

**EXCERPT MINUTES OF AUGUST 9, 2018, WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION MEETING**

Case No. ZON2018-00030 - County Zone Change request from RR Rural Residential to SF-20 Single Family Residential, generally located on the east side of North 167th Street West one half mile south of West 45th Street North, on property described as:

That part of the Northwest Quarter of Section 27, Township 26 South, Range 2 West of the Sixth Principal Meridian, Sedgwick County, Kansas described as follows: Commencing at the southwest corner of said Northwest Quarter; thence N01°50'24"E, (Kansas Coordinate System of 1983 South Zone Grid Bearing), along the west line of said Northwest Quarter, 370.66 feet to a point 370.00 feet normally distant north of the south line of said Northwest Quarter, said point also being the northwest corner of the tract of land described and conveyed in the Trustee's Deed recorded in DOC.#/FLM-PG: 29592257 at the Office of the Sedgwick County Register of Deeds, and for a point of beginning; thence continuing N01°50'24"E along the west line of said Northwest Quarter, 448.91 feet; thence S88°49'52"E, 552.56 feet; thence S58°01'47"E, 95.00 feet; thence S03°36'35"E, 140.00 feet; thence S20°56'00"W, 350.00 feet; thence S42°53'07"W, 150.00 feet; thence N88°08'59"W, 110.00 feet to a point 325.00 feet normally distant east of the west line of said Northwest Quarter, said point also being on the east line of said tract of land, (DOC.#/FLM-PG: 29592257); thence N01°50'24"E along the east line of said tract of land, 195.00 feet to a point 370.00 feet normally distant north of the south line of said Northwest Quarter, said point also being the northeast corner of said tract of land; thence S88°24'38"W along the north line of said tract of land, 325.58 feet to the point of beginning, all being subject to road rights-of-way of record.

BACKGROUND: The applicant is requesting the rezoning of this 6.6-acre property to allow the platting of the property into 3 lots of approximately 1-acre each, with the remaining property being platted is reserves for drainage and private road access. The preliminary plat was approved on July 19, 2018, and awaiting final platting subject to this rezoning. A copy of the preliminary plat is attached for information purposes.

The property is identified as partially subject to potential flooding from the Cowskin Creek floodplain. The platting process has addressed the flooding issues and the final platting and subsequent development requirements will mandate compliance with the flood plain development requirements of Sedgwick County, including appropriate flood proofing of the building sites and appropriate mitigation measures for all onsite improvements.

This location is within the City of Colwich Area of Influence. The City of Colwich was notified regarding the rezoning. Staff was advised the City did not want to review or comment on this case because it had already been made aware of the pending platting and there were no objections to that request.

The surrounding property is primarily rural in nature. All the land is zoned RR Rural Residential. There are a couple of properties to the west and south that have homes on them, but the majority of the surrounding land is devoted to agricultural uses and in crop use.

CASE HISTORY: Other than the pending platting of the property noted above, there are no other previous zoning actions on these parcels.

ADJACENT ZONING AND LAND USE:

| | | |
|--------|----|---------------------------------|
| NORTH: | RR | agricultural |
| SOUTH: | RR | agricultural, rural residential |
| EAST: | RR | agricultural |
| WEST: | RR | agricultural, rural residential |

PUBLIC SERVICES: 167th Street West is a paved two-lane rural street with open ditches. No municipal services are available and all improvements will rely upon on-site water and wastewater services.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is in the “agricultural and vacant”. This use is considered appropriate for this area.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends APPROVAL of the request, as submitted. This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding neighborhood is rural in nature and the introduction of a few new residential building lots will not be out of character with this area of Sedgwick County.
2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned RR Rural Residential, which permits residential development but with a larger minimum lot size requirement. The location is capable of supporting the smaller lot size; therefore, the rezoning is appropriate and acceptable under the development standards of the County.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed SF-20 zoning is acceptable to the neighborhood and is not considered to be detrimental to anyone.
4. Length of time the property has been vacant as currently zoned: The property has remained undeveloped and agricultural for some time, and the development as proposed is considered appropriate for the neighborhood.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is in the “agricultural and vacant”. This use is considered appropriate for this area.
6. Impact of the proposed development on community facilities: Development of the property would not have any impact on community facilities or resources. The transportation system is adequate to support the development and the onsite supporting utilities are suitable.

MOTION: To approve subject to staff recommendation

BLICK moved, MILES seconded the motion, and it carried (13-0).

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