

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ- 0723 - Request for zone change from 'SF-20' Single Family Residential District to 'GO' General Office District, located east of Webb Road, 1/2 mile south of Harry.

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: November 27, 1996

COMMISSION DISTRICT #5

MAPC Recommendation: Approve 'NO' Neighborhood Office, subject to platting within 1 year (12-0).

Staff Recommendation: Approve 'NO' Neighborhood Office, subject to platting within 1 year and deny 'GO' General Office.

Background/Discussion: The applicant requests a zone change from "SF-20" Single-Family Residential to "GO" General Office for a 3.97 acre unplatted tract located in the county east of Webb Road, approximately 1/2 mile south of Harry. The application area is part of a larger 50-acre planned subdivision, currently being platted as Brentwood Village Addition. The application does not indicate a specific use for the property, but simply states that they intend to develop this site with "the uses allowed in the "GO" district in conjunction with a single-family development."

The site is surrounded by "SF-20" zoned property, with residential subdivisions to the west and east. There is a natural gas metering station and undeveloped property to the south, with a church to the north beyond the remainder of the undeveloped land being platted as Brentwood Village Addition.

The preliminary plat submitted with the zoning application shows access control except for one opening onto Webb Road. There is a 51 foot buffer area between the application area and Webb Road right-of-way that is being platted as Reserve "E". Also shown on the plat are 20 foot utility easements running along the perimeter of the proposed lot, with a Williams Pipeline easement (Reserve "H") cutting across the southeast corner of the lot. There is not an annexation request filed for this development.

During the Planning Commission's discussion of this matter, the agent for the applicant stated that his client sees an opportunity for office uses to serve the residents of the area. He further state that the location may not be suitable for residential development due to a gas metering station located adjacent to the application area to the south. After discussion, the MAPC voted (12-0) to approve the zone change to "NO" Neighborhood Office as recommended by staff.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change to "NO" Neighborhood Office subject to the condition of platting; adopt the resolution and authorize the chairman to sign; 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:

Stephan G. Miller, 401 S. Keith, Wichita, KS 67209

Mark Savoy, Savoy, Ruggles & Bohm, 924 N Main, Wichita, KS 67203

Protestors:

None

RESOLUTION NO. R#259-1996

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR 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-C AS ADOPTED BY RESOLUTION NO. 46-1996.

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 V-C of the Wichita Sedgwick County unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. SCZ-0723

Zone change request from 'SF-20' Single Family Dwelling District to 'NO' Neighborhood Office District on property described as:

That part of the SW 1/4 of the NW 1/4 of Section 33, Township 27-S, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as commencing at the SW corner of said NW 1/4; thence N 89°43'20"E, along the south line of said NW 1/4, 101 feet for a place of beginning; thence N 00°07'01"W, parallel with the west line of said NW 1/4, 298 feet; thence N 89°43'20"E, 612.71 feet; thence S 00°02'20"E, 188.19 feet; thence S 57°46'55"W, 207.58 feet to the south line of said NW 1/4; thence S 89°43'20"W, along the south line of said NW 1/4, 436.62 feet to the place of beginning, generally located east of Webb Road, 1/2 mile south of Harry.

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 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:

BETSY GWIN
PAUL W. HANCOCK
THOMAS G. WINTERS
MELODY C. MILLER
MARK F. SCHROEDER

Aye
Aye Aye
Aye
Aye

DATED this 27th day of November, 1996.

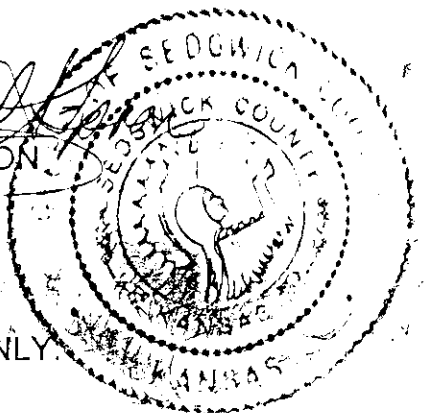
BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters

THOMAS G. WINTERS, Chairman

ATTEST:

Susan E. Crockett-Spoon
SUSAN E. CROCKETT-SPOON
County Clerk



APPROVED AS TO FORM ONLY.

David Keaton
Assistant County Counselor