

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEM: SCZ-0801 – Zone Change from “LC” Limited Commercial and “SF-20” Single-Family Residential to “LI” Limited Commercial, located north of 21st Street North and east of Hoover.

PRESENTED BY: Marvin S. Krout, Director of Planning

PROPOSED AGENDA DATE: March 8, 2000

COMMISSION DISTRICT #3

MAPC Recommendation: Approve “IP” Industrial Park zoning subject to platting within 1 year (7-1-1)

Staff Recommendation: Deny rezone request or approve “IP” Industrial Park zoning and subject to platting within 1 year.

Background/Discussion The applicant requests a zone change from “LC” Limited Commercial and “SF-20” Single Family Residential to “LI” Limited Industrial on a 20 acre unplatted tract located north of 21st Street North and east of Hoover. The applicant proposes to create the 11 lot “Zoo Business Park” for developing manufacturing, outdoor storage, warehousing, welding or machine shop, and wholesale or business services businesses.

The surrounding area is characterized by mixed-use suburban residential and commercial/industrial development; agricultural land; and regional recreational facilities. Property to the north is zoned “SF-20” Single Family Residential and is developed with single family residences and manufactured homes on large lots. Property to the south is zoned “LC” Limited Commercial and “SF-6” Single Family Residential and is developed with a self service storage warehouse and agricultural land owned by the City of Wichita for future use as a water pump station and storage facility. Further to the south across Zoo Boulevard is the Sedgwick County Zoo. West of the site is a mixture of commercial/industrial businesses, single family residences, manufactured homes, and agricultural land on property zoned “LI” Limited Industrial, “LC” Limited Commercial, and “SF-20” Single Family Residential. East of the site is agricultural land with single family residences, manufactured homes, and sand and gravel mining operations on property zoned “SF-20” Single Family Residential.

The applicant submitted a preliminary plat (S/D 00-07 – Zoo Business Park), which was heard by the Subdivision Committee on February 3, 2000. The preliminary plat

indicates that the property is proposed to be developed as an 11-lot business park with industrial businesses on lots ranging in size from approximately 1 acre to approximately 3.5 acres. Access to the lots is to be from an internal street and public water and sewer service will be guaranteed for extension to the site.

To reduce potential detrimental impacts of this proposed development on neighboring properties, planning staff is recommending approval of "IP" Industrial Park zoning rather than the requested "LI" Limited Industrial zoning. The purpose of the "IP" Industrial Park zoning district is to accommodate limited commercial services, research and development, administrative facilities, and industrial and manufacturing uses that can meet high development and performance standards. All of the uses proposed by the applicant are permitted in the "IP" Industrial Park zoning district. Also, this property is adjacent to the Wichita city limits, so it should be annexed and developed under the city landscape requirements.

At the MAPC hearing on February 10, 2000, a neighboring property owner spoke against the proposal citing potential problems with ground water contamination. A local consultant on groundwater contamination issues also spoke against the proposal citing the potential hazards of groundwater contamination from industrial land uses. The assistant director of the Sedgwick County Zoo indicated that Zoo staff do not object to the proposal as long as development is required to connect to public water and sewer. The director of Wichita's water and sewer utilities briefed the MAPC on Wichita's industrial pretreatment program which closely monitors the disposal of industrial wastes and stated that the program should prevent any ground water contamination. After considering this testimony, the MAPC recommended approval (7-1-1) of "IP" Industrial Park zoning subject to platting within 1-year.

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 within one year; adopt the resolution and authorize the Chairman to sign; and instruct the Planning Department to withhold publication of the resolution 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:

Coxco LLC 8309 W Northridge Street Wichita KS 67205

Savoy Ruggles & Bohm PA %Mark Savoy 924 North Main Wichita KS 67203

Protestors:

John Peterson 3003 S Edwards Wichita KS 67217

Dr. Ben Huie 12011 Rolling Hills Drive Wichita KS 67235

Published in The Daily Reporter on _____.

RESOLUTION NO. 33-00

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. 178-1997.

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-0801

Zone change request from "LC" Limited Commercial and "SF-20" Single-Family Residential to "IP" Industrial Park on property described as:

Zoo Business Park Addition, Wichita, Sedgwick County, Kansas.
Generally located north of 21st Street North and east of Hoover.

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>
BILL HANCOCK	<u>absent</u>
THOMAS G. WINTERS	<u>aye</u>
CAROLYN MCGINN	<u>aye</u>
BEN SCIORTINO	<u>aye</u>

DATED this 8th day of March, 2000.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

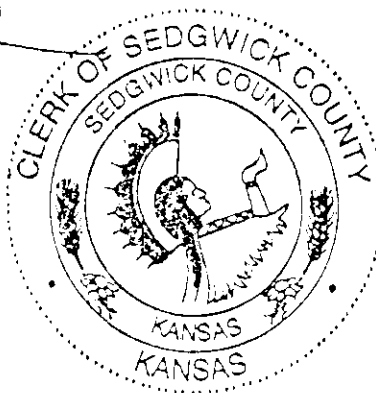


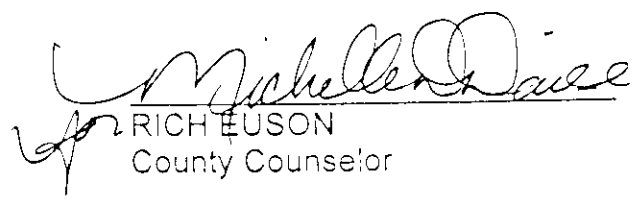
THOMAS G. WINTERS, Chairman

ATTEST:


JAMES ALFORD
County Clerk

APPROVED AS TO FORM ONLY:




RICH EUSON
County Counselor