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Sedgwick County

525 North Main Street 3rd
Floor
Wichita, KS 67203

Legislation Text

File #: 17-101, **Version:** 1

ISLAND ANNEXATION REQUEST FROM THE CITY OF WICHITA.

Presented by: Justin M. Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Find whether or not the proposed island annexation will hinder or prevent the proper growth and development of the area or of any other incorporated city within Sedgwick County.

PUBLIC COMMENT.

On November 10, 2016, the County Clerk received a certified copy of a resolution passed by the Wichita City Council requesting the Board make a finding that the proposed annexation will not hinder or prevent the proper growth and development of the area or any other city in the County. In this particular instance, the property owner has requested an island annexation.

The proposed annexation is to the south and east of the intersection of 31st Street South and Rock Road. The property is within the Wichita 2035 growth area, and is not in any other city's proposed growth area. The area is adjacent to a parcel directly to the east that was annexed by the City of Wichita in 2008 as a consent annexation (it is/was owned by the City) prior to the 2015 change in law that required city-owned properties to adjoin the city in order to not be considered island annexations. A city cannot unilaterally annex land adjoining an island annexation until the city limits have reached the island annexation area. The proposed island annexation would also annex a portion of 33rd Street South, which runs through the north end of the subject property and also the property directly to the east.

The annexation area consists of 24.41 acres of undeveloped LC-Limited Commercial zoned land. The Metropolitan Area Planning Commission approved a preliminary plat for the Rocky Ford Addition on this property, which proposes the creation of 54 lots for the development of duplexes. The McConnell Air Force Base's Air Operations Board reviewed the proposed Rocky Ford Addition and found that it meets all guidance and recommendations of compatibility within the Department of Defense's Air Installation Compatible Use Zone, the Joint Land Use Study between (McConnell and the City of Wichita), the Airport Overlay District zoning, the Anti-Terrorism Force Protection zoning, and the Industrial Park District zoning within the Wichita-Sedgwick County Unified Zoning Code.

Alternatives: None. The Board of County Commissioners is required to make a finding.

Financial Considerations: None

Legal Considerations: K.S.A. 12-520c provides a process for cities to annex land not adjoining the city where: (1) the land is located in the same county as the city; (2) the owner(s) of the land consent to the annexation; and (3) the Board of County Commissioners, by a two-thirds (2/3) vote, makes a finding the annexation will not hinder or prevent the proper growth and development of the area or

that of any other city located in the County.

Policy Considerations: None

Outside Attendees: Unknown

Multimedia Presentation: Three (3) Maps