

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT**

DATE: August 17, 2018

TO: Justin M. Waggoner, Assistant County Counselor

FROM: Dale Miller, Director of Planning

RE: **DER2018-00008: The Advisability of Proposed Island Annexation by the City of Derby (Resolution No. 15-2018).**

Background

Based upon the request of a petitioning landowner, the City of Derby passed Resolution No. 15-2018 on July 24, 2018 to island annex approximately 9 acres of land located immediately east of Webb Road and south of 79th Street South, approximately 0.25 miles east of the city limits of Derby. It appears that the owner of the subject parcel has requested annexation into the City of Derby in order to receive city water and sewer services to support future residential platting and development. The property is located in the vicinity of several other residential properties in the Cedar Ranch Plat.

To approve this island annexation by the City of Derby, the Board of County Commissioners must find and determine pursuant to the requirements of KSA 12-520c that this annexation will not hinder the proper growth and development of the area or that of any other incorporated city located within Sedgwick County.

In accordance with the County's Resolution "Adopting Rules and Regulations Regarding the Responsibilities and Duties Imposed on Counties under K.S.A. 12-519", the MAPD submits the following findings regarding the advisability of this island annexation request by Derby. The MAPD has evaluated whether this request will:

- a) Hinder the properly planned growth and development of the area; or
- b) Hinder the properly planned growth and development of any other incorporated city located within Sedgwick County.

The following two land use planning factors have been evaluated:

Factor 1 - Comprehensive Plan Considerations

Although comprehensive plans in the State of Kansas are not binding with respect to future municipal land use and development, they reflect a reasonable level of rational planning assessment and community consensus regarding patterns of future municipal growth and the future delivery of municipal services. Significant long term infrastructure decisions are usually made by a municipality based upon its adopted comprehensive plan (as frequently reflected in its capital improvement plan).

Evaluation:

- The official City of Derby Comprehensive Plan, December 2006 shows the future urban growth and municipal service extension area of Derby extending eastward in the near term to include the proposed island annexation area. The Future Land Use Map identifies this area for moderate density residential development.
- The proposed island annexation is consistent with the 2035 Urban Growth Area designation for the City of Derby as depicted in the Community Investments Plan 2015-2035 adopted by the MAPC on November 19, 2015.

- No other city in Sedgwick County has identified the annexation parcel as part of its future urban growth area.

Factor 2 - Efficient Delivery of Urban Municipal Services

Man-made physical features, topography and associated drainage patterns have a significant impact on the efficient and cost-effective delivery of many municipal services, especially sanitary and storm sewer systems. The unique circumstances of this island annexation request is such that a full range of municipal urban services will not be extended to this annexation area.

Evaluation:

- The annexation parcel currently falls within the service area of Sedgwick County Rural Water District No. 3. The City of Derby has the capacity to extend full municipal water and sewer services into this area to support urban residential densities of platting and development.
- The maintenance of future roads developed within the proposed annexation area will be the responsibility of the City of Derby. Road maintenance of 79th Street South adjacent to the proposed annexation area will remain at this time with Sedgwick County. Unless other arrangements are made, the maintenance and upgrading of Webb Road would be the responsibility of Rockford Township.
- The annexation area falls within the Sedgwick County Fire District #1. Should this annexation request be approved, it would become the responsibility of the City of Derby Fire Department to service this area.
- The County Sheriff's Department currently services the proposed annexation area. Should this annexation request be approved, it would become the responsibility of the City of Derby Police Department to service this area.

Findings

1. ***The annexation will not hinder the properly planned growth and development of the area.*** The annexation area falls within the established 'near-term growth area' as identified in the City of Derby Comprehensive Plan, December 2006. It also falls within the Derby 2030 urban growth area as identified in the Wichita-Sedgwick County Comprehensive Plan, amended May 2005. Maintaining and upgrading Webb Road in future to accommodate the anticipated traffic associated with residential redevelopment of the annexation area may be problematic for Rockford Township.
2. ***The annexation will not hinder the properly planned growth and development of any other incorporated city within Sedgwick County.*** The orderly and properly planned growth of other cities in Sedgwick County will be unaffected by this annexation. No other city has identified this area as a future urban growth area.

Recommendation

That the Sedgwick County Board of County Commissioners find that the proposed island annexation by the City of Derby Resolution No. 15-2018 would not hinder the proper growth and development of the area, nor any other city in Sedgwick County.