

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0752 - Zone Change from "LI" Limited Industrial to "SF-6" Single-Family Residential (123.0 acres) and "TF-3" Two-Family Residential (16.52 acres), located north of 29th Street North, east of Ridge Road.

PRESENTED BY: Marvin S. Krout, Director of Planning

PROPOSED AGENDA DATE: November 12, 1997

COMMISSION DISTRICT #4

MAPC Recommendation: Approve, subject to platting within 1 year (10-0).

Staff Recommendation: Approve, subject to platting within 1 year.

Background/Discussion: The applicant requests a zone change to "SF-6" Single-Family Residential and "TF-3" Two-Family Residential from "LI" Limited Industrial on a 139.52 ± acre (123.0 acres for "SF-6" and 16.52 acres for "TF-3") unplatted tract located north of 29th Street North, east of Ridge Road.

The applicants are requesting the zone change in order to allow the development of The Crosswinds residential subdivision. The plat shows residential development occurring on 181 lots (8,000 square foot minimum), with one commercial lot (not part of the application area and will remain zoned "LI") located at the southwest corner of the subject property, adjacent to the Missouri Pacific Railroad tracks. The proposed "TF-3" portion of the development is located on the east side of Ridge Road, approximately ¼ mile north of 29th Street, with the "SF-6" development located nearly ½ mile east of Ridge Road.

The subject property is currently zoned "LI" and the western 71.8 acres of the application area was approved for a conditional use (CU-368) by the County Commission on May 11, 1994 to allow topsoil extraction. The balance of the subject property is currently undeveloped and used for agricultural purposes.

The surrounding area to the north is zoned "SF-20" and used for agricultural purposes. South and east of the application area is property zoned "LI" and has a mix of agricultural, industrial and residential uses. Across Ridge Road to the west is property zoned "LI" and "SF-6" and is also a mix of agricultural, recreational (a large lake via two sand extraction operations) and residential uses (Forest Lakes Addition).

The most recent information pertaining to wetlands from the Sedgwick County Soil Conservation District and the Soil Survey of Sedgwick County indicates that nearly all of the site is situated within the 100 year flood plain. Also, the majority of the subject property includes Carwile fine sandy and Lesho loam soils, which are commonly associated with wetlands.

According to the survey, the soil type may not preclude the development of the site, however prior to developing this site the applicant would need to meet with the Corps of Engineers and acquire all necessary permits for the protection and management of any wetland or riparian areas located within the application area.

During the October 16, 1997 MAPC meeting, the agent for the applicant discussed the proposed residential development. After limited discussion, the MAPC voted (10-0) to approve the request subject to platting the property within one year, as recommended by staff. There have been no protest petitions filed for this case.

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 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:

Neville Family Trust III 9625 W Maple Wichita KS 67209

Ritchie Corp PO Box 4048 Wichita KS 67211

Baughman Company PA c/o Terry Smythe 315 Ellis Wichita KS 67211

Jay Russell 455 North Maize Road Wichita KS 67212

Interested Parties:

Ralph Cross 1945 N High Wichita KS 67203

673.81 feet; thence north 89 degrees 33' 01" west, 304.08 feet to a point on the west line of said Southwest Quarter, said point being 2234 feet north of the southwest corner of said Southwest Quarter; thence south 00 degrees 26' 59" west along the west line of said Southwest Quarter, 1274 feet to the point of beginning, all being subject to road rights-of-way of record.

"TF-3" Two-Family Residential (16.52 ± acres):

Commencing at the southwest corner of the Southwest Quarter of Section 34, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; thence north 00 degrees 26' 59" east along the west line of said Southwest Quarter, 960 feet for a point of beginning; thence south 89 degrees 33' 01" east, 396 feet; thence north 36 degrees 15' 21" east, 522.61 feet; thence north 00 degrees east, 304.49 feet; thence north 35 degrees 28' 08" west, 673.81 feet; thence north 89 degrees 33' 01" west, 304.08 feet to a point on the west line of said Southwest Quarter, said point being 2234 feet north of the southwest corner of said Southwest Quarter; thence south 00 degrees 26' 59" west along the west line of said Southwest Quarter, 1274 feet to the point of beginning, all being subject to road rights-of-way of record. Generally located north of 29th Street North, east of Ridge Road.

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.

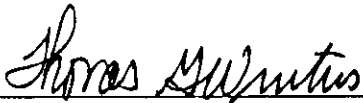
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

BETSY GWIN	<u>Aye</u>
PAUL W. HANCOCK	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
MELODY C. MILLER	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>

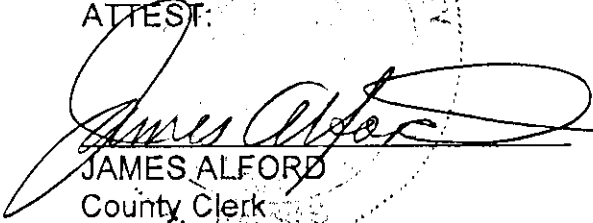
DATED this 12th day of November, 1997.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

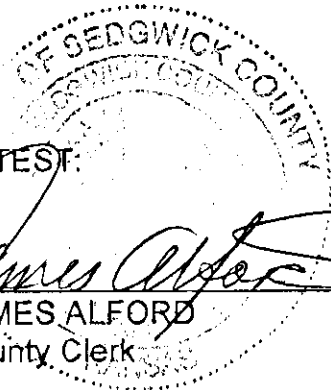


THOMAS G. WINTERS, Chairman

ATTEST:



JAMES ALFORD
County Clerk



APPROVED AS TO FORM ONLY:



Assistant County Counselor