



Wichita-Sedgwick County Metropolitan Area Planning Department

May 23, 2008

City Wichita
Attn: Norman Jakovac
455 N Main
Wichita, KS 67202

Hanney and Associates
C/O Joe Perez
1726 S Hillside
Wichita, KS 67211

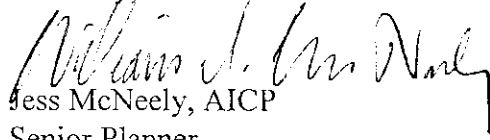
RE: CON2008-00016 - City Conditional Use request for a Safety Service (Fire Station) in SF-5" Single-family Residential zoning, generally located west of South Hydraulic and north of Denker Street (2659 South Hydraulic).

Dear Ladies and Gentlemen:

At its regular meeting on April 24, 2008, the Wichita City Council considered the above-captioned request. The action of the Council was to APPROVE the request subject to the conditions stated in the enclosed resolution.

If you have any questions concerning this case please contact our office at 268-4421.

Sincerely,


Jess McNeely, AICP
Senior Planner
Current Plans Division

JMC/mc
Enclosure

Cc: Riverside Township, Dale V. Kuhn, 6051 Southeast Blvd, Derby, KS 67037

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 **F** 316.268.4390

www.wichita.gov

CONDITIONAL USE RESOLUTION NO. CON2008-16

WHEREAS, the City of Wichita (owner); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow a Safety Service on property zoned SF-5 Single-family Residential (“SF-5”) described as:

Lot 1, EXCEPT the North 15 feet thereof, and the East 50 feet of lot 2 EXCEPT the the North 15 feet, Este Cate 2nd Addition, Sedgwick County, Kansas. Generally located west of South Hydraulic and north of Denker Street (2659 South Hydraulic).

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of April 24, 2008, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use to allow a Safety Service on property zoned SF-5 Single-family Residential described as:

Lot 1, EXCEPT the North 15 feet thereof, and the East 50 feet of lot 2 EXCEPT the the North 15 feet, Este Cate 2nd Addition, Sedgwick County, Kansas. Generally located west of South Hydraulic and north of Denker Street (2659 South Hydraulic).

Approved subject to the following conditions:

1. The applicants shall obtain all applicable permits including, but not limited to: building, health and zoning.
2. Prior to the issuance of building permits, the applicant shall submit a site plan, to be approved by planning staff and the City Traffic Engineer. The site plan shall conform to all city codes, or required administrative adjustments and permits shall be obtained.
3. The site shall be developed in conformance with the approved site plan.
4. The applicant shall submit a landscape plan, by a Kansas Landscape Architect, which conforms to the Landscape Code, to be approved by planning staff.
5. If a building permit has not been obtained within one year of approval, or if the Zoning Administrator finds that there is a violation of any of the conditions of this Conditional Use, the Zoning Administrator may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Adopted this 24 Day of April 2008.

METROPOLITAN AREA PLANNING COMMISSION

Don E. Chisler
M.S. Mitchell, Chair MAPC V.C.

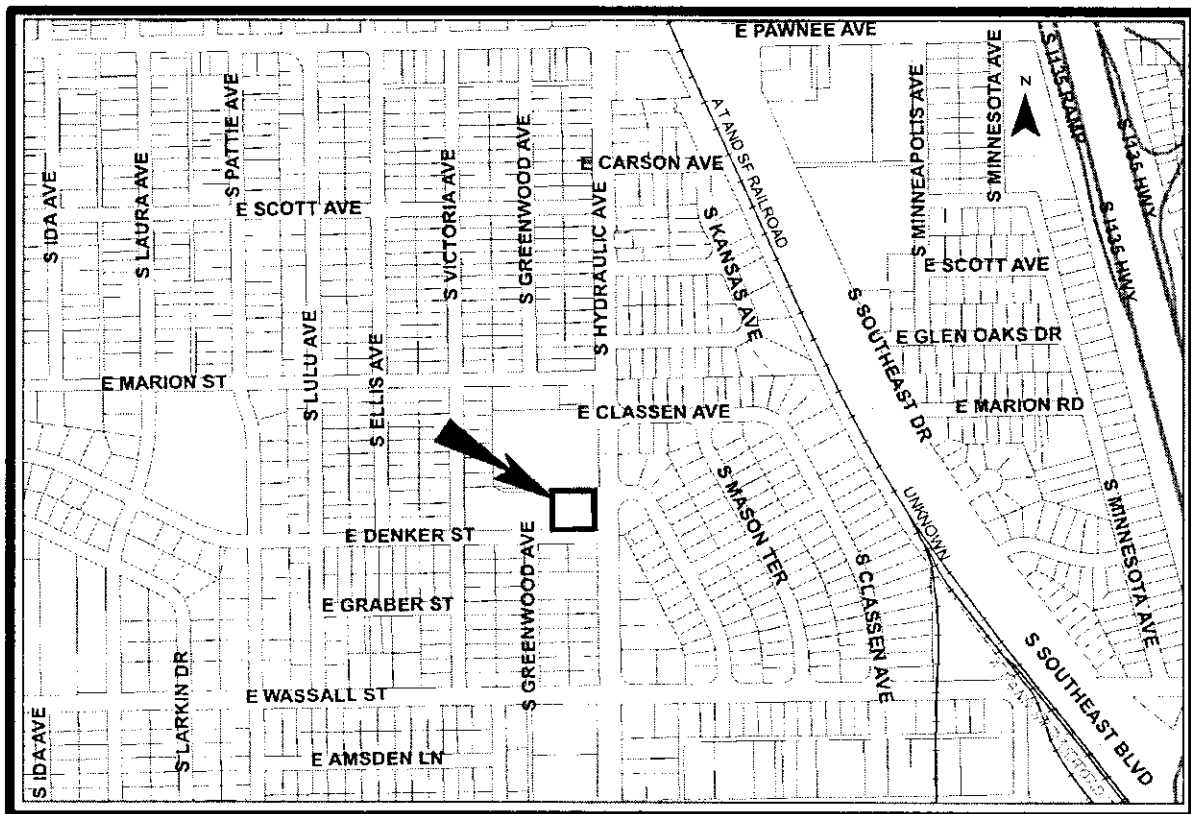
ATTEST:

John L. Schlegel
John L. Schlegel, Secretary

STAFF REPORT

MAPC April 24, 2008

<u>CASE NUMBER:</u>	CON2008-16
<u>APPLICANT/AGENT:</u>	City of Wichita (Owner/Applicant) Hanney and Assoc. Architects c/o Joe Perez (Agent)
<u>REQUEST:</u>	Conditional Use for a Safety Service (Fire Station)
<u>CURRENT ZONING:</u>	SF-5 Single-family Residential
<u>SITE SIZE:</u>	.82-acres
<u>LOCATION:</u>	Generally located west of Hydraulic and north of Denker Street (2659 South Hydraulic).
<u>PROPOSED USE:</u>	Fire Station



BACKGROUND: The applicant seeks a Conditional Use to permit a Safety Service, or Fire station in SF-5 Single-family Residential ("SF-5") zoning. The site is developed with a residence, built in 1928, which will be demolished for the fire station. The site plan provided by the applicant demonstrates a Fire Station and associated parking. The site plan as provided would require an administrative adjustment for parking within the rear setback, and would require a minor street privilege approval for the parking shown south of the site within the Denker Street right of way.

North of the site is an SF-5 zoned legal non-conforming mobile home park, south of the site are SF-5 zoned single-family residences. East of the site, across Hydraulic, are SF-5 zoned residences and an LC Limited Commercial ("LC") zoned business. West of the site is an SF-5 zoned church and an SF-5 zoned neighborhood.

CASE HISTORY: The site is platted as Lot 1 except the north 15 feet, and the east 50 feet of Lot 2 except the north 15 feet of the Este Cate 2nd Addition in 1990. A replat of the site, the Fire Station 22 Addition, was approved by the City Council on April 1, 2008. The replat is awaiting recording.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Mobile home park
SOUTH:	SF-5	Single-family residential
EAST:	SF-5, LC	Single-family residential, retail
WEST:	SF-5	Single-family residential

PUBLIC SERVICES: The site has access to Hydraulic, a paved four-lane arterial with a 100-foot right of way at this location. The site also has access from Denker, a paved two-lane local street with a 60-foot right of way. All other municipal services are available at the site.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Unified Zoning Code Land Use Guide identifies the site as appropriate for Urban Residential development. The Unified Zoning Code would require building setbacks and screening from residences; the Landscape Code would require a landscape plan approved for this site.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

1. The applicants shall obtain all applicable permits including, but not limited to: building, health and zoning.
2. Prior to the issuance of building permits, the applicant shall submit a site plan, to be approved by planning staff and the City Traffic Engineer. The site plan shall conform to all city codes, or required administrative adjustments and permits shall be obtained.
3. The site shall be developed in conformance with the approved site plan.
4. The applicant shall submit a landscape plan, by a Kansas Landscape Architect,

which conforms to the Landscape Code, to be approved by planning staff.

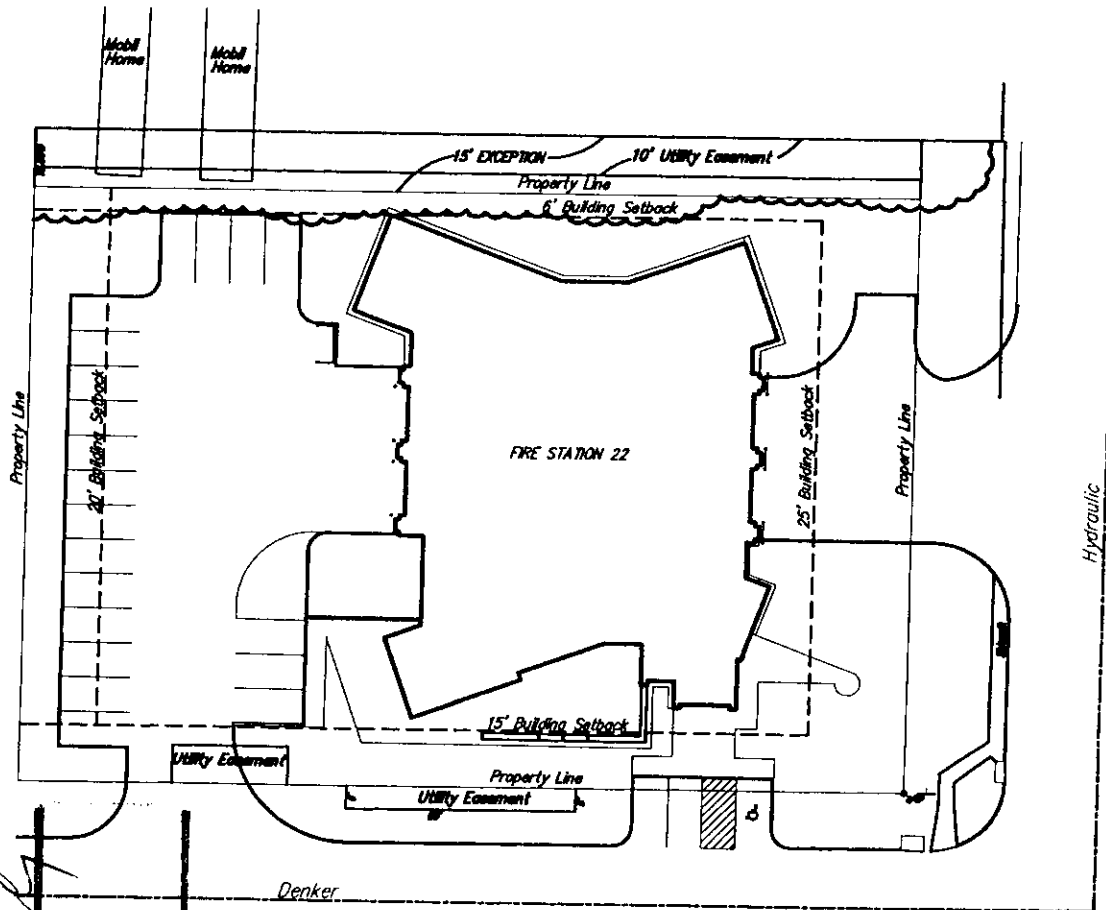
5. If a building permit has not been obtained within one year of approval, or if the Zoning Administrator finds that there is a violation of any of the conditions of this Conditional Use, the Zoning Administrator may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** North of the site is an SF-5 zoned legal non-conforming mobile home park, south of the site are SF-5 zoned single-family residences. East of the site, across Hydraulic, are SF-5 zoned residences and an LC Limited Commercial ("LC") zoned business. West of the site is an SF-5 zoned church and an SF-5 zoned neighborhood.
2. **The suitability of the subject property for the uses to which it has been restricted:** The site is zoned SF-5, which primarily permits residential uses. The site could continue to be used without the Conditional Use as a single-family residence.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The requested Conditional Use will subject surrounding residences to increased traffic, noise, light, and activity in their neighborhood. The code minimum requirements for setbacks and screening, and a landscape plan should mitigate these concerns. Likewise, a site plan approved by staff and the City Traffic Engineer should mitigate traffic conflicts.
4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Wichita-Sedgwick County Unified Zoning Code Land Use Guide identifies the site as appropriate for Urban Residential development. The Unified Zoning Code would require building setbacks and screening from residences; the Landscape Code would require a landscape plan approved for this site.
5. **Impact of the proposed development on community facilities:** The requested Conditional Use will increase traffic on Hydraulic and Denker. However, the proposed fire station will be increasing community safety in the immediate area.

FIRE STATION 22

FOR THE CITY OF WICHITA

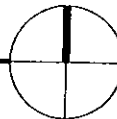


A

NEW SITE PLAN

SCALE: 1" = 50'-0"

NORTH



Lot 1, Este Cate Second Addition, Wichita, Sedgwick County, Kansas

CON2008-16

Date: 5-23-08

William J. Lee

APPROVED

SITE PLAN FZ-1 2008-16