RESOLUTION NO 004-2020

Published on: 1/16/2020

A RESOLUTION FOR A ZONE CHANGE FROM RR RURAL RESIDENTIAL TO SF-20 SINGLE FAMILY RESIDENTIAL 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, a Zone Change from RR Rural Residential to SF-20 Single Family Residential.

Case No. ZON2019-00043

A Zone Change from RR Rural Residential to SF-20 Single Family Residential, legally described as follows:

A tract of land in the Government Lot 2 in the Northeast Quarter of Section 5, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning at the intersection of the west line of 29th Street Court with the north line of 29th Street as dedicated in Clasen Addition to Sedgwick County, Kansas, said intersection being 185 feet west of the northeast corner of said Government Lot 2; thence westerly coincident with the north line of said Government Lot 2, 548 feet, more or less, to a point 587 feet east of the northwest corner of said Government Lot 2; thence southerly parallel with the west line of said Government Lot 2, 205 feet; thence westerly parallel with the north line of said Government Lot 2, 60 feet; thence southerly parallel with the west line of said Government Lot 2, 220 feet; thence westerly, parallel with the north line of said Government Lot 2, 120 feet to the southeast corner of Baalman Ave. as dedicated in Baalman Addition, Sedgwick County, Kansas; thence southerly coincident with the east line of said Baalman Addition, 160 feet to the southeast corner of said Baalman Addition; thence westerly coincident with the south line of said Baalman Addition, 101.75 feet to a point 305.25 feet east of the west line of said Government Lot 2; thence southerly parallel with the west line of said Government Lot 2, 700.5 feet, more or less, to a point on the south line of the said Government Lot 2; thence easterly coincident with the south line of said Government Lot 2, 687.75 feet, more or less, to the southwest corner of Lot 8, Block A, in said Clasen Addition; thence northerly coincident with the west line of said Block A, 721.55 feet to the northwest corner of Lot 11 in said Block A; thence easterly along the north line of said Lot 11, 145 feet to the northeast corner of said Lot 11, said northeast corner also being a point on the west line of said 29th Street Court; thence northerly coincident with the west line of said 29th Street Court, 585 feet to the point of beginning, all of the above being subject to road rights-of-way of record.

SECTION II. That upon the taking effect of this Resolution, the notation of such Zone Change 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 and publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER	Aye
MICHAEL B. O'DONNELL, II	Aye
DAVID T. DENNIS	Aye
LACEY D. CRUSE	Aye
JAMES M. HOWELL	Aye

Dated this 8th day of January, 2020.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID T. DENNIS, Chairman
Commissioner, Third District

PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor

MICHAEL B. O'DONNELL, II
Commissioner, Second District

LACEY D. CRUSE
Commissioner, Fourth District

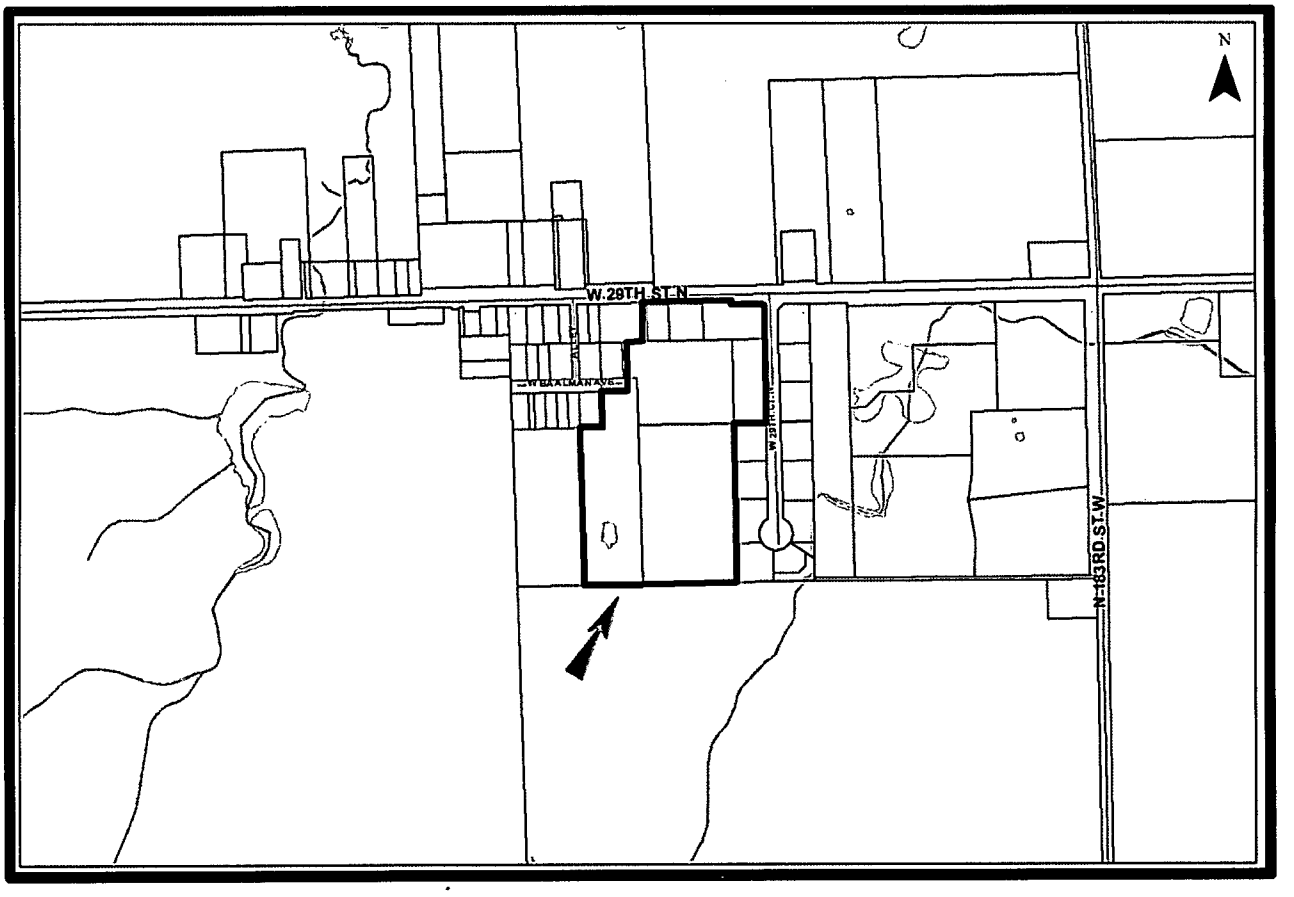
JAMES M. HOWELL
Commissioner, Fifth District

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.8

STAFF REPORT
MAPC-November 21, 2019
CAB III- December 2, 2019

CASE NUMBER:	ZON2019-000043
APPLICANT/AGENT	Renwick Unified School District No. 267 (Applicant) Baughman Company (Agent)
REQUEST:	SF-20 Single Family Residential
CURRENT ZONING:	RR Rural Residential
SITE SIZE:	19.34 acres
LOCATION:	On the south side of West 29th Street North and 3/8 mile west of North 183rd Street West (19001 West 29th Street North)
PROPOSED USE:	To allow school development



BACKGROUND: This application was filed to rezone the subject property from RR Rural Residential to SF-20 Single Family Residential in order to allow for the expansion of an existing school. The site is generally located on the south side of West 29th Street North and 3/8 mile west of North 183rd Street West.

The applicant, the Renwick Unified School District No. 267, currently operates a school on the un-platted property. Due to the RR zoning, this is a non-conforming use. With plans to expand the school building to the east, the school district is platting the property and requesting the zone change to bring the property into compliance.

The subject property is 19.34 acres and is developed with several buildings including the school. The proposed school addition would be subject to all applicable setback requirements of the SF-20 district.

The majority of property in the area is zoned RR Rural Residential. The lots adjacent to the north (across 29th Street), adjacent to the east (Across 29th Court), and adjacent to the south are all zoned RR. Lots adjacent to the west are zoned a mix of RR and LC Limited Commercial. Most of the property in the area does not conform to the minimum lot size or other requirements of the RR district. Please see the attached area map so see all adjacent zoning.

CASE HISTORY: The property is in the process of being platted, case SUB2019-00046.

ADJACENT ZONING AND LAND USE:

North:	RR; Single-family residences and agriculture
South:	RR; Single-family residences and agriculture
East:	RR; Single-family residences and auto dealer
West:	RR and LC; Single-family residences

PUBLIC SERVICES: West 19th Street North is a paved, 2-lane arterial street. West 29th Court North is an un-paved, 2-lane local street.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "Rural Growth". The rural growth category encompasses land outside the 2035 urban-growth areas for Wichita and the small cities and will likely be developed or redeveloped as agriculture, rural-based businesses, and larger lot residential exurban subdivisions.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared it is recommended that the request for SF-20 zoning be **Approved**.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The majority of property in the area is zoned RR Rural Residential. The lots adjacent to the north (across 29th Street), adjacent to the east (Across 29th Court), and adjacent to the south are all zoned RR. Lots adjacent to the west are zoned a mix of RR and LC Limited Commercial. Most of the property in the area does not conform to the minimum lot size or other requirements of the RR district. Please see the attached area map so see all adjacent zoning.

2. The suitability of the subject property for the uses to which it has been restricted: The property is

currently being used as a school, and the request to have the zoning changed to reflect the use is not unreasonable.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The property is currently being used as a school, and the request to have the zoning changed to reflect the use should not detrimentally affect nearby properties.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request will allow the expansion a school which is generally considered a gain to the public welfare. Denial would presumably represent a loss of educational opportunity to the applicant and/or community.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "Rural Growth". The rural growth category encompasses land outside the 2035 urban-growth areas for Wichita and the small cities and will likely be developed or redeveloped as agriculture, rural-based businesses, and larger lot residential exurban subdivisions.

6. Impact of the proposed development on community facilities: The property is currently being used as a school, and the request to have the zoning changed to reflect the use should not have a large impact on community facilities.

Attachments:

1. Area Map
2. Zoning Map
3. Land Use Map
4. Photos