

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0689 - Zone change request from the "R-1" Suburban Residential and the "LC" Light Commercial Districts to the "E" Light Industrial District; AND

CU-381 - Conditional Use Permit for a solid waste transfer station, located at the northeast corner of 29th Street North and West Street.

PRESENTED BY: Marvin S. Krout, Director of Planning

PROPOSED AGENDA DATE: May 10, 1995.

COMMISSION DISTRICT #4

MAPC Recommendation: Approve, subject to conditions (10-1).

Staff Recommendation: Approve, subject to conditions.

Background/Discussion: On April 13, 1995, the MAPC considered a zone change from the 'R-1' Suburban Residential & 'LC' Light Commercial Districts to the 'E' Light Industrial District for a 17.6 acre site located at the northeast corner of West Street and 29th Street North. The applicant also requests a Conditional Use Permit for a "private" solid waste transfer station for construction demolition debris.

The 900' x 850' site is part of an larger 214-acre area with an approved Conditional Use Permit (CU-278) for sand extraction. The subject property is currently undeveloped and surrounded by the Ritchie sand extraction operation to the north, agricultural uses and a single family home to the south, agricultural uses and an inactive sandpit operation to the west, the City owned sludge disposal site to the southwest, and the Wichita-Valley Center Flood Control right-of-way is located to the east.

According to the most recent information pertaining to wetlands from the Sedgwick County Soil Conservation District and the Soil Survey of Sedgwick County, portions of this site include hydric soils (Waldeck sandy loam soil) commonly associated with wetlands. Therefore, prior to any development on this site, the applicant will need to acquire all necessary permits from the Army Corps of Engineers for the protection and management of any wetland or riparian areas located within the application area. According to the FEMA maps, this entire area is designated as a 500 year floodplain. The maps indicate that "this area is protected from the one percent annual chance (100-year) flood by levee,

dike, or other structures subject to possible failure or overtopping during larger floods." The site is located near, but not within, Ponding Area "U" for the flood control project. City Engineering staff indicate that the proposed use should not impact the nearby ponding area.

The transfer station would be limited to asphalt and tar roofing, wood roofing, new home construction materials, construction and demolition debris and rubble. The applicant indicates that the expected volume of material is expected to reach 30,000 tons per year, most of which would consist of asphalt shingles. Upon accumulating enough volume to make a production run, the asphalt shingles would be transported to Ritchie Paving for grinding and recycling. The wood shingles and other wood materials would be ground and bagged for recycling into mulch. The remainder of the new home waste, the tar paper, and the rubble would be taken to a construction and demolition landfill on a regular basis.

The site plan submitted with the application indicates that each product material would have a loading and unloading area, with a one-way access road through the site. The maximum time that a product would remain on the site would be sixty (60) days. Only one (1) access point, located at the south property line, would be used to enter and exit the site. This use is also subject to the County's Sanitation Code.

Recommended Action:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission, approve the zone change and special use permit subject to the recommended conditions; adopt resolutions authorizing the special use permit and authorizing the zone change; instruct the Planning Department to withhold release of the resolutions until the appropriate conditions have been complied with; or

2. Return to the Planning Commission for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first hearing).

Applicants: Ritchie Paving, Inc., P.O. Box 4048, Wichita, KS 67204

Speaker: Walter Henning, 8623 W. 17th Street North, Wichita, KS 67212

R# 124-1994

Published in The Daily Reporter on MAY 25, 1995

RESOLUTION NO. R# 124-1994

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 7.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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 after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 17.C of the Zoning Regulations, the zoning district of the lands legally described below are hereby changed as follows:

Case No. SCZ-0689

Zone change request from the "R-1" Suburban Residential and the "LC" Light Commercial Districts to the "E" Light Industrial District

North 850 feet of the south 950 feet of the west 960 feet of the southwest quarter of Section 36, Township 26 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas except the west 60 feet for road right-of-way. Generally located at the northeast corner of West Street and 29th Street North.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office 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 and publication in the official county paper.

Send to City Clerk to be published 5-23-95

Commissioners present and voting were:

PAUL W. HANCOCK	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
MELODY C. MILLER	<u>Aye</u>
MARK F. SCHROEDER	<u>- Absent -</u>
BETSY GWIN	<u>Aye</u>

DATED this 10th day of May, 1995.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Absent
MARK F. SCHROEDER, Chairman

Thomas G. Winters
THOMAS G. WINTERS, Chairman Pro Tem

Betsy Gwin
BETSY GWIN, Commissioner

Paul W. Hancock
PAUL W. HANCOCK, Commissioner

APPROVED AS TO FORM ONLY:

Susan Crockett Spoon
County Counselor/Assistant

Melody C. Miller
MELODY C. MILLER, Commissioner

