

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

**SECTION I.** That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law on March 14, 2024, and under authority granted by Section V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

**Case No. PUD2024-00001**

Zone change request from SF-20 Single-Family Residential District to Planned Unit Development, subject to the provisions of PUD #121.

Legally described as:

The South Half of the West 60 acres of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT the South 40 feet thereof for road; TOGETHER WITH that part of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as: Beginning at the Southwest corner of the East 50 acres of the South Half of said Southeast Quarter; thence North 1,327.63 feet to the Northwest corner of said East 50 acres; thence West 16.05 feet to the Northeast corner of the South Half of the West 60 acres of said Southeast Quarter; thence South along the East line of said South Half of the West 60 acres 1,327.59 feet to the South line of said Southeast Quarter; thence East along the South line of said Southeast Quarter to the point of beginning.

Parcel 1

- A. Net Area: 302,166 square feet or 6.93 acres
- B. Maximum Building Coverage: 105,758 square feet or 35.0 percent
- C. Maximum Gross Floor Area: 105,758 square feet
- D. Floor Area Ratio: 35.0 percent
- E. Maximum Building Height: 45 feet, except for any other structures exempt by the UZC.
- F. Setbacks: 100' Front Setback  
0' Side and Rear Setback
- G. Access Points: See Drawing
- H. Permitted Uses: See General Provision #e

Reserve A

- A. Net Area: 982,623 square feet or 22.56 acres
- B. Permitted Uses: See plat of subject property
- C. Setbacks: See General Provision #e

The Harry Street Planned Unit Development (PUD #121) shall be subject to the following provisions:

1. The PUD shall be developed in the accordance with the approved PUD language.
  - a. Total Land Area: 1,284,789 square feet or 3.34 acres  
Total Gross Floor Area: 449,676 square feet  
Total Floor Area Ratio 35.0 percent
  - b. Parking shall be provided in accordance with the Unified Zoning Code unless otherwise specified on the parcel description.
  - c. Setbacks are displayed on the individual parcels within the PUD, or outlined in the Parcel description.
  - d. A Drainage Plan shall be submitted to the appropriate governing body for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
  - e. Parcel 1 shall be limited to those permitted by-right in the SF-5 Single-Family Residential District zoning together with "GO" General Office District; except for the following uses: Group Residence, General; Correctional Placement Residence, Limited; Correctional Placement Residence, General; Hospital; Recycling Collection Station, Private; Hotel or Motel; Marine Facility, Recreational; and Asphalt or Concrete Plant, Limited.  
Reserve A shall serve as a buffer to adjacent property and shall allow any existing or new agricultural uses.
  - f. Access shall be approved during the platting process and indicated on the plan.
  - g. All outdoor lighting shall employ cut-off luminaries to minimize light trespass and along and will be aimed or shielded away from neighboring properties. Lighting sources shall be limited to sixteen (16) feet in height, including poles and base. The height of lighting may be increased to 24 feet if a photometric plan is submitted and approved by MAPD staff.
  - h. Reserve A shall serve as the landscape buffer between property lines. The 100' building setback shall serve as street yard requirement.
  - i. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
  - j. The Transfer of title of all of any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
  - k. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, after a joint determination by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
  - l. The design layout shown on the plan illustrates one development concept. Modifications to the size and/or location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan. This plan envisions the development of a mixed-use facility, as shown on the plan; however, in the event additional uses within separate buildings are proposed, the applicant shall submit a revised site plan to the Planning Department for review. If such modifications are determined by the Planning Director, with the concurrence of the Zoning Administrator, to be significant, the owner shall be required to file for an administrative adjustment to the PUD. If the change is considered greater than what can be approved administratively, the owner shall be required to file an amendment to the PUD, which shall be submitted to the Metropolitan Area Planning Commission for their consideration.

2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #121 Harry Street Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

**SECTION II.** That upon the taking effect of this Resolution, the notation of such zoning change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

**SECTION III.** That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

*[remainder of page intentionally left blank]*

Commissioners present and voting were:

PETER F. MEITZNER  
SARAH LOPEZ  
DAVID T. DENNIS  
RYAN K. BATY  
JAMES M. HOWELL

aye  
aye  
aye  
aye

Dated this 8 day of May, 2024.



BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

[Signature]  
KELLY B. ARNOLD, County Clerk

[Signature]  
RYAN BATY, Chairman  
Commissioner, Fourth District

[Signature]  
SARAH LOPEZ, Chair Pro Tem  
Commissioner, Second District

APPROVED AS TO FORM:

[Signature]  
KIRK W. SPONSEL  
Deputy County Counselor

[Signature]  
PETER F. MEITZNER  
Commissioner, First District

[Signature]  
DAVID T. DENNIS  
Commissioner, Third District

[Signature]  
JAMES M. HOWELL  
Commissioner, Fifth District