT FACILITY ON PROPERTY ZONED THE "R-1" SUBURBAN RESIDENTIAL DISTRICT, LOCATED AT THE NORTHEAST CORNER OF HARRY AND BROOKHAVEN.**

Applicant: Board of County Commissioners of Sedgwick County, Kansas, 525 N. Main, Wichita, KS 67203

	Land Use	Zoning	Size
Application Area	Undeveloped	"R-1"	24.4 acres
North	Agriculture	"R-1"	
South	Agriculture	"R-1"	
East	Agriculture & undeveloped	(Butler County zoning)	
West	Timberlakes sewage lagoons	"R-1"	

History: None.

Background: The applicants are requesting a special use permit to establish a regional wastewater treatment facility for Four-Mile Creek on a 24.4-acre tract of unplatted land located at the northeast corner of Harry and Brookhaven (¼ mile west of 159th Street East). The site is now undeveloped.

Analysis: To the north, east and south are agricultural lands in the "R-1" district while to the west, also in the "R-1", are the sewage lagoons for the Timberlakes area. The application area is to be the site of the Four-Mile Creek Wastewater Treatment Facility which will eliminate all area lagoon systems except the Timberlakes one which will be kept to function as a back-up system. The facility will be built in two phases with the first phase to be completed in early 1989. The aeration basin and clarifier for phase one are to be located at least 400 feet from the perimeter streets. All facilities are to be enclosed within a six-foot chainlink fence. The area within the fence will be grassed and landscaped with trees, shrubs and earth berms. One access to Harry is proposed.

A recommendation of approval should be subject to platting the property within one year after approval by the Board of County Commissioners of the special use or the application shall be considered denied and closed. The resolution authorizing this special use permit shall not be released until the plat has been recorded.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

May 14, 1987

NOTICE OF PUBLIC HEARING

Case No.: DR 87-12.

Location: At the northeast corner of Harry and Brookhaven.

Address: 15900 East Harry.

Request: SPECIAL USE PERMIT to establish a wastewater treatment facility on property zoned the "R-1" Suburban Residential District.

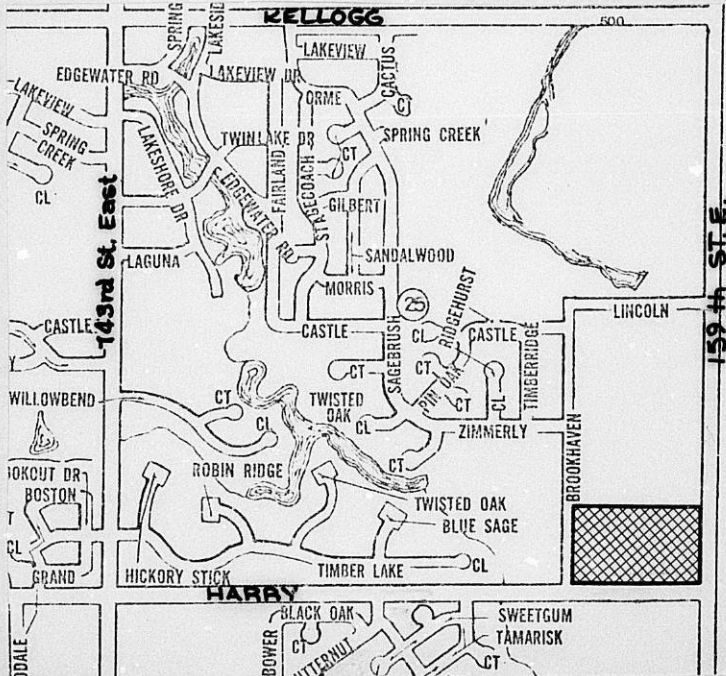
A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

MAY 28, 1987

The meeting will begin at 1:30 p.m. in the City Council Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information, please call 268-4421.



SEE REVERSE SIDE

PL/0277/4


LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 87-12

SPECIAL USE PERMIT TO ESTABLISH A WASTEWATER TREATMENT FACILITY ON PROPERTY ZONED THE "R-1" SUBURBAN RESIDENTIAL DISTRICT

The south 800 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 25, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.  
Generally located at the northeast corner of Harry and Brookhaven.

Most Restrictive



Least Restrictive

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

\*\*\*Mobile home parks and trailer camps are not permitted.

Gas Service	-----	C-12
Water Lines	-----	C-12
Fencing Plan	-----	C-13
Electrical Plan	-----	E-4
Grading Plan	-----	C-13
Road Plan	-----	C-13

SEDCWICK COUNTY  
BUTLER COUNTY

566,414.96 N; 390,934.12 E  
Const. Cascade

SE CORNER SECTION 25  
127S, R2E

390,800 E

*DR 87-12*

No.	Revision	By	Date
SEDGWICK COUNTY BUREAU OF PUBLIC SERVICES DAVID C. SPEARS, P.E. DIRECTOR, BUREAU OF PUBLIC SERVICES / COUNTY ENGINEER			
<h2>SITE PLAN</h2> FOUR MILE CREEK WASTEWATER TREATMENT FACILITY PHASE 1			
<b>PROFESSIONAL ENGINEERING CONSULTANTS, P.A.</b> ENGINEERS WICHITA, KANSAS			
Designed by BDR	Job No. 34-81051-16	Sht. C-3 of 35	
Drawn by CAL	Date Jan. 1987		

