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# Sedgwick County

525 North Main Street 3rd  
Floor  
Wichita, KS 67203

## Legislation Details (With Text)

**File #:** 17-492      **Version:** 1      **Name:**

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**File created:** 5/17/2017      **In control:** Board of Sedgwick County Commissioners

**On agenda:** 6/7/2017      **Final action:** 6/7/2017

**Title:** ZON2017-00006 - A COUNTY ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL DISTRICT (SF-20) TO LC LIMITED COMMERCIAL DISTRICT (LC) ON PROPERTY AT THE NORTHWEST CORNER OF EAST 63rd STREET SOUTH AND SOUTH CLIFTON AVENUE. Presented by: Dale Miller, Director of Planning.

**RECOMMENDED ACTION:** Approve the zone change, subject to the conditions recommended by the Metropolitan Area Planning Commission (MAPC), adopt the findings of the MAPC and authorize the Chairman to sign the prepared resolution.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution ZON2017-00006, 2. EXCERPT MINUTES ZON2017-00006, 3. Narrative, 4. MAP - ZON2017-00006

Date	Ver.	Action By	Action	Result
6/7/2017	1	Board of Sedgwick County Commissioners	Approved	Pass

**ZON2017-00006 - A COUNTY ZONE CHANGE FROM SF-20 SINGLE-FAMILY RESIDENTIAL DISTRICT (SF-20) TO LC LIMITED COMMERCIAL DISTRICT (LC) ON PROPERTY AT THE NORTHWEST CORNER OF EAST 63rd STREET SOUTH AND SOUTH CLIFTON AVENUE.**  
Presented by: Dale Miller, Director of Planning.

**RECOMMENDED ACTION:** Approve the zone change, subject to the conditions recommended by the Metropolitan Area Planning Commission (MAPC), adopt the findings of the MAPC and authorize the Chairman to sign the prepared resolution.

**Background:** The applicant is requesting a rezoning from the existing SF-20 Single-Family Residential (SF-5) to a LC Limited Commercial (LC) district for 5.8-acres located at the northwest corner of East 63rd Street South and South Clifton Avenue. The applicant is the developer of Vassar Addition, a two family residential subdivision south of the subject property. It is believed that establishing commercial zoning on this site would be an asset and convenience to the area as the number of residential housing units increase in the future. The applicant would also like to have the property zoned LC prior to a large number of lots being sold so residents have information about commercial zoning at this intersection. Please see the attached narrative from the applicant.

The surrounding neighborhood is characterized primarily by rural and large lot residential uses. North of the property is a large vacant tract. South of the site is a residential subdivision, Vassar Addition. East of property is a vacant agricultural parcel. West of the site is a large lot residential home.

**Analysis:** The surrounding neighborhood is characterized primarily by rural and large lot residential

uses. North of the property is a large vacant tract. South of the site is a residential subdivision, Vassar Addition. East of property is a vacant agricultural parcel. West of the site is a large lot residential home.

The site is currently zoned SF-20 and the property could be developed with this existing zoning classification. It is reasonable to expect a non-residential development at this intersection of two arterial streets in an area that is experiencing residential development. Rezoning the property would facilitate future development and provide a greater tax base and employment opportunities than could be realized with the existing zoning district.

Impact on surrounding property due to the requested zone change should be minimal. Compliance with required setbacks, landscaping and an attractive building design can achieve a development that meets the needs of nearby residents and does not have a detrimental impact.

The Wichita-Sedgwick County Comprehensive Plan, the Community Investments Plan, identifies the site as parks and open space. Approximately 220 acres east of the Arkansas River from East 63rd Street South to East 55th Street South have this land use designation. The subject property is a reasonable commercial location at this intersection of two arterial streets. This zone change would not be a significant change to this larger parks and open space designation in this area.

Alternatives: Approve the zone change, subject to the conditions recommended by the Metropolitan Area Planning Commission (MAPC), adopt the findings of the MAPC and authorize the Chairman to sign the prepared resolution. (Requires a simple majority vote); or Deny the application, by making alternative findings, and override the MAPC recommendation. (Two-thirds majority vote required.). Return the case to the MAPC for further consideration with a statement specifying the basis for the BoCC's failure to approve or deny the application. (Requires a simple majority vote).

Financial Considerations: There are no additional financial considerations to the County associated with this application.

Legal Considerations: Pursuant to K.S.A. 12-741 et seq., the options and vote requirements are listed above underneath the "alternatives" heading.

Policy Considerations: The MAPC recommendations are based upon the findings of fact stated in the MAPC minutes.

Outside Attendees: Phil Meyer, Baughman Company (agent)

Multimedia Presentation: Powerpoint