

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

Proposed Agenda Item: SCZ-0690 - Zone change request from 'R-1' Suburban Residential and 'LC' Light Commercial to 'AA' One-Family Dwelling District, located northeast of Central and 127th Street East (northeast of the K-96 Expressway).

CU-382 - Conditional Use Permit for an assisted living facility, located in an area northeast of Central and 127th Street East (northeast of the K-96 Expressway).

Presented by: Marvin S. Krout, Director of Planning



Proposed Agenda Date: June 21, 1995.

Commission District: 1

MAPC Recommendation: Approve subject to conditions (9-0).

Staff Recommendation: Approve, subject to conditions.

Background/Discussion: The applicant requests a zone change from the 'R-1' Suburban Residential District and the 'LC' Light Commercial District to the 'AA' One-Family Dwelling District for a 7 acre unplatted site located in an area located northeast of Central and 127th Street East (northeast of the K-96 Expressway). The applicant also requests a Conditional Use Permit for an assisted living facility on the same property proposed for 'AA' zoning. The applicant defines an assisted living facility as a "place which has individual living units, 24-hour staff services, and scheduled programs which provide daily living care. Such daily living care may be for those who, by choice or due to functional impairments, need personal attention or even supervised nursing care on an intermittent or limited term basis."

Prior to the MAPC public hearing, the applicant held informational meetings with nearby residents to introduce and explain the proposed assisted living facility. In order to address potential concerns of area residents, the applicant volunteered a number of restrictions for architectural design, building height, landscaping, access controls, and parking lot lighting for the proposed facility. The parking lot for the facility would be buffered with a minimum of 50 shrubs and 40 trees to be located north of the parking area for the proposed facility.

The triangular shaped property is currently undeveloped and surrounded by the K-96

Expressway to the southwest, duplex dwellings and the Crestview Golf Course to the east, residential dwellings to the northeast, and a 8.9 acre tract to the north that was rezoned to 'AA' and platted for single family homes. The application area is located in a region identified as a "new growth" area by the Comprehensive Plan and it can be served by both water and sewer services.

No hydric soils commonly associated with wetlands are located on the site, according to the Soil Survey of Sedgwick County. Also, no portion of the application area is located within a 100-year floodplain, according to the FEMA maps.

At the MAPC hearing on May 25, 1995, no members of the public spoke in opposition to the requests.

- Recommended Action:**
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and the Conditional Use Permit subject to the condition of platting; adopt resolutions establishing the zone change and Conditional Use Permit 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).

Applicant: Crestview Development Co. II, 1301 St. Andrews, Wichita, KS 67230

R# 153-1995

Published in The Daily Reporter on 1-17-96, 1995

RESOLUTION NO. 153-1995

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 7.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY 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 17.C of the Zoning Regulations, the zoning district of the lands legally described below are hereby changed as follows:

Case No. SCZ-0690

Zone change request from 'R-1' Suburban Residential and 'LC' Light Commercial to 'AA' One-Family Dwelling District.

Beginning at the southwest corner of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence North 0°58'09" West, 930.00 feet along the west line of said Section 14; thence North 89°01'51" East, 630.00 feet to the Monument 33A; thence South 38°57'05" East, 155.15 feet to Monument 33; thence South 07°38'38" East, 321.36 feet to Monument 34; thence South 76°56'27" West, 59.71 feet along the north line of Crestview Country Club Estates, Southern Village Addition; thence South 01°11'13" East, 473.18 feet along the west line of said Southern Village Addition to the south line of said Section 14; thence South 88°48'47" West, 705.82 feet along the south line of said Section 14; to the point of beginning, containing 15.25 acres more or less. Monuments referred to in this description are taken from the Crestview Country Club Boundary Survey dated November 6, 1969. The bearing of the south line of the southwest quarter of said Section 14 is assumed to be South 88°48'47" West,

South 88°48'47" West

except Right-of-Way Agreement Film 1000, Pg. 420 for K-96.
Generally located in an area northeast of Central and 127th
Street East (northeast of the K-96 Expressway).

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 and publication in the official county paper.

Commissioners present and voting were:

PAUL W. HANCOCK	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
MELODY C. MILLER	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>
BETSY GWIN	<u>Aye</u>

DATED this 21st day of June, 1995.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Mark F. Schroeder
MARK F. SCHROEDER, Chairman

ATTEST:

Thomas G. Winters
THOMAS G. WINTERS, Chairman Pro Tem



SUSAN CROCKETT-SPOON
County Clerk



BETSY GWIN, Commissioner

APPROVED AS TO FORM ONLY:



PAUL W. HANCOCK, Commissioner



County Counselor/Assistant



MELODY C. MILLER, Commissioner