

127-07

8-7-07

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RESOLUTION NO. 127-07

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 THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984 AND 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-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. ZON2007-00008

Zone change request from "LC" Limited Commercial to "LI" Limited Industrial on property described as:

A tract in the Northeast Quarter of Section 21-27-2E described as beginning 174.5 feet west of the NE Corner of Said NE 1/4 ; thence West 144.65 feet; thence South 356 feet; thence East 144.65; thence North 356 feet to the point of beginning except that part taken for road. (Containing 39,204 Sq. Ft.)

Generally located 150' south and west of the intersection of Central Avenue and Greenwich 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 by the Governing Body.

Commissioners present and voting were:

GWEN WELSHIMER	<u>aye</u>
TIM R. NORTON	<u>aye</u>
THOMAS G. WINTERS	<u>aye</u>
KELLY PARKS	<u>aye</u>
DAVID M. UNRUH	<u>aye</u>

DATED this 9th day of May, 2007.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS



David M. Unruh, CHAIRMAN
First District

ATTEST:



DON BRACE, County Clerk

APPROVED AS TO FORM:



ROBERT W. PARNACOTT,
Assistant County Counselor



AGENDA ITEM REQUEST

Proposed Agenda Item: ZON2007-00008 – Sedgwick County Zone change from “LC” Limited Commercial to “LI” Limited Industrial. Generally located 150’ south and west of the intersection of Central Avenue and Greenwich Road. (District I)

Presented by: John L. Schlegel, Planning Director

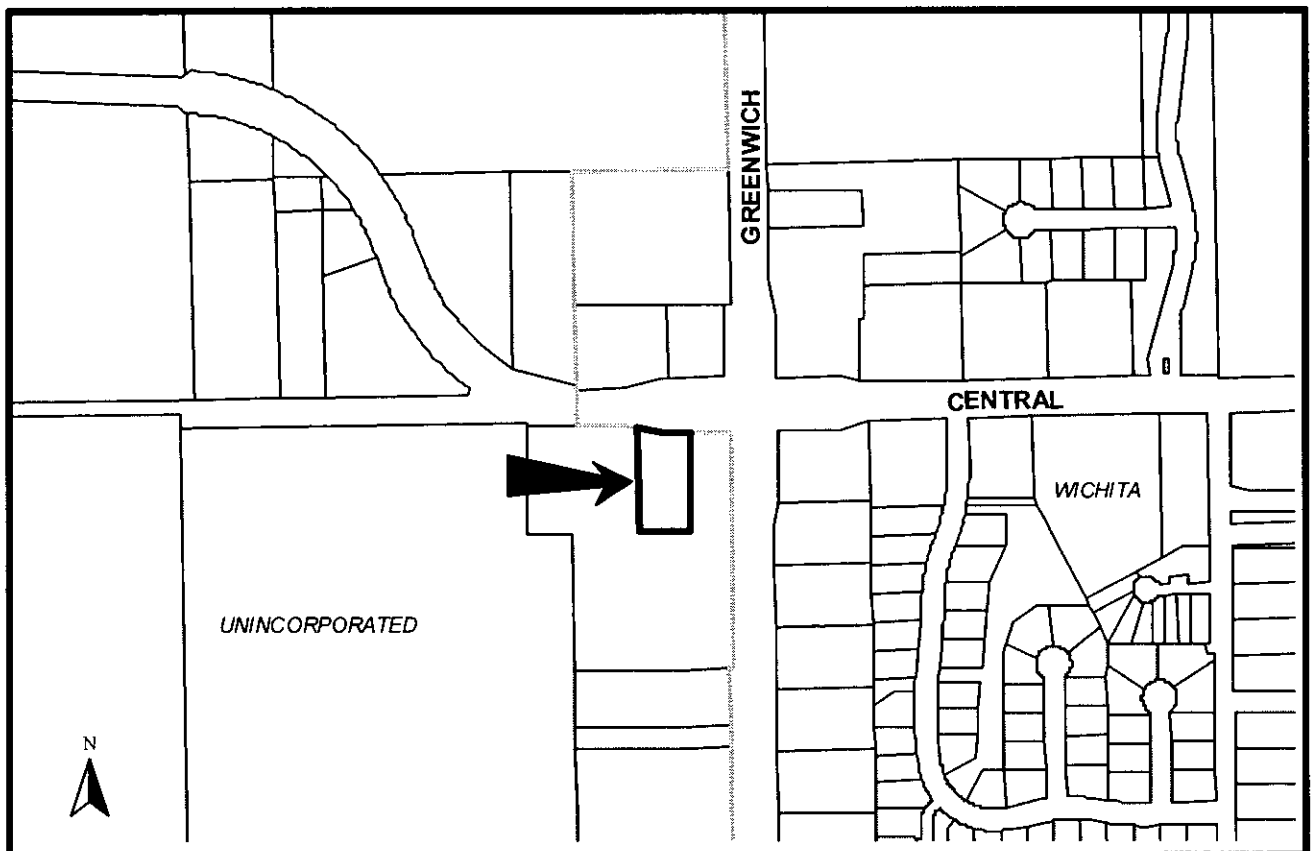
Recommended Action: Approve the zone change to LI; adopt the findings of the Metropolitan Area Planning Commission; and authorize the Chairman to sign the resolution.

Proposed Agenda Date: May 9, 2007

Outside Attendees: Raytheon Aircraft Company c/o Pam Bailey (Owner/Applicant);
Baugman Company c/o Russ Ewy (Agent)

Multimedia Presentation: PowerPoint

Donations: Not applicable



Background: The applicant requests a zone change from LC to LI on a .90-acre unplatted tract located south and west of the intersection of Central Avenue and North Greenwich Road. The applicant owns a large amount of property around this location, including 6.86 acres, which is in a “U-shaped” configuration along the western, eastern and southern boundaries of the subject property, already zoned LI. The subject property is currently undeveloped. The uses for the remainder of the property have not been determined.

The application area is also located within Area A of the Wichita-Sedgwick County Airport Hazard Zoning Map, which requires a permit exemption for structures that exceed 25 feet in height. The applicant is seeking unrestricted LI zoning, but for comparison purposes it is appropriate to point out that if this tract were subject to the McConnell Air Force Base Airport Overlay District, the range of potential uses permitted would be restricted to uses that minimize the concentration of people to no more than 25 people per acre.

The surrounding area is characterized primarily by commercial and industrial uses. The overwhelming majority of the property in the area is zoned LI and LC. The nearest developed properties are the Quick Trip to the east, an auto dealership to the northeast and a bank branch to the north.


Analysis: At the MAPC meeting held April 5, 2007, MAPC voted (12-0) to approve subject to applicant’s request for LI. No citizens were present to speak and no protests have been received.

Alternatives:

1. Approve the zone change to LI, approve the resolution and authorize the Chairman to sign the resolution.
2. Return such recommendation to the MAPC with a statement specifying the basis for the BOCC’s failure to approve or disapprove.
3. Deny the zone change and override the MAPC recommendation with a 2/3 vote.

Financial Considerations:  *Approved by Division of Finance*

Policy Considerations: The MAPC recommendations are based upon the findings of fact stated in the MAPC minutes.

Legal Considerations:  *Approved as to form and signed by County Counselor’s Office*