

R# 125-1995

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RESOLUTION NO.

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A SOLID WASTE TRANSFER STATION ON PROPERTY ZONED THE "R-1" SUBURBAN RESIDENTIAL AND "LC" LIGHT COMMERCIAL DISTRICTS ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.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, a conditional use permit to allow a solid waste transfer station on property zoned the "R-1" Suburban Residential and "LC" Light Commercial Districts, legally described below:

Case No. CU-381

Conditional use permit request to allow a solid waste transfer station on property zoned the "R-1" Suburban Residential and "LC" Light Commercial Districts

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.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Prior to the publication of the Resolution effectuating the Conditional use Permit, all applicable state and federal permits shall be acquired for wetlands preservation.
2. This Conditional Use Permit shall permit a solid waste transfer station for construction demolition debris. The transfer station shall be limited to only asphalt and tar roofing, wood roofing, new home construction materials, construction and demolition debris and rubble.
3. The transfer station shall proceed in general conformance with the site plan approved by the Board of County Commissioners.
4. No solid waste shall be permitted within 100 feet of West Street.
5. The maximum pile height for materials shall be 10 feet.
6. The maximum time that a product shall remain on the site is sixty (60) days.
7. Storage of stock shall allow for adequate access to remote areas of the site.
8. All access roadways shall be a minimum of 20 feet wide.
9. All roadways shall be able to withstand an imposed load of 24,000 pounds.
10. Upon cessation of this use and prior to any excavation on this site as approved by CU-278, all debris and stockpiled material shall be removed from the site.
11. Violation of any of the conditions of approval shall render the Conditional Use Permit null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use permit 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.

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

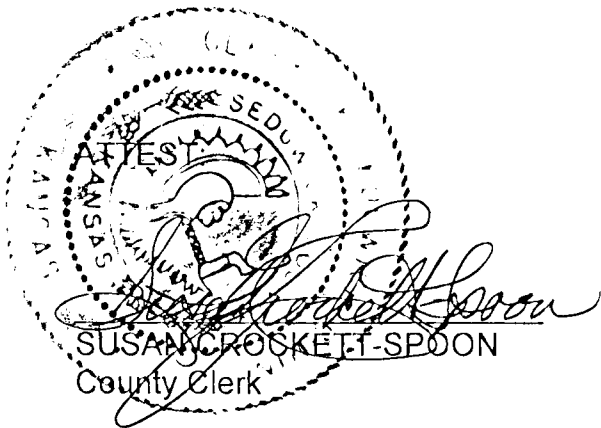
Betsy Gwin
BETSY GWIN, Commissioner

Paul W Hancock
PAUL W. HANCOCK, Commissioner

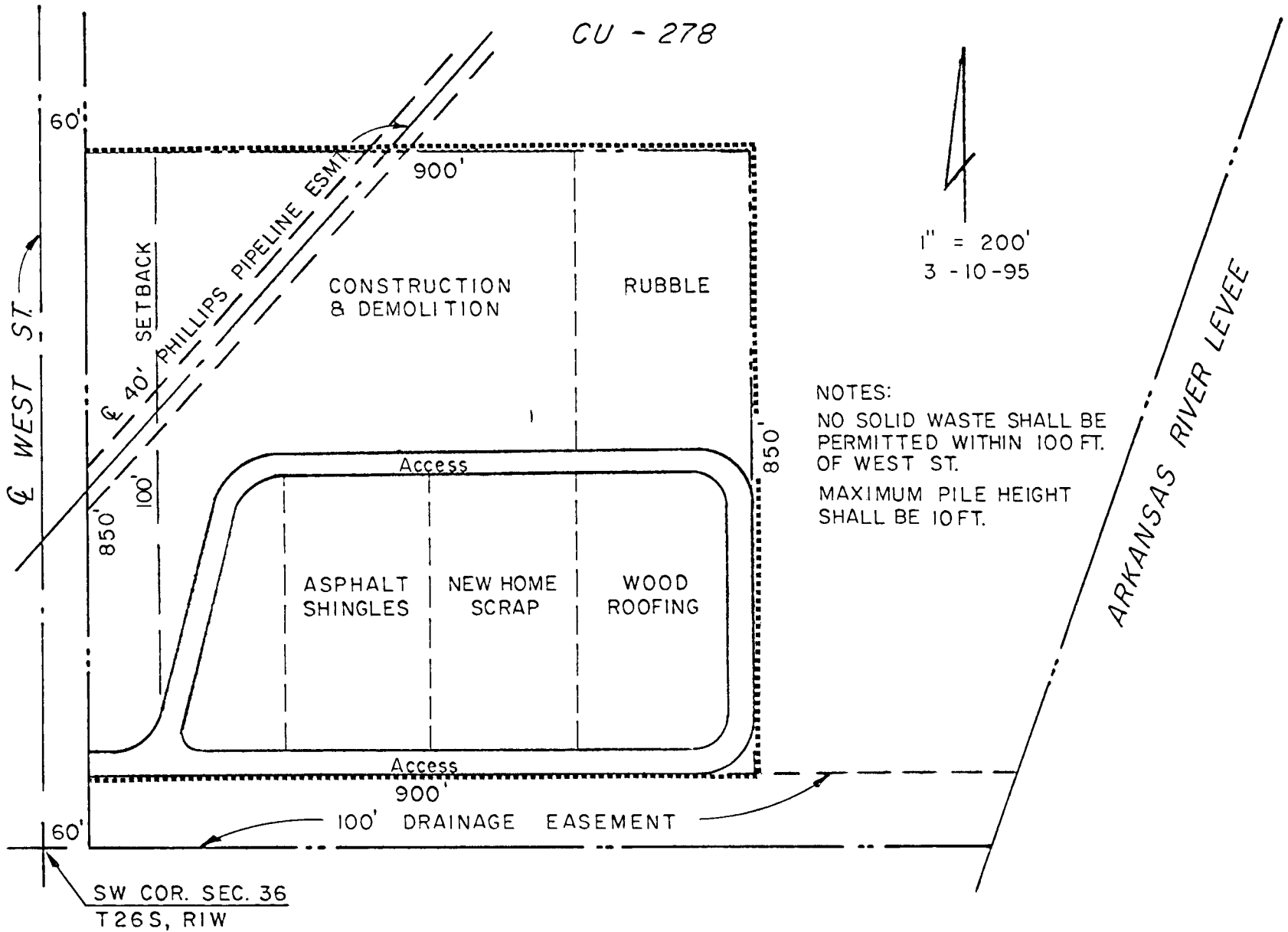
APPROVED AS TO FORM ONLY:

Ariana Benson
County Counselor/Assistant

Melody C. Miller
MELODY C. MILLER, Commissioner



CU - 278



SOLID WASTE TRANSFER STATION
RITCHIE PAVING, INC.

STAFF REPORT

April 13, 1995

CASE NUMBER: SCZ-0689 & CU-381

APPLICANT/AGENT: Ritchie Paving, Inc. / Ritchie Sand, Inc. c/o Steven Hatfield & P.E.C. c/o Gary Wiley

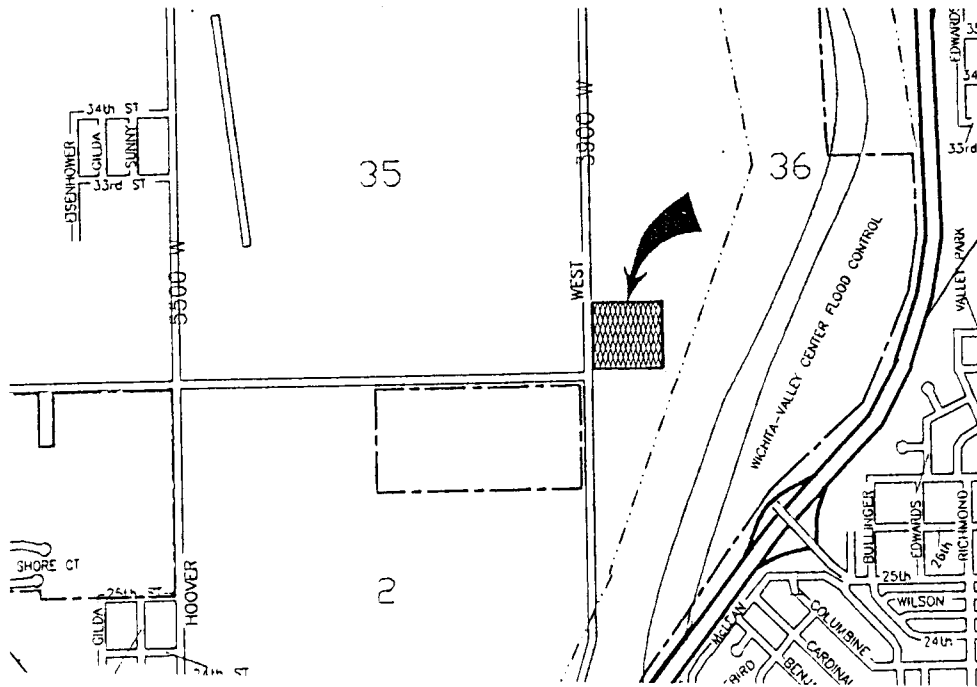
REQUEST: Zone change to 'E' Light Industrial and a Conditional Use Permit for a solid waste transfer station.

CURRENT ZONING: 'R-1' Suburban Residential & 'LC' Light Commercial

SITE SIZE: 17.6 acres

LOCATION: Northeast corner of 29th Street North and West Street

PROPOSED USE: Private solid waste transfer station for construction demolition debris.



BACKGROUND: The applicant requests 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.

CASE HISTORY: On May 15, 1985, the Board of County Commissioners approved a Conditional Use Permit (CU-278) for a sand extraction operation for a 214 acre site on the east side of West Street between 29th Street North and 37th Street North.

ADJACENT ZONING AND LAND USE:

NORTH:	'R-1'	Ritchie sand extraction operation (CU-278)
SOUTH:	'R-1', 'LC'	Agricultural uses, single family home
EAST:	'R-1'	Wichita-Valley Center Flood Control
WEST:	'R-1'	Inactive sandpit (CU-113)

PUBLIC SERVICES: Municipal water and sewer services are not required for the proposed use. The proposed use would have one access opening to West Street, a 2-lane paved section line road with 40 feet of existing half-street right-of-way. A 100 foot drainage easement is located along the south side of the application area. Existing traffic volumes along West Street are approximately 1,000 average daily trips (ADT) between 21st Street North and 37th Street North and is projected by the 2020 Transportation Plan to increase to approximately 1,768 ADT.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area for agricultural uses. The Plan does not specifically address the siting of transfer stations. However, the Plan does recommend alternative waste management practices and the support of environmental-sensitive methods of disposal in all solid waste management activities. The Plan further recommends efforts to maximum the capacity of the existing landfill.

The proposed Park and Open Space Master Plan identifies the Wichita-Valley Center Flood Control project as a "greenway" corridor -- often considered linear parks which connect vegetated and nonvegetated park and open space areas. Typically, these corridors will consist of natural settings with minimal site development or alterations, except for additional landscaping or plantings as necessary. Uses associated with greenway corridors may include bikeways, pedestrian/hiking pathways, and equestrian trails.

RECOMMENDATION: Planning staff recommends that the request be APPROVED, subject to the following conditions:

1. Prior to the publication of the Resolution effectuating the Conditional Use Permit, all applicable state and federal permits shall be acquired for wetlands preservation.
2. This Conditional Use Permit shall permit a solid waste transfer station for construction demolition debris. The transfer station shall be limited to only

asphalt and tar roofing, wood roofing, new home construction materials, construction and demolition debris and rubble.

3. The transfer station shall proceed in general conformance with the site plan approved by the Board of County Commissioners.
4. No solid waste shall be permitted within 100 feet of West Street.
5. The maximum pile height for materials shall be 10 feet.
6. The maximum time that a product shall remain on the site is sixty (60) days.
7. Storage of stock shall allow for adequate access to remote areas of the site.
8. All access roadways shall be a minimum of 20 feet wide.
9. All roadways shall be able to withstand an imposed load of 24,000 pounds.
10. Upon cessation of this use and prior to any excavation on this site as approved by CU-278, all debris and stockpiled material shall be removed from the site.
11. Violation of any of the conditions of approval shall render the Conditional Use Permit null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site is surrounded by a mixture of agricultural uses, sand extraction operations, and the City owned sludge disposal site. Except for a single family home to the south, relatively few residential homes are located in the area.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed use will be required to meet a number of site conditions, setbacks, and fencing requirements.

3. Conformance of the requested change to adopted or recognized Plans/Policies: The Plan does not specifically address the siting of transfer stations. However, the proposed use would allow for temporary stockpiling of materials for transport to recycling facilities rather than to the landfill -- which is consistent with the Plan's recommendation to maximum the capacity of the existing landfill. The Plan further recommends alternative waste management practices.

4. Impact of the proposed development on community facilities: The proposed use does not require municipal water or sewer services. The proposed use should not have a significant impact upon traffic along West Street, which has available traffic capacity.