

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ- 0696 - Zone change from "R-1" Suburban Residential & "LC" Light commercial to "AA" One-Family Dwelling on property generally located at the northeast corner of 127th Street East & 13th Street North.

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: September 13, 1995

COMMISSION DISTRICT #1

MAPC Recommendation: Approve, subject to platting within 2 years. (8-1)

Staff Recommendation: Approve, subject to platting within 2 years.

Background/Discussion: The applicant requests a zone change from the 'R-1' Suburban Residential District (153 acres) and the 'LC' Light Commercial District (1.03 acres) to the 'AA' One Family Dwelling District for property located northeast of 13th Street North and 127th Street East. The subject property is currently undeveloped and used for agricultural purposes. The applicant proposes to develop a subdivision for single family homes. The existing 'R-1' zoning requires a minimum lot size of 20,000 square feet, while the 'AA' zoning district would allow lots as small as 6,500 square feet in size. A preliminary plat has been filed for this site which consists of 254 lots ranging from 8,400 sq.ft. to 19,200 sq.ft. in size.

The surrounding area is characterized by a mixture of agricultural and developed or developing single family homes. The subject property is bordered by single family homes to the west, the Crestview Country Club golf course to the south, undeveloped property to the east, and a railroad line and agricultural uses to the north.

According to the most recent information pertaining to wetlands from the Sedgwick County Soil Conservation District and the Soil Survey of Sedgwick County, the site does not include any hydric soils commonly associated with wetlands. According to the FEMA maps, there is some land located within the 100-year floodplain along a creek located along the southwest portion of the application area.

Case No. SCZ-0696
Page 2

Recommended Action: 1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting; adopt a resolution establishing the zone change and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; 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 Associates/P.E.C. c/o Gary Wiley (agent)

Protestors: Brad Murphree, 400 N. Woodlawn, Wichita, KS 67208

RESOLUTION NO. 287-95

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-0696

Zone change request from "R-1" Suburban Residential & "LC" Light Commercial District to the to "AA" One-Family Dwelling District on property generally located at the northeast corner of 127th Street East & 13th Street North.

"LC" Light Commercial to "AA" One Family Dwelling District;

Commencing at the S.W. Corner of Section 11, Township 27 South, Range 2 East of the 6th P.M., thence bearing N1deg15'08"W along the west line of said section 11, a distance of 600.00 feet; thence bearing north 88deg52'44" E, a distance of 300.00 feet to point of beginning; thence bearing S64deg34'56"E, a distance of 335.72 feet; thence bearing N1deg15'08"W, a distance of 150.00 feet; thence west to point of beginning.

"R1" Suburban Residential to "AA" One family Dwelling District;

The S.W. 1/4 of Section 11, Township 27 South, Range 2 East of the 6th P.M., except the north 100 feet for railroad right-of-way and except a tract of land described as: Beginning at the S.W. Corner of Section 11, Township 27 South, Range 2 East of the 6th P.M., thence bearing N1deg15'08"W, along the west line of said section 11, a distance of 600.00 feet; thence bearing north 88degree52'44"E, a distance of 600.00 feet, thence bearing S1deg15'08"E, a distance of 600.00 feet to a point in the south line of said Section 11; thence along said line bearing S88deg52'44"W, a distance of 600 feet to the point of beginning.

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 Administration 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>aye</u>
BETSY GWIN	<u>aye</u>

DATED this 13th day of September, 1995.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

MARK F. SCHROEDER, Chairman

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

ATTEST:

Susan Crockett-Spoon
SUSAN CROCKETT-SPOON
County Clerk

Betsy Gwin
BETSY GWIN, Commissioner

APPROVED AS TO FORM ONLY:

Paul W. Hancock
PAUL W. HANCOCK, Commissioner

County Counselor/Assistant
County Counselor/Assistant

MELODY C. MILLER, Commissioner