BACKGROUND: The applicant is seeking "SF-20" Single-family Residential zoning for 21.54-acres of land located west of 215th Street West and on the south side of 21st Street North. The property is currently zoned "RR" Rural Residential and is being used for agriculture. The applicant is proposing to develop 17 one-acre lots. With the property's current zoning of "RR", two-acre home sites could be created, subject to platting without rezoning. Creation of lots less than two acres in size in the "RR" zoning district requires a zone change.

Analysis: Surrounding properties are all zoned "RR" Rural Residential, with one exception; the "SF-20" zoned 16-lot Tower Lakes Addition (single-family residences generally built in the late 1980s to the mid 1990s) located approximately ½-mile northeast of the site. The other properties north of the site, across 21st Street North, are developed as approximately 1.5-acres to over 5-acre single-family residential tracts (large single-family residences generally built in the late 1990s to the present), or are being used for agriculture. The properties to the south of the site are developed as a farmstead and a large lot residential subdivision, the Lake Vista Addition, containing over 40 lots, ranging in size from 0.42-acres to 1.72-acres. The residences in the Lake Vista Addition were generally built from the late 1960s to the mid 1980s. Agricultural land, farmsteads and large tract single-family residences are located to the east and west of the site. The density of the residential development around the 215th Street West and 21st Street North intersection give the area a suburban look. The subject site's Final Plat, the Lake Vista 2nd Addition, was approved by the Metropolitan Area Planning Commission (MAPC) at their August 19, 2004 meeting, but has not been released for approval by the Sedgwick County Board of County Commissioners (BoCC).

The MAPC heard the case on August 19, 2004. Several people spoke in opposition to the request, citing concerns about drainage from the proposed single-family residential development. The MAPC voted 9-0 to recommend approval subject to platting within one year. Planning Staff has received written protest, which represents 22.99% of the area. Because the protests total 20% or more of the area, it triggers the ¾ majority vote requirement to override the protests.

Alternatives:

1. Adopt the MAPC recommendation (requires a ¾ majority vote of the membership of the governing body to override the recorded protests) ; or

2. Override the MAPC recommendation by a 2/3 majority vote of the membership of the governing body; or

3. Return such recommendation to the MAPC with a statement specifying the basis for the BoCC's failure to approve or disapprove.

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***

AGENDA ITEM REQUEST

Proposed Agenda Item: ZON2004-00036 – Sedgwick County Zone change from "RR" Rural Residential to "SF-20" Single-family Residential, Generally located west of 215th Street West and south of 21st Street North. (District III)

Presented By: John Schlegel, Planning Director

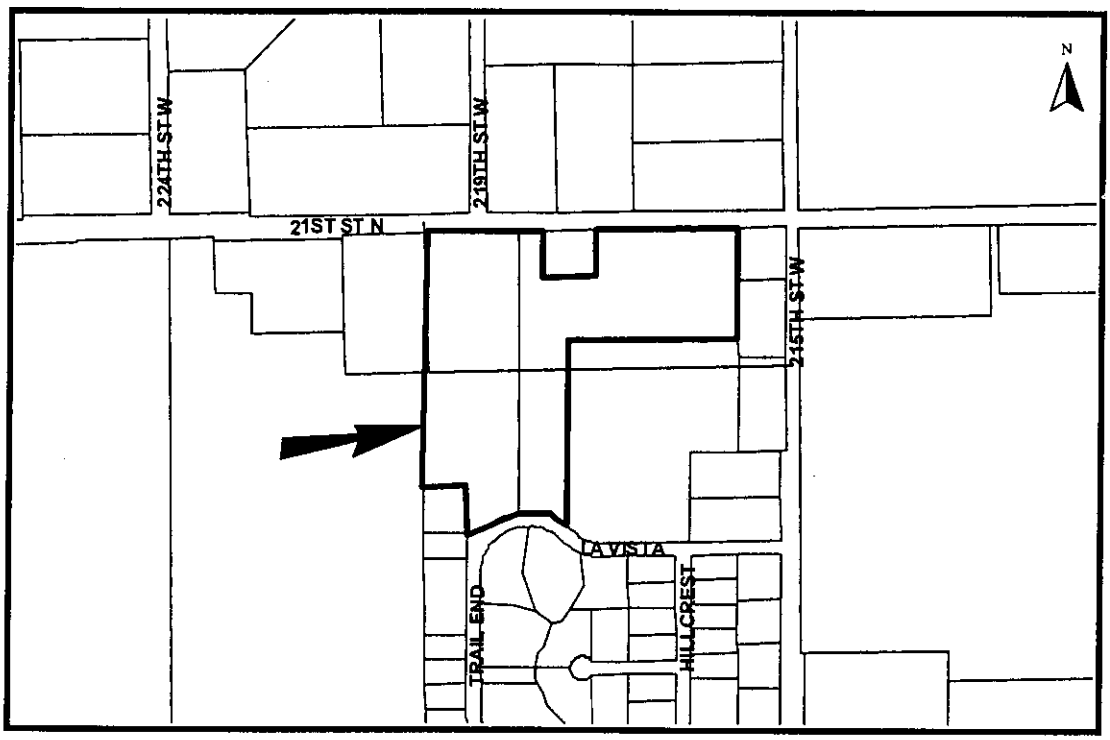
Recommended Action: Approve the zone change, subject to platting within one year and the recommended platting conditions; adopt the findings of the Metropolitan Area Planning Commission; direct staff to prepare an appropriate resolution after the plat has been approved, and authorize the Chairman to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

Proposed Agenda Date: September 22, 2004

Outside Attendees: Terry Smythe, Baughman Company, PA
315 Ellis, Wichita, KS 67211

Multimedia Presentation: Powerpoint

Donations: Not applicable



DATED this 18th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

DAVID M. UNRUH, CHAIRMAN
First District

ATTEST:

DON BRACE, County Clerk

CLERK OF SEDGWICK COUNTY
SEDGWICK COUNTY
KANSAS
KANSAS

APPROVED AS TO FORM:

ROBERT W. PARNACOTT,
Assistant County Counselor

(150004) Published in The Derby Reporter on _____

RESOLUTION NO. 55-2005

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. ZON2004-00036

Zone change from "RR" Rural Residential to "SF-20" Single-family Residential on property described as:

Lake Vista 2nd Addition, Sedgwick County, Kansas. Generally located west of 215th Street West and south of 21st Street North.

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:

DAVID M. UNRUH _____ Aye
TIM R. NORTON _____ Aye
THOMAS G. WINTERS _____ Aye
CAROLYN McGINN _____ Aye
BEN SCIORTINO _____ Aye