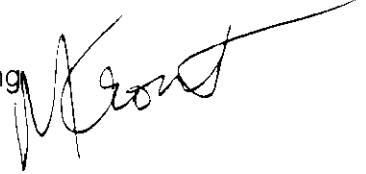


RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0701 - Zone change from 'R' Rural Residential to 'R-1' Suburban Residential, on property located approximately 1/2 mile north of 47th Street South on the west side of Rock Road

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: January 17, 1996

COMMISSION DISTRICT #5

MAPC Recommendation: Approve (13-0), subject to platting within one year.

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

Background/Discussion: The applicant requests a zone change from the 'R' Rural Residential District to the 'R-1' Suburban Residential District for a 40 acre tract located 1/2 mile north of 47th Street South on the west side of Rock Road. The site is currently undeveloped and used for agricultural purposes. The Glenville Bible Baptist Church (contract purchaser) proposes to develop a church campus on this site, which is first permitted by right in the 'R-1' District.

The surrounding area is characterized by a mixture of agricultural uses and suburban single family homes, with the McConnell Air Force Base and golf course located to the west. Suburban single family homes are located adjacent to the subject property to the north and across the street to the east. The site is located within Area B of the Wichita Airport Hazard Zoning Map, which permits a maximum building height of 75 feet. However, the Airport Hazard height restriction would not impact the proposed development since the maximum height permitted in the 'R-1' District is 35 feet, or a height of 45 feet if both required side yards are increased to at least 25 feet each.

At the MAPC hearing on November 16, 1995, representatives from McConnell AFB expressed concern that development on this site would result in future complaints about noise generated at the Air Force Base and a nearby explosive ordinance disposal range. After discussion, the MAPC voted to defer the request to allow the applicant the opportunity to meet with McConnell AFB representatives and to discuss their concerns.

At the MAPC hearing on December 14, 1995, the McConnell AFB representative

testified that Air Force officials met with the church officials and provided a demonstration of several explosives and the noise impact upon the applicant's property. The church representatives indicated that they plan to develop the church on the eastern portion of the property along Rock Road and do not feel that the noise from the Air Force Base will detrimentally impact the property. Both parties indicated that they feel comfortable with the zone change request and McConnell AFB did not express any further opposition to the request. After brief discussion, the MAPC vote unanimously to recommend approval of the request.

- 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: William Lusk, Jr., Living Trust (property owner), Glenville Bible Baptist Church
c/o David Dickson (contract purchaser) / Roger Weast (agent)

Protestors: Mike Mackay, McConnell AFB, 22CES/CEV, 53000 Hutchinson Street, Suite
109, McConnell AFB, KS 67221-3504

RESOLUTION NO. #16-1996

FILE COPY

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-0701

Zone change request from 'R' Rural Residential to 'R-1' Suburban Residential, described as:

N1/2 N1/2 SE1/4 of Section 18, Township 28S, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except a tract described as follows: Commencing at the NW corner of said SE1/4, south along west line of said 1/4 section, 50' to the point of beginning, thence continuing south along said west line to south line of said N1/2 N1/2 SE1/4, thence east along the south line 550', thence NWly aprox. 800' to point of beginning, on property located approximately 1/2 mile north of 47th Street South on the west side of Rock 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.

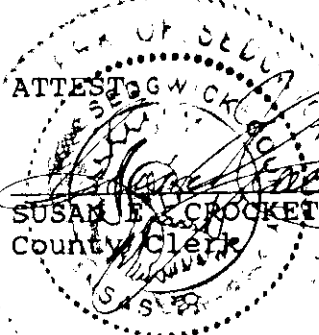
Commissioners present and voting were:

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

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DATED this 17th day of January, 1996.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST

[Signature]
SUSAN E. CROCKETT-SPOON
County Clerk

[Signature]
THOMAS G. WINTERS, Chairman

[Signature]
MELODY C. MILLER, Chair Pro Tem

[Signature]
BETSY GWIN, Commissioner

[Signature]
PAUL W. HANCOCK, Commissioner

[Signature]
MARK F. SCHROEDER, Commissioner

APPROVED AS TO FORM:

[Signature]
Assistant County Counselor