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A RESOLUTION FOR A ZONE CHANGE FROM RR RURAL RESIDENTIAL TO LI LIMITED INDUSTRIAL LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D AS ADOPTED BY RESOLUTION NO. 84-01, AS SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS 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-D of the Wichita Sedgwick County Unified Zoning Code, a Zone Change from RR Rural Residential to LI Limited Industrial.

Case No. ZON2017-00055

A Zone Change from RR Rural Residential to LI Limited Industrial, legally described as follows:

The Southwest Quarter of Section 27, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.

SECTION II. That upon the taking effect of this Resolution, the notation of such Zone Change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director 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 by the Governing Body.

Commissioners present and voting were:

DAVID M. UNRUH
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
RICHARD RANZAU
JAMES M. HOWELL

Aye
Aye
Aye
Aye

Dated this 14 day of February, 2018.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



David T. Dennis
DAVID T. DENNIS, Chairman
Commissioner, Third District

David M. Unruh
DAVID M. UNRUH, Chair Pro Tem
Commissioner, First District

APPROVED AS TO FORM:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor

Michael B. O'Donnell, II
MICHAEL B. O'DONNELL, II
Commissioner, Second District

Richard Ranzau
RICHARD RANZAU
Commissioner, Fourth District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District



STAFF REPORT
MAPC January 4, 2017

CASE NUMBER: ZON2017-00055

APPLICANT/AGENT: Russ Ewy with Baughman Company (Agent) / Kevin Mullen with Gateway Center, LLC (Applicant)

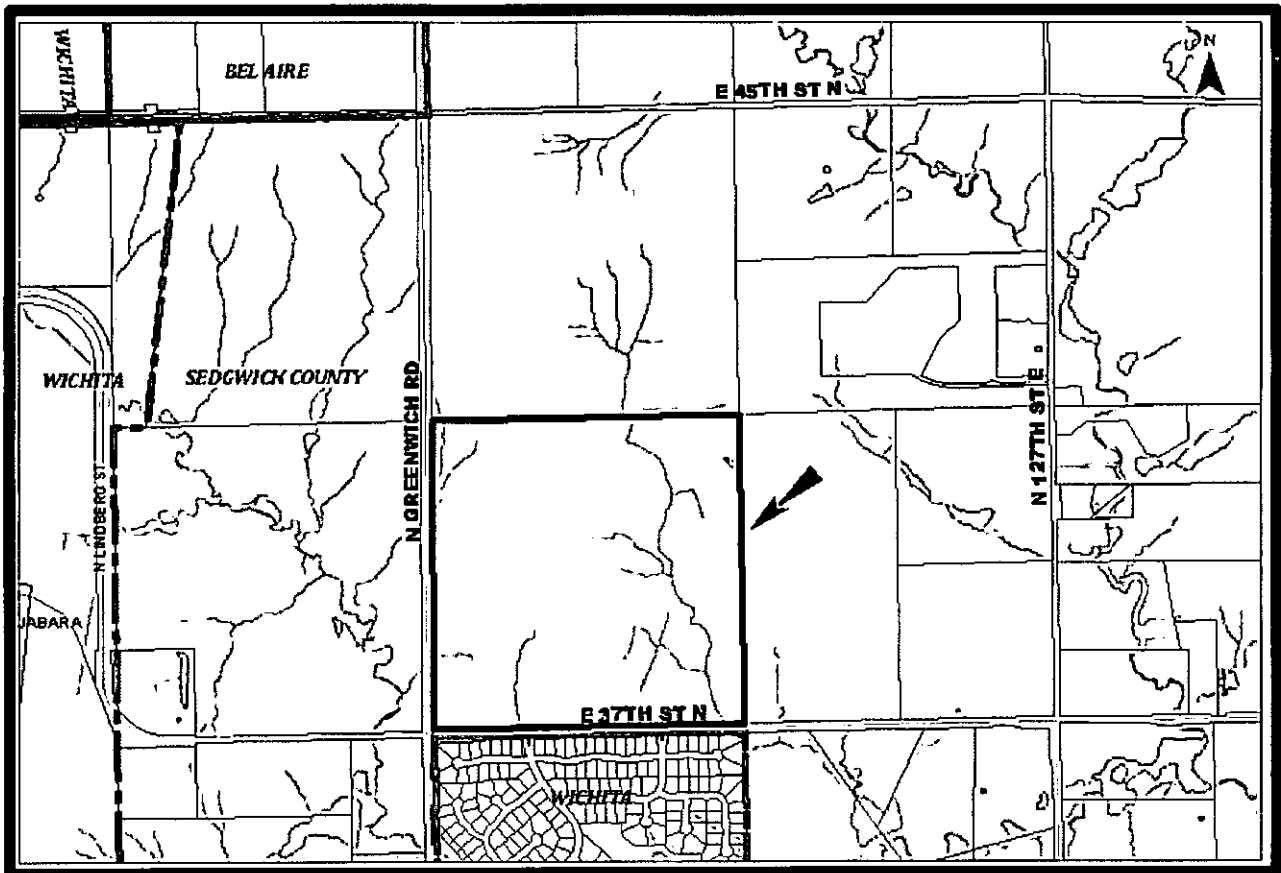
REQUEST: LI Limited Industrial

CURRENT ZONING: RR Rural Residential

SITE SIZE: 158 acres

LOCATION: Generally located north of East 37th Street North and east of North Greenwich Road

PROPOSED USE: Limited Industrial Uses



BACKGROUND: The applicant is requesting a rezoning from the existing RR Rural Residential (RR) to an LI Limited Industrial (LI) district for 158 acres located north of East 37th Street North and east of North Greenwich Road. The site is north of the recently approved Brookfield Addition plat. The applicant would like to establish LI zoning on the property as they believe non-residential development along North Greenwich Road corridor will continue and be a desirable development option for the property.

The applicant is also the developer of Brookfield Addition, a new residential subdivision south of the subject property. The prospective limited industrial development is similar to that found in ZON2017-00004, which was a zone change case just south of the Brookfield Addition and approved by the Planning Commission and Wichita City Council in early 2017.

In order to plan for the most desirable type of LI development, the applicant has submitted a Protective Overlay (PO). This overlay would prohibit certain uses that would not be appropriate at the property, and includes higher standards for landscaping and restrictions on outside storage and enhanced screening requirements. This language is similar to that found in ZON2017-00004. The proposed Protective Overlay is attached.

The subject property lies within Area C of the Wichita-Sedgwick County Airport Hazard Map. Area C has a 150-foot height limit for structures.

In order to utilize nearby public utilities, the applicant will be required to annex and plat the area to be developed. This requirement would remain in place even if the development pattern were to change. For example, if the applicant decided to downzone the property to residential in the future (which they have indicated in the attached narrative as a possibility if future conditions play out in a way that would make that form of development more economically feasible), they would still need to annex and plat the area in order to tap into the public utilities located nearby.

The surrounding neighborhood is characterized primarily by rural and agricultural uses as well as undeveloped land. North of the property is a large vacant agricultural parcel. South of the property is Brookfield Addition, a recently approved single-family subdivision. East of property is large vacant agricultural parcel. West of the site is a large vacant agricultural parcel and the Jabara Airport nearby to the west of that.

CASE HISTORY: The site is unplatted and vacant.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	agricultural/vacant
SOUTH:	SF-5	future single-family subdivision (Brookfield Addition)
EAST:	RR	agricultural/vacant
WEST:	RR	agricultural/vacant

PUBLIC SERVICES: North Greenwich Road and East 37th Street North are both listed as paved arterial streets. Municipal utilities are available to serve the site.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as residential and employment mix/new residential. The Plan envisions development of a mixed use nature, with an emphasis on higher density residential and employment uses. The North Greenwich Road corridor north of K-96 Highway is developing in this fashion and the proposed rezoning would allow development that is consistent with this trend.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is characterized primarily by rural and agricultural uses as well as undeveloped land. North of the property is a large vacant agricultural parcel, zoned RR. South of the property is Brookfield Addition, a recently approved single-family subdivision, zoned SF-5. East of property is large vacant agricultural parcel, zoned RR. West of the site is a large vacant agricultural parcel, zoned RR and the Jabara Airport nearby to the west of that.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned RR and the property could be developed with this existing zoning classification, though only for those uses more typically found in rural unincorporated areas. Non-residential development is found south of the property, near K-96 Highway. It is reasonable to expect this non-residential development to continue north along North Greenwich Road based on market demand. Rezoning the property would facilitate future development and provide a greater tax base and employment opportunities than could be realized with the existing zoning district. There have been other recent cases along the North Greenwich Road corridor for similar uses, so it would also fit with the potential future character of the area.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal. The proposed Protective Overlay will provide additional regulations on uses, landscaping, setbacks and screening that will help provide a higher level of development quality. Given the largely undeveloped nature of the surrounding area, there are minimal potential conflicts with the nearby area.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as residential and employment mix/new residential. The Plan envisions development of a mixed use nature, with an emphasis on higher density residential and employment uses. The North Greenwich Road corridor north of K-96 Highway is developing in this fashion and the proposed rezoning would allow development that is consistent with this trend.
- (5) **Impact of the proposed development on community facilities:** Municipal utilities are available to serve the site. Public improvements would have to be extended throughout the site at the time of development at the applicant's expense. This would also require the property being platted and annexed into the City of Wichita.