

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ- 0713 - Zone change from 'SF-20' Single Family to 'LC' Limited Commercial on property located at 15100 West U.S. Highway 54, approximately 1/8 mile east of 151st Street West on the north side of West Kellogg.

PRESENTED BY: Marvin S. Krout, Director of Planning *WK*

PROPOSED AGENDA DATE: June 13, 1996

COMMISSION DISTRICT #3

MAPC Recommendation: Approve, subject to platting within 1 year (10-0).

Staff Recommendation: Approve, subject to platting within 1 year.

Background/Discussion: The applicant requests a zone change from 'SF-20' Single-Family Residential to 'LC' Limited Commercial for a 1 acre unplatted tract located at 15100 W. U.S. Highway 54, approximately 1/8 mile east of 151st Street West on the north side of the highway.

Due to the nature of existing uses surrounding his property, the applicant believes the existing house has no residential market value and, therefore, requests a zone change in order to use it as his personal business office. The property to the west of the application area is used for a night club and zoned 'LC', there are two single-family residences and a large shed to the north on property zoned 'SF-20', there is one single-family residence and some undeveloped land zoned 'SF-20' to the east, and across Highway 54 to the south is an industrial building on land zoned 'LI', an adult night club and Recreational Vehicle sales lot zoned 'LC'.

Existing traffic volume on U.S. Highway 54 at 151st Street West is 14,130 average daily trips (ADT) and is projected to increase to approximately 21,900 ADT by 2020. The applicant's property, as well as the other three residences in the area, share a right-turn in and out access road to Highway 54 with no median break to allow left-turns.

A homeowner abutting this property on the east testified at the Planning Commission meeting expressing concerns about the request.

During the Planning Commission's discussion of this matter, questions concerning the appropriateness of 'LC' zoning for the property if the owner only intends to develop office uses, the potential for problems regarding access to Highway 54, and future plans to change the use of the property were asked by several Commissioners. After discussion, the MAPC voted (10-0) to approve 'GO' General Office zoning, which would allow the applicant to develop his intended use, but provide more protection to the protesting homeowner.

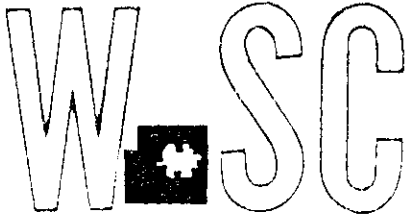
- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting; adopt a resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until the plat has been 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: (Robert)Redmon Housing, LLC 31727 W Harry Garden Plain KS 67050

Protestors: Lloyd Buess 1528 Wheatlane Route 9 Wichita KS 672215

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
456 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
PHONE (316) 268-4421
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July 21, 1997

Redmon Housing, LLC
c/o Bob Redmon
31727 W. Harry
Garden Plain, KS 67050

RE: SCZ-0713 Zone change from 'SF-20' Single-Family Residential to 'LC' Limited Commercial located north of Kellogg in an area east of 151st Street West.

On June 12, 1996, the above-referenced zone change request was approved by the Board of County Commissioners, subject to platting/replatting the property within one year or the application would be considered denied and the case closed. (See our letter to you dated June 20, 1996). A plat of the property has NOT been completed and recorded as required and therefore, this zone change request is now considered DENIED AND CLOSED.

By copy of this letter, the County Clerk is hereby advised that Resolution #135-1996 which conditionally granted the zone change should be marked "null and void".

If you have any questions about this matter, please call our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russ Ewy', is written over a horizontal line. The signature is fluid and cursive in style.

Russ Ewy
Senior Planner

cc: Linda Leggett, County Clerk's Office
Glen Wiltse, Sedgwick County Code Enforcement