



**Wichita-Sedgwick County Metropolitan Area Planning Department**

July 21, 2011

Resource Recovery Management, LLC  
John Dugan  
15810 West 47<sup>th</sup> Street South  
Clearwater, Kansas 67206

**CHANGE OF COUNTY COMMISSION HEARING DATE**

**RE: CON2011-00017** - County Conditional Use request for a Conditional Use to permit a C&D Landfill and **ZON2011-00014**, SF-20 to RR on land located northwest of the intersection of South Ridge Road and West 55<sup>th</sup> Street South.

Dear Mr. Dugan:

At its regular meeting on **July 7, 2011**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to APPROVE the application.

Originally scheduled to be forwarded to the County Commission for consideration at its regular meeting on Wednesday, August 17, **that hearing date has been rescheduled to Wednesday, August 24, 2011**. The meeting will be held in Room 320, Sedgwick County Courthouse, 525 N. Main, Wichita, Kansas, beginning at 9:00 a.m.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink that reads 'Dale Miller'.

Dale Miller  
Current Plan's Manager  
Current Plans Division

Copies to: Robert W. Kaplan, 1600 Epic Center, 301 N. Main Street, Wichita, KS  
67202-4814

**RE: CON2011-006 i / and ZON2011-00014 - County Conditional Use to allow a Construction & Demolition Landfill and zone change from SF-20 to RR on property generally located north and west of the intersection of 55 Street South and Ridge Road**

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Tim Lauer, 3205 Wild Thicket, Wichita, KS 67205  
Jolene Toman, 1340 Pecanwood, Goddard, KS 67052  
Wayne Koch, 3725 Fairlawn, Wichita, KS 67215  
Dennis Woods, 5201 S. 119<sup>th</sup> St., West, Clearwater, KS 67206  
Bill McKibban, 8026 W. 47<sup>th</sup> St. South, Clearwater, KS 67026  
Steve Hieger, Occidental Chemical, PO Box 12283, Wichita, KS 67277-2283  
Charles Horner, 4409 Touchstone Forest Rd., Raleigh, NC 27612  
Tom and Arleen Bergkamp, 8231 W. 55<sup>th</sup> St., South, Clearwater, KS 67026  
Ellie Skokan, 5825 Memphis, Wichita, KS 67220  
Greg Seiler, 3920 S. 215<sup>th</sup> St., West, Goddard, KS 67052  
John Martin, 4324 S. Ridge Ct., Wichita, KS 67215  
Gary Thome, 14001 W. 55<sup>th</sup> St., South, Clearwater, KS 67026  
Larry Thome, 8306 W. 55<sup>th</sup> St., South, Clearwater, KS 67026  
Debbie Thome, 749 N. Gow, Wichita, KS 67023  
Ambrose Lauer, 8101 W. MacArthur Rd., Wichita, KS 67215  
Karen Dreiling, 3700 S. 151<sup>st</sup> St., West, Goddard, KS 67052  
Andy Lauer, 7105 West 47<sup>th</sup> St., South, Wichita, KS 67215  
Rob Ketzner, 2121 North 135<sup>th</sup> St., West, Wichita, KS 67235  
Mary Jo Seiler, 1923 Sunrise Avenue, North, Wichita, KS 67234  
Linus and Mary Lou Lauer, 3802 Westport, Wichita, KS 67203  
Gary and Karen Woods, 5060 S. 135<sup>th</sup> St., W., Clearwater, KS 67026  
Diane Seiler, 3920 S. 215<sup>th</sup> St., W., Goddard, KS 67052  
Bill Thome, 13619 SW 134<sup>th</sup> St., Rose Hill, KS 67133  
John Thome, 658 Wetmore, Wichita, KS 67209  
Jim Robinson, 4332 S. Ridge Court, Wichita, KS 67215  
Michael D. and Susan C. Williams, 14721 West 55<sup>th</sup> St., South, Clearwater, KS 67026  
Waco Township, Mark Girrens, 5648 S. 103<sup>rd</sup> St., Clearwater, KS 67026  
Pinwood Estates, PO Box 16563, Wichita, KS 67216  
Bob Parnacott, Mail Stop County Room 359  
Glenn Wiltse, 114 S. Seneca, Wichita, KS 67213  
Jim Weber, 114 S. Seneca, Wichita, KS 67213  
Tim R. Norton, Mail Stop County Room 320

RESOLUTION NO 37-2012

A RESOLUTION FOR A CONDITIONAL USE TO PERMIT A CONSTRUCTION AND DEMOLITION 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, AS SUBSEQUENTLY AMENDED.

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, for a Conditional Use for a construction and demolition landfill, on approximately 160-acres (associated with ZON2011-14 and restricted to the area depicted on the approved site plan) of property zoned RR Rural Residential ("RR").

**Case No. CON 2011-00017**

Legally described below:

Resource Recovery Management Addition to Sedgwick County, Kansas; generally located northwest of the intersection of South Ridge Road and West 55<sup>th</sup> Street South.

**SUBJECT TO PLATTING WITHIN ONE YEAR AND 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 prior to depositing landfill material on the site. Operations shall proceed in accordance with all regulations and conditions established by the Kansas Department of Health and Environment (KDHE), 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 paved roads.
- E. A minimum 8-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 County Department of Public Works 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 approved "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 three 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 eighteen 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. The maximum height of fill material shall not exceed 80 feet in height; and landfill and composting operations shall cease 33 years from the date of final approval. It shall be the responsibility of the applicant to notify the planning staff and the Director of County Code Enforcement of the date when filling began; otherwise the time period shall run from the date of MAPC or BoCC approval, whichever is latest.
- I. A landscape plan shall be submitted for review and approval by the Director of Planning. 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 fill areas and the property lines at a rate of at least one tree per 15-feet. The landscaping is to be installed prior to beginning fill operations on the site.
- J. Right-of-way dedications commensurate with those required by the Subdivision Regulations shall be required if existing rights-of-way are substandard.
- K. If required, a revised site plan shall be submitted for review and approval.
- L. The C&D landfill shall be developed and operated in compliance with all conditions of approval or the Conditional Use shall be considered null and void. Operations shall commence within one year of the date of final approval or the Conditional Use shall be declared 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:

1 <sup>st</sup> District	DAVID M. UNRUH	Aye
2 <sup>nd</sup> District	TIM R. NORTON	Nay
3 <sup>rd</sup> District	KARL PETERJOHN	Aye
4 <sup>th</sup> District	RICHARD RANZAU	Aye
5 <sup>th</sup> District	JAMES B. SKELTON	Aye

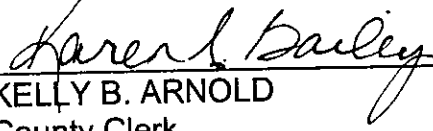
DATED this 15<sup>th</sup> day of March, 2012

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS




Tim R. Norton, CHAIRMAN  
Second District

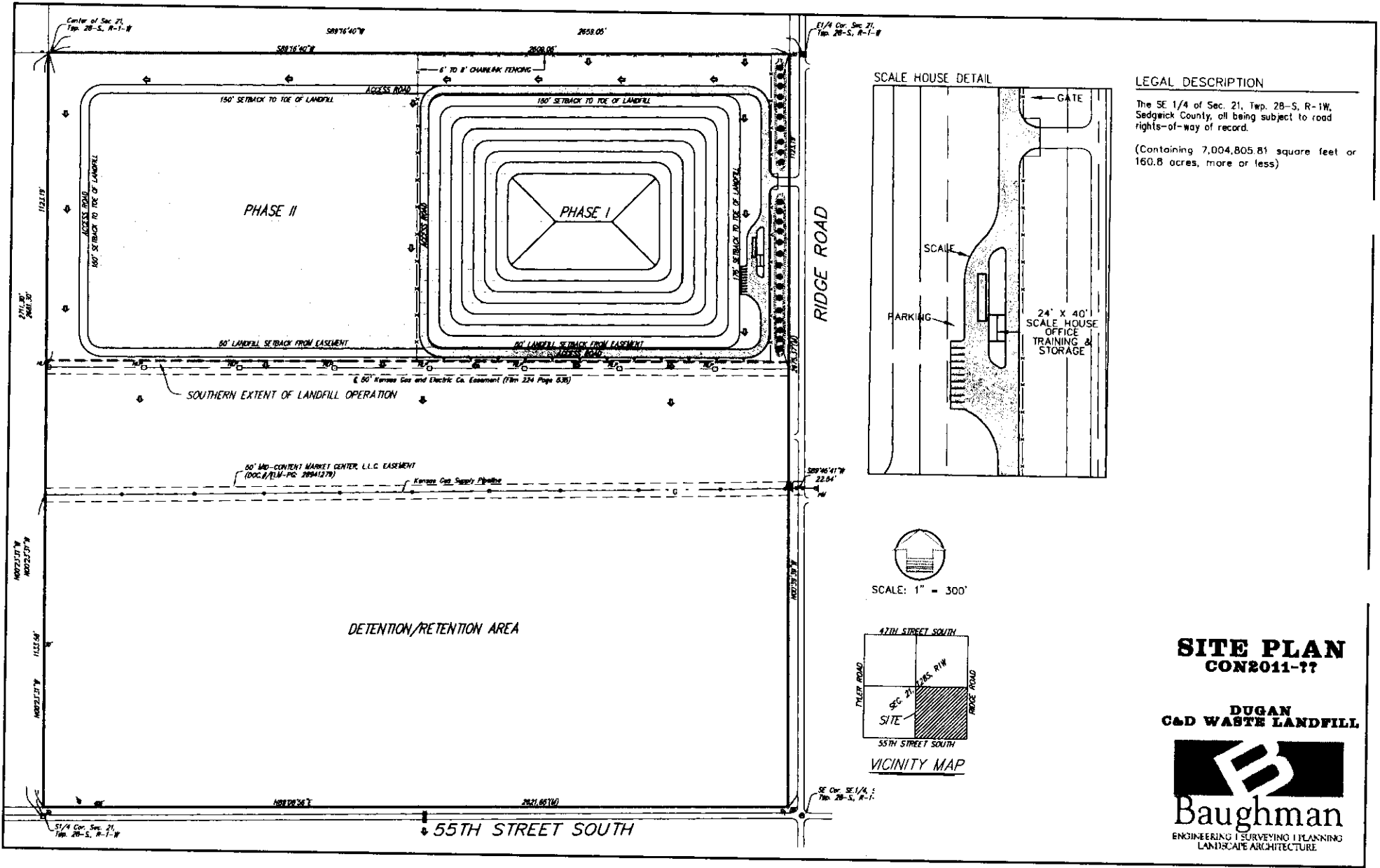
ATTEST:

for   
KELLY B. ARNOLD  
County Clerk



APPROVED AS TO FORM ONLY:

  
ROBERT W. PARNACOTT  
Assistant County Counselor



**LEGAL DESCRIPTION**

The SE 1/4 of Sec. 21, Twp. 28-S, R-1-W, Sedgwick County, all being subject to road rights-of-way of record.

(Containing 7,004,805.81 square feet or 160.8 acres, more or less)

**SITE PLAN  
CON2011-??**

**DUGAN  
C&D WASTE LANDFILL**

