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

Kaw Valley Engineering
Levi Bond
200 N Emporia Ste 100
Wichita, KS 67202

February 20, 2020

**RE:** **ZON2019-00042 and CUP2019-00036-** County Zone Change and Community Unit Plan request for GC General Commercial and new CUP on property generally located on the north side of East 21st Street North and on the east side of North 143rd Street East for commercial development.

Dear Applicant;

At its regular meeting on **January 8, 2020**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BoCC was to **APPROVED** a zone change to LC Limited Commercial subject to the recommendations of the Metropolitan Area Planning Commission.:

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

Sincerely,

Philip Zevenbergen, AICP
Associate Planner

Copies to: MABCD
Pete Meitzner, Board of County Commission District I
Alan A Lazarus, 14622 E 21st Street North, Wichita, KS 67230
Wassim Shaheen, 8412 E Steeplechase, Wichita, KS 67206
Will Harmon, 9526 W Brookridge Ct, Wichita, KS 67205
Nick Walker, 2402 N Springdale Cir. Wichita, KS 67228
Tracy Organ, 2434 N Springdale Cir, Wichita, KS 67228
Richard Beal, 2422 N Springdale Cir, Wichita, KS 67228
Patricia and Bruce Novak, 14828 E 24th Street North, Wichita KS 67228
Matthew Ghormley, 1830 N 143rd Street East, Wichita, KS 67230

RESOLUTION NO 003-2020

Published on: 1/15/2020

A RESOLUTION FOR A ZONE CHANGE FROM RR RURAL RESIDENTIAL LC LIMITED COMMERCIAL 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 LC Limited Commercial.

**Case No. ZON2019-00042**

A Zone Change from RR Rural Residential to LC Limited Commercial subject to the development standards contained in Community Unit Plan DP-351, legally described as follows:

All of that part of the south half of the Southwest Quarter Section 1, Township 27 South, Range 2 East, Sixth Principal Meridian, EXCEPT the East 1717.18 feet thereof, ALSO EXCEPT that part laying north of the South line of the Nustar Pipeline as laid.-Subject to Road Rights-of-way of record.
Said part lying North of the south line of the NuStar Pipeline being more particularly described as:
A tract of land lying in the South half of the Southwest Quarter of Section 1, Township 27 South, Range 2 East, Sixth Principal Meridian, Sedgwick County, Kansas, described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 1; THENCE North along the East line of said Southwest Quarter, 50 feet to the North Right-of-Way line of E. 21st Street North (a public Right-of-Way), THENCE S89°03'56"W coincident with the North right-of-way line of said E. 21st Street North, a distance of 1717.18 feet; THENCE N00°31'49"W parallel with the East line of said Southwest Quarter, 642.19 feet to the Southerly line of a 100 foot Gas Line Easement as recorded in Film 838, page 700, for a Point of Beginning; THENCE N70°15'15"W, coincident with the Southerly line of said Gas Line Easement, to a point in the West line of said Southwest Quarter, a distance of 1002.54 feet; THENCE N00°24'34"W coincident with the West line of said Southwest Quarter, a distance of 282.81 feet to a point in the North line of said South half; THENCE N89°04'14"E, coincident with the North line of said South half to a point that is 1717.18 feet West of the Northeast corner of said South half, a distance of 939.81 feet; THENCE S00°31'49"E, parallel with the East line of said Southwest Quarter, a distance of 636.76 feet to the Point of Beginning. 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 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

# Affidavit of Legal Publication

**STATE OF KANSAS )**

**ss.**

**County of Sedgwick )**

Jennifer Perryman, being first duly sworn, deposes and says:
That he/she is Legal Manager of

***The Derby Informer***

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for **1 week** the first publication thereof being made as aforesaid on the **15th** day of **January** 2020, with subsequent publications being made on the following dates:

N/A

Jennifer Perryman
Legal Manager

Subscribed and sworn to before me this 15th day of January, 2020.

Notary Public

MARY JOYCE
Notary Public - State of Kansas
My Appt. Expires 8-28-22

Resolution No. 003-2020

Printer's Fee: $40.04
Additional copies: $ _____

**Legal Publication**

(Published in The Derby Informer on January 15, 2020)

RESOLUTION NO 003-2020

Published on: _____

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| 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.

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OF SEDGWICK COUNTY, KANSAS

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