RESOLUTION NO. _____

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. ZON2007-00023

Zone change request from "SF-20" Single-family Residential to "LC" Limited Commercial on property described as:

The North 550 feet and the West 250 feet of the East 275 feet of the following described tract; The Southeast Quarter of Section 27, Township 26 South, Range 1 West, of the 6th Principal Meridian, Sedgwick County, Kansas, EXCEPT road right-of-way of record. Generally located at the Southwest corner of K-96 and Hoover (3955 N. 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 by the Governing Body.

Commissioners present and voting were:

GWEN WELSHIMER _____
TIM R. NORTON _____
THOMAS G. WINTERS _____
KELLY PARKS _____
DAVID M. UNRUH _____

DATED this _____ day of _____, 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: ZON2007-00023 – Sedgwick County Zone change from "SF-20" Single-family Residential to "LC" Limited Commercial. Generally located at the southwest corner of K-96 and Hoover (3955 N. Hoover). (District IV)

Presented By: John L. Schlegel, Planning Director JLS

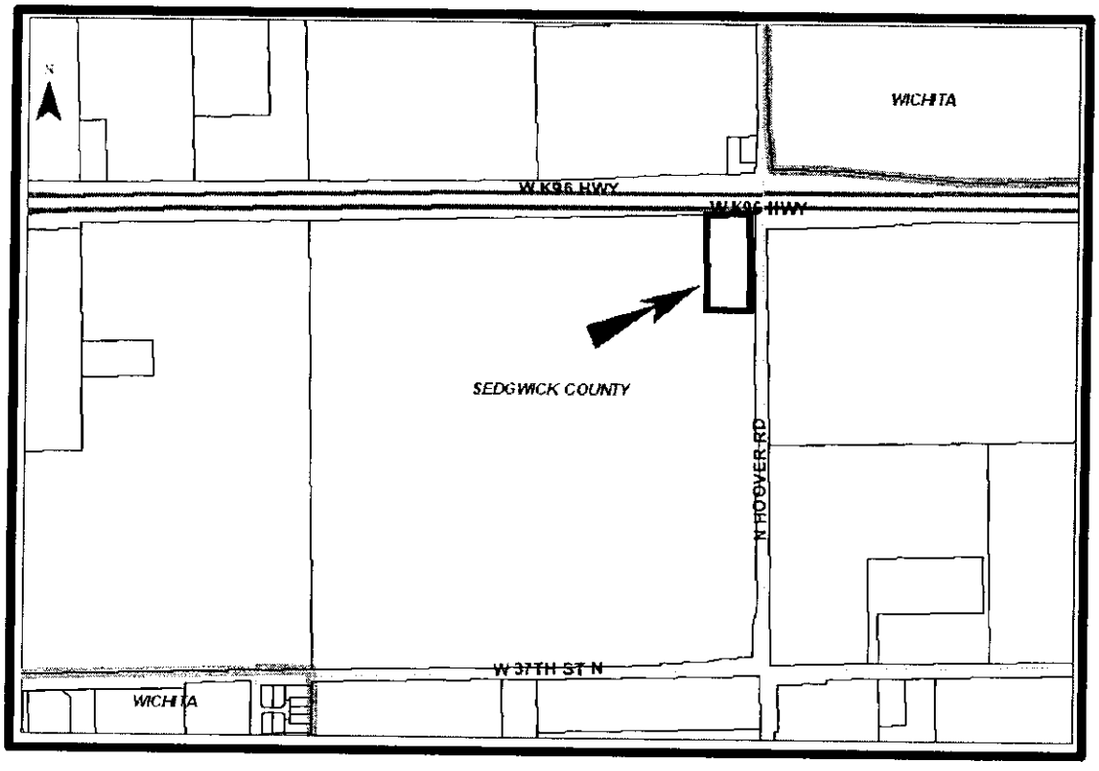
Recommended Action: Approve the zone change to LC subject to platting within one year and adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.

Proposed Agenda Date: August 8, 2007

Outside Attendees: Poe & Associates, c/o Tim Austin (agent), 5940 E. Central, Ste. 200, Wichita, KS 67208-4242

Multimedia Presentation: Powerpoint

Donations: Not applicable



Background: The applicant owns approximately 150 acres located just south of K-96 and along the west side of Hoover Road. The site in question is a little over three acres located at the extreme northeast corner of the 150-acre parcel. The property is located in an unincorporated part of Sedgwick County, but within the Wichita 2030 growth area. The property is currently zoned "SF-20" Single-family Residential and the applicant is requesting "LC" limited Commercial zoning on this property for what the applicant describes as the "best use" of the land. The applicant's property was developed as a sand and gravel extraction operation (CU-373,) but at this time the property is undeveloped.

"LC" zoning is located on the four corners of the intersection south of the subject site, at Hoover Road and 37th Street North, but nothing in that area is commercially developed. With the exception of the applicant's property, these surrounding properties are either agricultural fields with a single-family farmhouse or undeveloped vacant land. The character of the area, other than the intersection of Hoover and 37th St. North, is agricultural with scattered large tract residential (all zoned "SF-20") to the north and east of the subject site. West and south of the site, is the remaining 150 acres owned by the applicant. Conditional Use, CU-373, covered the property owned by the applicant (zoned "SF-20") to allow sand and gravel excavation, but the Conditional Use expired December 31, 1997. The site abuts the eastbound of State Highway K-96, but Hoover Road has no access off or onto K-96.

Analysis: At the MAPC meeting held July 5, 2007, MAPC voted (8-2) to approve subject to staff recommendation. No citizens were present to speak and no protests have been received.

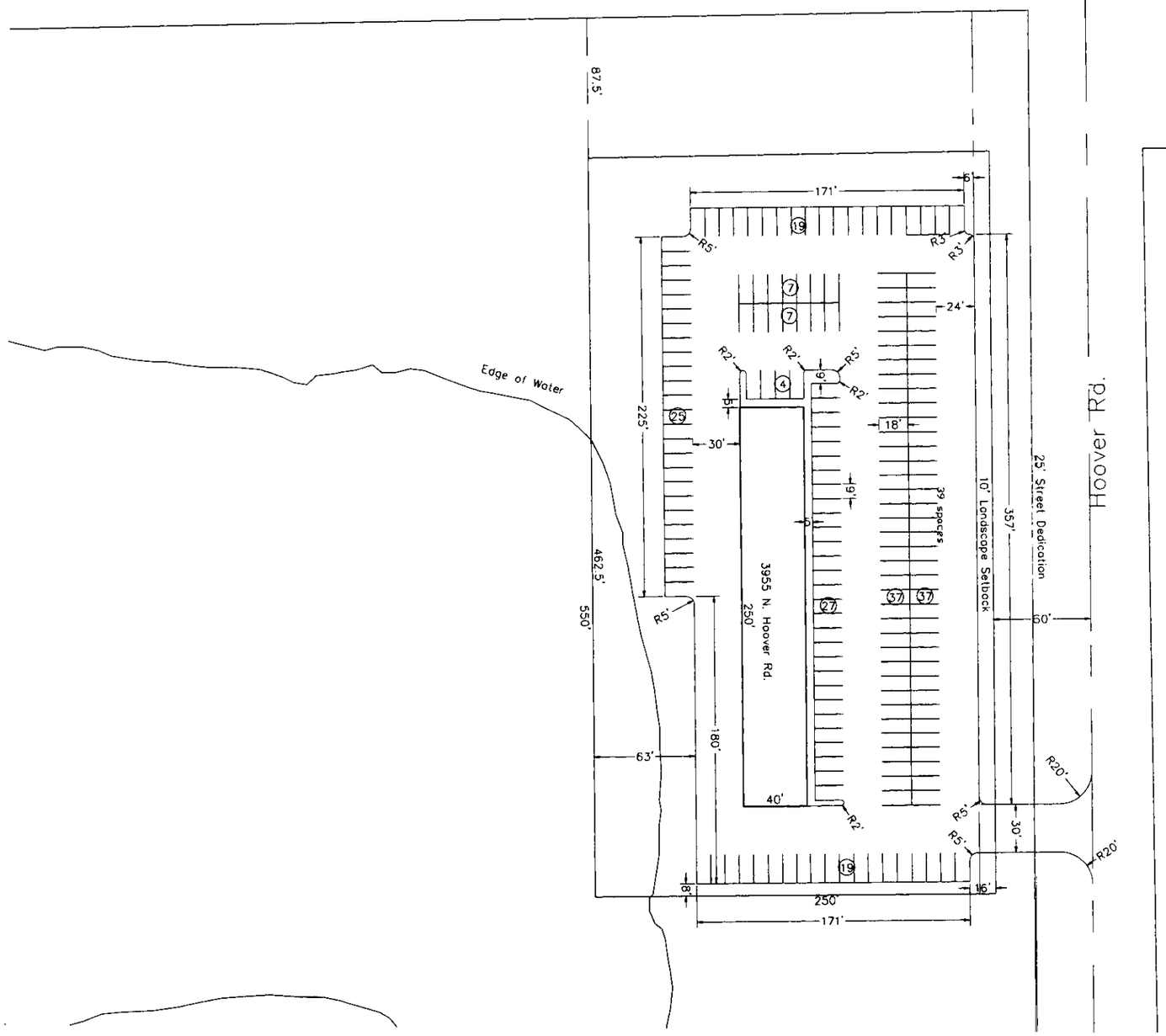
Alternatives:

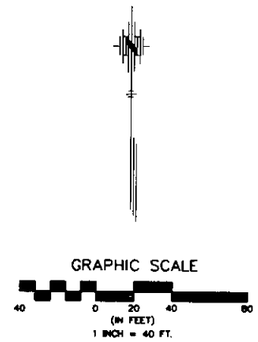
1. Approve the zone change to LC subject to platting within one year and adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.
2. Return such recommendation 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: Not applicable.

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***





Parcel Size=137,783± (3.2 Ac.±)
Building Size=10,000 S.F.
Proposed Parking=182 Spaces

LEGAL DESCRIPTION

The north 550 feet and the east 250 feet of the west 275 feet of the following described tract;

The southeast quarter of section 27, township 26 south, range 1 west, of the 6th principal meridian, Sedgwick County, Kansas, EXCEPT road right-of-way of record.

Said tract contains 137,500 square feet more or less.

This site concept does not constitute a survey. Poe & Associates does not warrant the accuracy of the information shown hereon.

No.	Date	By	Approved	Revision

3955 N. HOOVER
SITE EXHIBIT
CITY OF WICHITA, KANSAS

POE & ASSOCIATES OF KANSAS, INC.
CONSULTING ENGINEERS
5940 E. Central, Suite 200 ■ Wichita, KS 67208-4242
Phone 316/685-4114 ■ FAX 316/685-4444

EXHIBIT

Designed By:
Drawn By: A. Moss
Drawing: 839/Residence/site.dwg
Date: 12/10/06

Sheet 1 of 1