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RESOLUTION NO. R#147-1987

A RESOLUTION TO ESTABLISH A PARI-MUTUEL RACE-TRACK IN THE "C" COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

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, a Conditional Use Permit to establish a pari-mutuel racetrack in the "C" Commercial district is hereby approved on lands legally described as follows:

CASE NO. CU-304

Lot 3, Block A, Coliseum Park, Sedgwick County, Kansas, except that part described as beginning at the northeast corner thereof; thence south along the east line of said Lot 3, 634.12 feet; thence west with a deflection angle to the right of 88°, 415 feet; thence northwesterly with a deflection angle to the right of 47°13', 162.93 feet more or less to a point on the northerly line of said Lot 3; thence northeasterly and easterly along said lot line to the place of beginning; together with the S½ of the SE¼ of Section 33, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except road rights-of-way. Generally located north of 77th Street North between Hydraulic and I-135.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. This conditional use permit shall be for animal racetracks only and no motor-driven vehicular racing shall be permitted.
2. The unplatted portion of this property shall be platted within two years after approval by the Board of County Commissioners. The conditional use resolution shall not be published until the plat has been recorded. The plat shall be submitted to the Park City Planning Commission for review and comment.
3. A site development plan shall be submitted to the Park City Planning Commission for comments and to the Metropolitan Area Planning Department for review and approval prior to the issuance of any building permits. Said plan shall include the location of all major structures, the location and width of all internal circulation roads including locations of pay booths, the location and capacity of all parking lots, the location and width of all ingress and egress points, and the location of all outdoor animal exercise areas. No buildings shall be within 100 feet of I-135 or within 35 feet of Hydraulic and 77th Street.
4. A landscape plan for all parking areas and for the east, south and west perimeters of the site shall be submitted to the Park City Planning Commission for comments and to the Metropolitan Area Planning Department for review and approval prior to issuance of any building permits.

SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use approval 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 Commission.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 1st day of April, 1987.

Tom Scott, Chairman
Tom Scott

Mark F. Schroeder, Chairman pro tem
Mark F. Schroeder

David Bayouth, Commissioner
David Bayouth

Bernard A. Hentzen, Commissioner
Bernard A. Hentzen

Billy Q. McCray, Commissioner
Billy Q. McCray

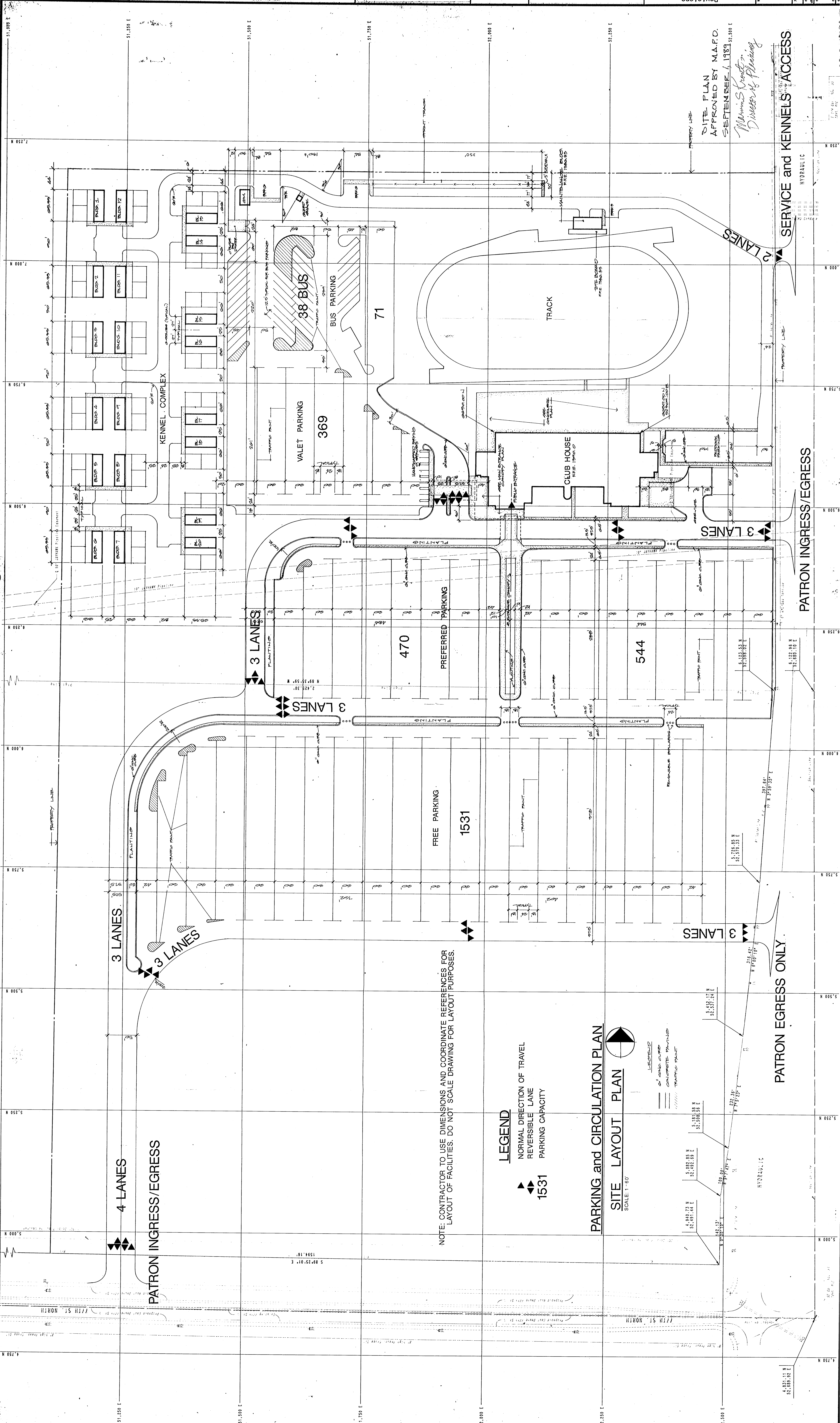
ATTEST:

Don Wright, County Clerk
Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Robert R. Arnold, County Counselor
Robert R. Arnold, County Counselor



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING AND
CONDITIONAL USE PERMIT

SCZ-0579 - ZONE CHANGE FROM "R" RURAL RESIDENTIAL DISTRICT
TO THE "C" COMMERCIAL DISTRICT; AND

CU-304 - REQUEST FOR A CONDITIONAL USE PERMIT TO ESTABLISH A
PARI-MUTUEL RACETRACK ON PROPERTY TO BE ZONED "C" COMMERCIAL,
GENERALLY LOCATED NORTH OF 77TH STREET NORTH BETWEEN HYDRAULIC
AND I-135.

The MAPC recommends that the applications be approved subject to conditions.
(see minutes for full motion)
Gardner moved, Peters seconded and it carried unanimously. Banzer, Crockett
and Miles were absent.

- ACTION:
- 1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and conditional use permit subject to the recommended conditions, including platting; adopt resolutions establishing the zone change and conditional use permit and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; or
 - 2. Adopt findings and deny the applications.

DATA AND MINUTES

PCPC Hearing Date: 3-02-87 Approve
MAPC Hearing Date: 3-05-87 Approve BCoC Hearing Date: 4-01-87

COMMISSION DISTRICT #4

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Undeveloped & County maintenance yard	"R"	162.3± acres
North	Kansas Coliseum facilities	"R"	
South	Undeveloped	"R"	
East	Undeveloped	"R"	
West	Interstate highway & Undeveloped	"R"	
History: DR 74-34	Special Permit for Kansas Coliseum (218± acres)	2/3/75	VCPC approved
		2/13/75	MAPC approved
		3/26/75	BCoC approved
DR 81-13	Special Permit for Maintenance Building & Storage Facilities (10 acres)	4/6/81	VCPC approved
		4/9/81	MAPC approved
		4/29/81	BCoC approved

Applicant: Board of Sedgwick County Commissioners
Protestors: None