



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

May 1, 2002

Tyson R. Tompkins
Shelly A. Tompkins
P O Box 47318
Wichita, KS 67201

RE: ZON2002-13 – Sedgwick County Zone Change from “SF-20” Single-Family Residential and “RR” Rural Residential to “LI” Limited Industrial. Generally located north of 63rd Street South and west of Meridian.

Dear Ladies and Gentlemen:

At its regular meeting on May 1, 2002, the Board of County Commissioners considered the above-captioned request. The action of the County Commission was to DENY the request.

If you have any questions concerning this case please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Knebel'.

Scott Knebel
Senior Planner

SK/rs

Cc: Breitenbach Business Consultants, %Katherine Breitenbach, 3500 N. Rock Rd.,
Suite 1000, Wichita, KS 67226
Larry Vandegrift, P. O. Box 258, Rose Hill, KS 67133
City of Haysville, %Angie Schneider, 200 W. Grand Box 404, Wichita, KS 67060
County Commissioner District II, Tim Norton, Mail Stop, County Room 320
County Code Enforcement, %Glen Wiltse, 1144 S. Seneca, Wichita, KS 67213

STAFF REPORT

Haysville March 28, 2002

MAPC April 4, 2002

CASE NUMBER: ZON2002-00013

APPLICANT/AGENT: Tyson R. and Shelly A. Thompkins (Owner); Breitenbach Business Consultants c/o Katherine Breitenbach (Agent)

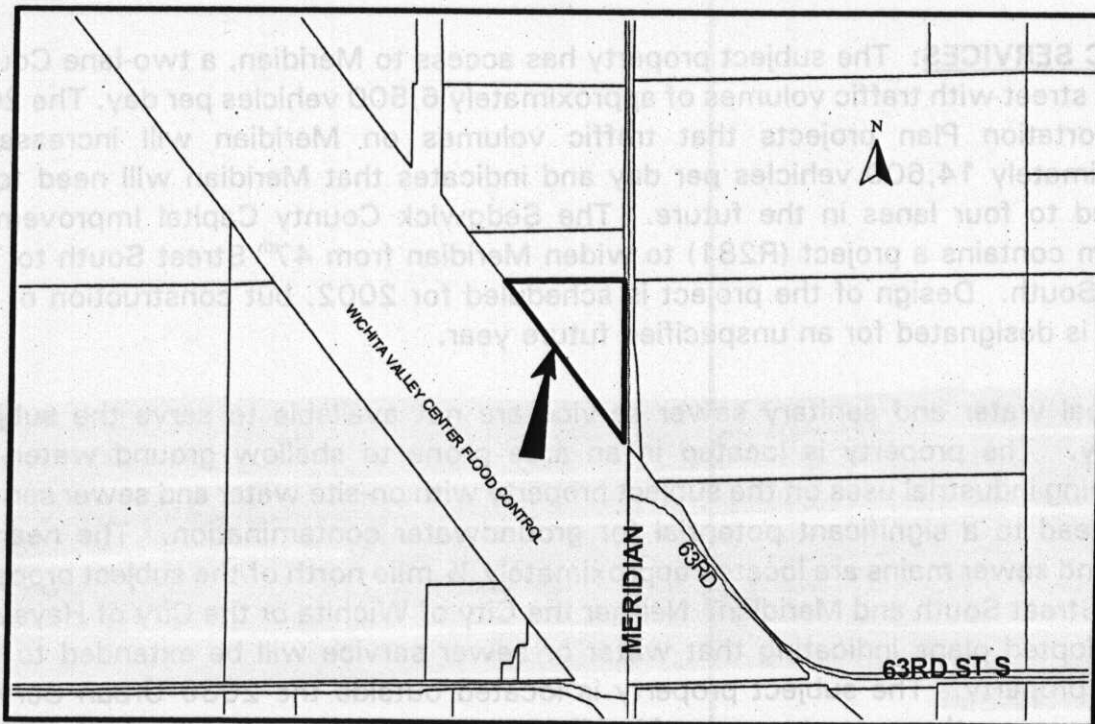
REQUEST: "LI" Limited Industrial

CURRENT ZONING: "RR" Rural Residential & "SF-20" Single-Family Residential

SITE SIZE: 9.4 acres

LOCATION: North of 63rd Street South and west of Meridian

PROPOSED USE: Unspecified



BACKGROUND: The applicant requests a zone change from "RR" Rural Residential and "SF-20" Single-Family Residential to "LI" Limited Industrial on a 9.4 acre unplatted tract located north of 63rd Street South and west of Meridian. The subject property is currently used for agriculture. The subject property is located within the Zoning Area of Influence for the City of Haysville.

The surrounding area is rural in character. The property in all directions surrounding the site is zoned "RR" Rural Residential or "SF-20" Single-Family Residential and is used for agriculture. The nearest non-agricultural land use is Campus High School located approximately ½ mile north of the subject property. The city limit for the City of Haysville is located approximately ¼ mile south of the subject property; however, since the Big Ditch is within the City of Haysville in this location, the nearest developable property within the City of Haysville is located approximately ½ mile south of the subject property.

CASE HISTORY: The subject property is unplatted.

ADJACENT ZONING AND LAND USE:

| | | |
|--------|----------------|-------------|
| NORTH: | "RR" & "SF-20" | Agriculture |
| SOUTH: | "RR" | Agriculture |
| EAST: | "RR" & "SF-20" | Agriculture |
| WEST: | "RR" & "SF-20" | Agriculture |

PUBLIC SERVICES: The subject property has access to Meridian, a two-lane County arterial street with traffic volumes of approximately 6,500 vehicles per day. The 2030 Transportation Plan projects that traffic volumes on Meridian will increase to approximately 14,600 vehicles per day and indicates that Meridian will need to be widened to four lanes in the future. The Sedgwick County Capital Improvement Program contains a project (R281) to widen Meridian from 47th Street South to 71st Street South. Design of the project is scheduled for 2002, but construction of the project is designated for an unspecified future year.

Municipal water and sanitary sewer service are not available to serve the subject property. The property is located in an area prone to shallow ground water, so developing industrial uses on the subject property with on-site water and sewer service would lead to a significant potential for groundwater contamination. The nearest water and sewer mains are located approximately ½ mile north of the subject property at 55th Street South and Meridian. Neither the City of Wichita or the City of Haysville have adopted plans indicating that water or sewer service will be extended to the subject property. The subject property is located outside the 2030 Urban Service Area; however, the property across Meridian to the east is located inside the 2010 Urban Service Area.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Wichita-Sedgwick County Comprehensive Plan identifies this area as appropriate for "Rural" development. Rural development areas consist of land outside the 2030 Urban Service Area and small city growth areas. The Rural category is intended to accommodate agricultural uses, rural based uses that are no more offensive than normal agricultural uses, and large lot residential subdivisions with provisions for future water and sewer services. The Land Use Guide for the City of Haysville identifies this area as appropriate for "Residential" development.

The Goals, Objectives, and Strategies of the Wichita-Sedgwick County Comprehensive Plan also provide guidance regarding land use. The Land Use-Commercial/Office section contains a strategy (III.B4) that states, "in those portions of rural unincorporated Sedgwick County outside the projected growth area, limit commercial development to those activities that are agriculturally oriented or provide necessary convenience services to residents in the immediate area, or provide highway-oriented services at interchange areas." The Land Use-Industrial section contains a strategy (IV.A2) that states, "in those portions of rural unincorporated Sedgwick County outside the projected urban growth area, allow industrial development only when it is agriculturally oriented, dependent upon a natural resource, or, as part of an appropriate expansion of an existing industrial area.

The Industrial Locational Guidelines of the Wichita-Sedgwick County Comprehensive Plan provide the following guidance regarding the appropriate location for industrial development:

1. Industrial areas should be located in close proximity to support services and be provided good access to major arterials, city truck routes, belt highways, utility trunk lines, rail spurs, airports, and as extensions of existing industrial areas.
2. Industrial traffic should not feed directly onto local streets in residential areas.
3. Industrial uses should be generally located away from existing or planned residential areas, and site so as not to generate industrial traffic through less intensive land use areas.

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

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Surrounding land is zoned "RR" Rural Residential and "SF-20" Single Family Residential and is used for

agriculture. The proposed "LI" Limited Industrial zoning is not consistent with the residential zoning, agricultural uses, and rural character of the area.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "RR" Rural Residential and "SF-20" Single Family Residential, which restricts the site to residential and agricultural uses. The subject property is suitable for both residential and agricultural uses and is located in area where the Land Use Guide for Wichita-Sedgwick County and Haysville indicate future residential development is appropriate. The most appropriate future zoning classification for the property is "SF-5" Single-Family Residential, which would permit urban scale development of residential uses when urban services are available to serve the site.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Granting the requested "LI" Limited Industrial zoning will set a precedent for this type of zoning at this rural location that has been designated a future residential area. The "LI" district permits a wide variety of intense commercial and industrial uses that would be incompatible with future residential development of the area and would detrimentally affect the residential viability of nearby property.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested change is not consistent with the Wichita-Sedgwick County Comprehensive Plan policies and strategy guidelines. According to the Wichita-Sedgwick County Comprehensive Plan recommendations, commercial/industrial uses should be located within the urban service area of a city and away from planned residential areas. The subject property does not meet either of these criteria. The requested change also is not consistent with the Land Use Guide for the City of Haysville, which indicates that the property should be developed with residential uses.
5. Impact of the proposed development on community facilities: The requested change would introduce commercial/industrial land uses to an area lacking appropriate community facilities. Fire and crime protection services cannot be adequately provided to a commercial/industrial business at this remote location. On-site water and sanitary sewer service for a commercial/industrial business at this location would lead to a significant potential for groundwater pollution since the site is located within an area prone to shallow ground water.