

**EXCERPT MINUTES OF MAY 5, 2016 WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION MEETING**

**Case No.: ZON2016-00017** - Wayne and Donna Wulf (owners/applicants) request a County zone change from GC General Commercial to RR Rural Residential on property described as:

A parcel of land lying in the Northwest Quarter of Section 14, Township 28 South, Range 3 West of the 6th P.M., Sedgwick County, Kansas described as: Commencing at the Northwest corner of said Northwest Quarter Section; thence along the North line of said Quarter Section on an assumed bearing of N 89°25'27" E for a distance of 550.00 feet to the point of beginning; thence continuing along said North line for a distance of 580.00 feet; thence S 00°00'00" E parallel with the West line of said Quarter for a distance of 615.00 feet; thence S 89°25'27" W for a distance of 580.00 feet; thence N 00°00'00" W parallel with the West line of said Quarter for 615.00 feet to the point of beginning.

**BACKGROUND:** The applicant requests a downzoning from GC General Commercial (GC) zoning to RR Rural Residential (RR) on a 7.44-acre unplatted parcel. The site is located on the south side of West 39<sup>th</sup> Street South and east of Lake Afton. The site is not within a small city urban growth area. The site was rezoned from RR to GC in 2005 with a Protective Overlay (PO-160) which limits uses on the site to auditorium, restaurant and outdoor recreation. The primary structure on the site was built in 1955. A silo on the site was converted to a climbing wall with additional outdoor recreation features added to the site. The applicants indicate to staff that they have removed the commercial kitchen from the site, they intend to remove the outdoor recreation climbing features and intend to use the site as a single-family residence. The site is on well water and a shared lagoon with property to the south.

All property surrounding the site is also zoned RR. North of the site, across West 39<sup>th</sup> Street South, is the County firearms training facility. South and east of the site is property owned by Kings Camp Inc. with conditional use CU-332 for a recreational vehicle camp ground. The County Tax Assessor lists the use of the property south and east of the site as “child and youth services.” West of the site is the Lake Afton County Park.

**CASE HISTORY:** The site is unplatted, the primary structure on the site was built in 1955. The site was rezoned from RR to GC in 2005 with PO-160.

**ADJACENT ZONING AND LAND USE:**

NORTH:	RR	Firearms training facility
SOUTH:	RR	Child and youth services
EAST:	RR	Child and youth services
WEST:	RR	County park, lake

**PUBLIC SERVICES:** West 39<sup>th</sup> Street South is a paved, two-lane arterial street at this location with a 120-foot right-of-way. West 39<sup>th</sup> Street South has a central turn lane adjacent to the site. The site utilizes shared on-site water and sewer with property to the south. The applicants indicate to staff that they intend to develop on-site water and sewer on their property.

**CONFORMANCE TO PLANS/POLICIES:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as “rural” and not

within any small city growth areas. The “rural” category encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area. Such development should occur in accordance with the *Urban Fringe Development Standards for Wichita and Sedgwick County*.

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

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** All property surrounding the site is also zoned RR. North of the site, across West 39<sup>th</sup> Street South, is the County firearms training facility. South and east of the site is property owned by Kings Camp Inc. with conditional use CU-332 for a recreational vehicle camp ground. The County Tax Assessor lists the use of the property south and east of the site as “child and youth services.” West of the site is the Lake Afton County Park.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned GC and could continue to be used under PO-160 for an auditorium, restaurant and outdoor recreation.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The requested downzoning, from GC to RR, will create more restrictions on the property lowering potential impacts on surrounding properties.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as “rural” and not within any small city growth areas. The “rural” category encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area. Such development should occur in accordance with the *Urban Fringe Development Standards for Wichita and Sedgwick County*.
- (5) **Impact of the proposed development on community facilities:** All services are in place. The requested downzoning will reduce demand on community facilities, infrastructure and services.

JESS MCNEELY, Planning Staff presented the Staff Report.

**MOTION:** To approve subject to staff recommendation.

**TODD** moved, **WARREN** seconded the motion, and it carried (13-0).