

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 May 22, 2025, 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. PUD2025-00003

Zone change request from RR Rural Residential to Planned Unit Development, subject to the general provisions of PUD #139

Legally described as:

A portion of the North Half of the Northeast Quarter, lying West of the Union Pacific Railroad, in Section 7, Township 29 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas, being described and Prepared on February 28, 2025 by Gregory E. McDowell PS #1393 and Professional Engineering Consultants P.A., C.L.S. #65, as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence S88°47'27"W along the North Line of said Northeast Quarter a distance of 970.93 feet to the Point of Beginning, said Point being on the West Right of Way line of the Union Pacific Railroad; thence continuing S88°47'27"W. Along said North line a distance of 641.52 feet; thence S01°12'33"E Perpendicular to said North line a distance of 480.00 feet; thence N88°47'27"E parallel with said North line a distance of 537.14 feet to said West Right of Way line; thence N11°03'34"E along said West Right of Way Line a distance of 491.22 feet to the Point of Beginning.

The Appaloosa Substation Planned Unit Development (PUD #139) shall be subject to the following general provisions:

1. Total land area = 263,731 sf (6.05 acres)
2. Parking shall not be required.
3. Setbacks shall be in conformance with the base zoning regulations. Setbacks for any wireless communication tower shall comply with compatibility setbacks found in the Unified Zoning Code Section IV-C.5.b.
4. All lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
5. A drainage plan shall be submitted to county engineering for approval.
6. Aggregate surfacing shall be allowed interior of screening wall.

7. Perimeter security shall be either pre-cast concrete panels, cast-in-place concrete fence, other high security solid fence. Walls or fence shall be no more than 10' (feet) in height and are allowed to be placed within setbacks.
8. Access openings shall be indicated as below.
9. Landscaping: there shall be no landscaping requirement.
10. Amendments, adjustments or interpretations to PUD #139 shall be done in accordance with the Unified Zoning Code.
11. The transfer of title of all or any portion of land 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.
12. 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, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
13. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
14. The design layout shown on the plan illustrates the general development concept. Slight modifications to the location of improvements may be permitted provided they meet all requirements of this plan.

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.

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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.

Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN BATY
JAMES M. HOWELL

aye
aye
aye
aye
aye

Dated this 9 day of July, 2025.



ATTEST:

[Signature]
KELLY B. ARNOLD, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

[Signature]
RYAN BATY, Chairman
Commissioner, Fourth District

[Signature]
PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

[Signature]
JEFF BLUBAUGH
Commissioner, Second District

[Signature]
STEPHANIE WISE
Commissioner, Third District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

[Signature] 6/16/25
SAMANTHA SEANG
Assistant County Counselor