

CONDITIONAL USE RESOLUTION NO. CON-2002-00008

WHEREAS, City of Wichita c/o Norman Jakovac (owner/applicant), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow Safety Service on 1.12 acres zoned "LC" Limited Commercial, "GO" General Office, and "SF-5" Single-Family Residential described as:

Lot 3 and the North 30 feet of Lot 2, Brunch Addition, Wichita, Sedgwick County, Kansas. Generally located north of 21st Street North and east of Coolidge.

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 4, 2002, 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 permit a Conditional Use to allow Safety Service on 1.12 acres zoned "LC" Limited Commercial, "GO" General Office, and "SF-5" Single-Family Residential described as:

Lot 3 and the North 30 feet of Lot 2, Brunch Addition, Wichita, Sedgwick County, Kansas. Generally located north of 21st Street North and east of Coolidge.

subject to the following conditions:

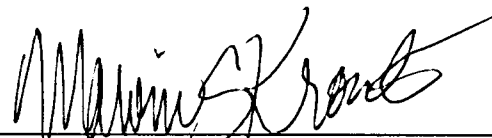
1. The site shall be developed in general conformance with the approved site plan.
2. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
3. Any violation of the conditions of approval shall render the Conditional Use null and void.

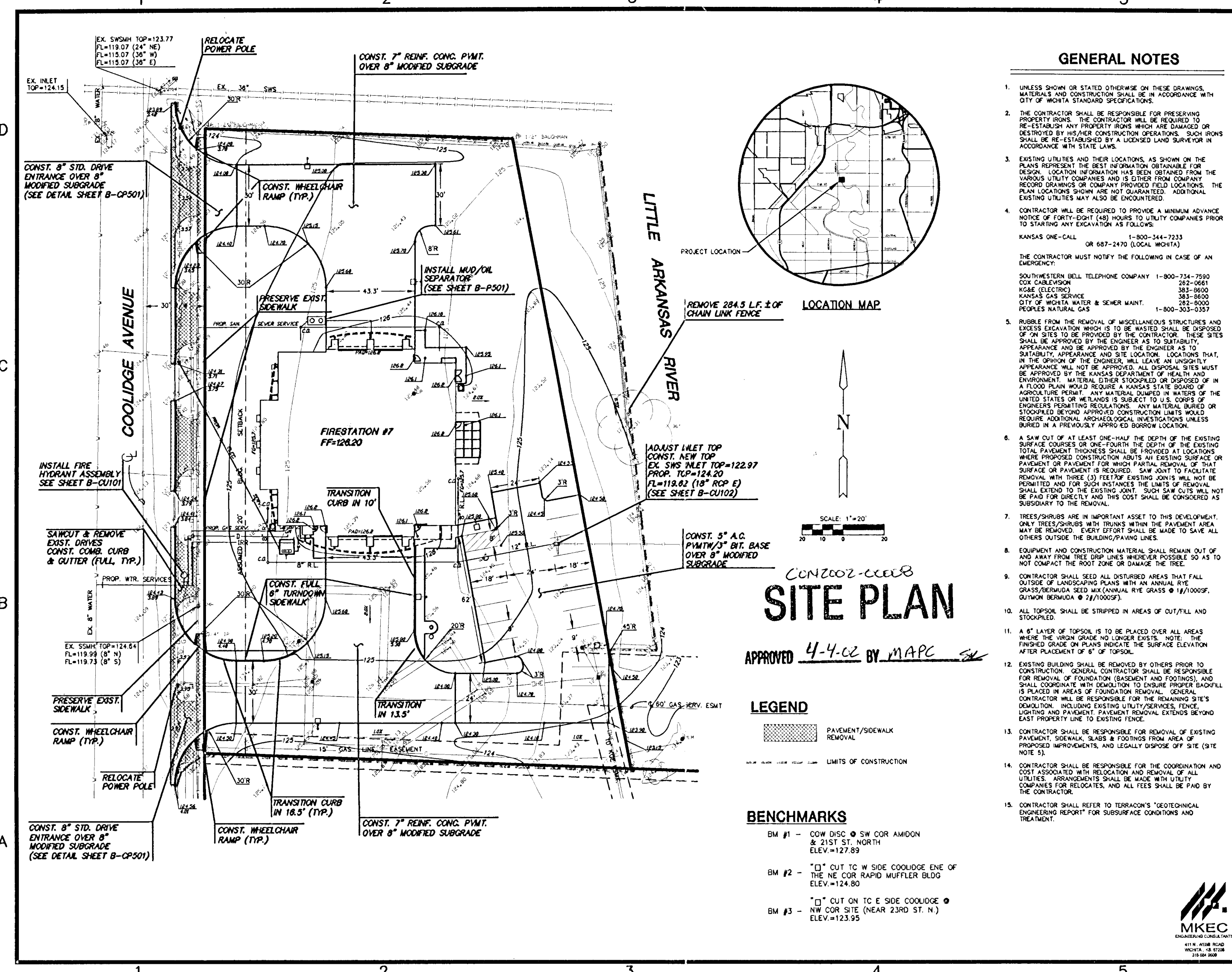
Adopted this 4th day of APRIL, 2002. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION


J.D. (Jerry) Michaelis, Chair MAPC

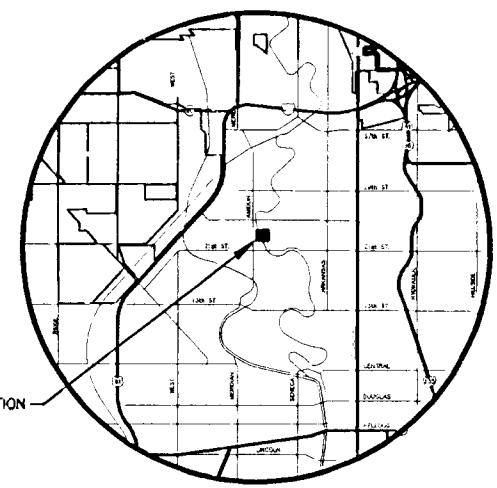
ATTEST:


Marvin S. Krout, Secretary

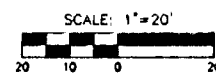
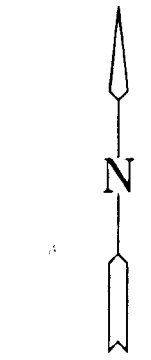


GENERAL NOTES

- 1. UNLESS SHOWN OR STATED OTHERWISE ON THESE DRAWINGS, MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF WICHITA STANDARD SPECIFICATIONS.
- 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRESERVING PROPERTY IRONS. THE CONTRACTOR WILL BE REQUIRED TO RE-ESTABLISH ANY PROPERTY IRONS WHICH ARE DAMAGED OR DESTROYED BY HIS/HER CONSTRUCTION OPERATIONS. SUCH IRONS SHALL BE RE-ESTABLISHED BY A LICENSED LAND SURVEYOR IN ACCORDANCE WITH STATE LAWS.
- 3. EXISTING UTILITIES AND THEIR LOCATIONS, AS SHOWN ON THE PLANS REPRESENT THE BEST INFORMATION OBTAINABLE FOR DESIGN. LOCATION INFORMATION HAS BEEN OBTAINED FROM THE VARIOUS UTILITY COMPANIES AND IS EITHER FROM COMPANY RECORD DRAWINGS OR COMPANY PROVIDED FIELD LOCATIONS. THE PLAN LOCATIONS SHOWN ARE NOT GUARANTEED. ADDITIONAL EXISTING UTILITIES MAY ALSO BE ENCOUNTERED.
- 4. CONTRACTOR WILL BE REQUIRED TO PROVIDE A MINIMUM ADVANCE NOTICE OF FORTY-EIGHT (48) HOURS TO UTILITY COMPANIES PRIOR TO STARTING ANY EXCAVATION AS FOLLOWS:
KANSAS ONE-CALL 1-800-344-7233
OR 687-2470 (LOCAL WICHITA)
THE CONTRACTOR MUST NOTIFY THE FOLLOWING IN CASE OF AN EMERGENCY:
SOUTHWESTERN BELL TELEPHONE COMPANY 1-800-734-7590
COX CABLEVISION 262-0661
KG&E (ELECTRIC) 383-8600
KANSAS GAS SERVICE 383-8600
CITY OF WICHITA WATER & SEWER MAINT. 262-6000
PEOPLES NATURAL GAS 1-800-303-0357
- 5. RUBBLE FROM THE REMOVAL OF MISCELLANEOUS STRUCTURES AND EXCESS EXCAVATION WHICH IS TO BE WASTED SHALL BE DISPOSED OF ON SITES TO BE PROVIDED BY THE CONTRACTOR. THESE SITES SHALL BE APPROVED BY THE ENGINEER AS TO SUITABILITY, APPEARANCE AND BE APPROVED BY THE ENGINEER AS TO SUITABILITY, APPEARANCE AND SITE LOCATION. LOCATIONS THAT, IN THE OPINION OF THE ENGINEER, WILL LEAVE AN UNSIGHTLY APPEARANCE WILL NOT BE APPROVED. ALL DISPOSAL SITES MUST BE APPROVED BY THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT. MATERIAL EITHER STOCKPILED OR DISPOSED OF IN A FLOOD PLAIN WOULD REQUIRE A KANSAS STATE BOARD OF AGRICULTURE PERMIT. ANY MATERIAL DUMPED IN WATERS OF THE UNITED STATES OR WETLANDS IS SUBJECT TO U.S. CORPS OF ENGINEERS PERMITTING REGULATIONS. ANY MATERIAL BURIED OR STOCKPILED BEYOND APPROVED CONSTRUCTION LIMITS WOULD REQUIRE ADDITIONAL ARCHAEOLOGICAL INVESTIGATIONS UNLESS BURIED IN A PREVIOUSLY APPROVED BORROW LOCATION.
- 6. A SAW CUT OF AT LEAST ONE-HALF THE DEPTH OF THE EXISTING SURFACE COURSES OR ONE-FOURTH THE DEPTH OF THE EXISTING TOTAL PAVEMENT THICKNESS SHALL BE PROVIDED AT LOCATIONS WHERE PROPOSED CONSTRUCTION ADJUTS AN EXISTING SURFACE OR PAVEMENT OR PAVEMENT FOR WHICH PARTIAL REMOVAL OF THAT SURFACE OR PAVEMENT IS REQUIRED. SAW JOINTS TO FACILITATE REMOVAL WITH THREE (3) FEET OF EXISTING JOINTS WILL NOT BE PERMITTED AND FOR SUCH INSTANCES THE LIMITS OF REMOVAL SHALL EXTEND TO THE EXISTING JOINT. SUCH SAW CUTS WILL NOT BE PAID FOR DIRECTLY AND THIS COST SHALL BE CONSIDERED AS SUBSIDIARY TO THE REMOVAL.
- 7. TREES/SHRUBS ARE IN IMPORTANT ASSET TO THIS DEVELOPMENT. ONLY TREES/SHRUBS WITH TRUNKS WITHIN THE PAVEMENT AREA MAY BE REMOVED. EVERY EFFORT SHALL BE MADE TO SAVE ALL OTHERS OUTSIDE THE BUILDING/PAVING LINES.
- 8. EQUIPMENT AND CONSTRUCTION MATERIAL SHALL REMAIN OUT OF AND AWAY FROM TREE DRIP LINES WHEREVER POSSIBLE SO AS TO NOT COMPACT THE ROOT ZONE OR DAMAGE THE TREE.
- 9. CONTRACTOR SHALL SEED ALL DISTURBED AREAS THAT FALL OUTSIDE OF LANDSCAPING PLANS WITH AN ANNUAL RYE GRASS/BERMUDA SEED MIX (ANNUAL RYE GRASS @ 18/1000SF, QUINCY BERMUDA @ 21/1000SF).
- 10. ALL TOPSOIL SHALL BE STRIPPED IN AREAS OF CUT/FILL AND STOCKPILED.
- 11. A 6" LAYER OF TOPSOIL IS TO BE PLACED OVER ALL AREAS WHERE THE VIRGIN GRADE NO LONGER EXISTS. NOTE: THE FINISHED GRADE ON PLANS INDICATE THE SURFACE ELEVATION AFTER PLACEMENT OF 6" OF TOPSOIL.
- 12. EXISTING BUILDING SHALL BE REMOVED BY OTHERS PRIOR TO CONSTRUCTION. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF FOUNDATION (BASEMENT AND FOOTINGS), AND SHALL COORDINATE WITH DEMOLITION TO ENSURE PROPER BACKFILL IS PLACED IN AREAS OF FOUNDATION REMOVAL. GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR THE REMAINING SITE'S DEMOLITION, INCLUDING EXISTING UTILITY/SERVICES, FENCE, LIGHTING AND PAVEMENT. PAVEMENT REMOVAL EXTENDS BEYOND EAST PROPERTY LINE TO EXISTING FENCE.
- 13. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF EXISTING PAVEMENT, SIDEWALK, SLABS & FOOTINGS FROM AREA OF PROPOSED IMPROVEMENTS, AND LEGALLY DISPOSE OFF SITE (SITE NOTE 5).
- 14. CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION AND COST ASSOCIATED WITH RELOCATION AND REMOVAL OF ALL UTILITIES. ARRANGEMENTS SHALL BE MADE WITH UTILITY COMPANIES FOR RELOCATES, AND ALL FEES SHALL BE PAID BY THE CONTRACTOR.
- 15. CONTRACTOR SHALL REFER TO TERRACON'S "GEOTECHNICAL ENGINEERING REPORT" FOR SUBSURFACE CONDITIONS AND TREATMENT.



LOCATION MAP



SITE PLAN

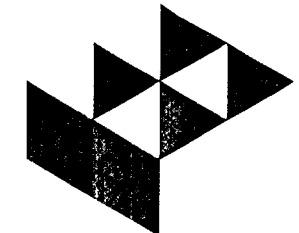
APPROVED 4-4-02 BY MAPC

LEGEND

- PAVEMENT/SIDEWALK REMOVAL
- LIMITS OF CONSTRUCTION

BENCHMARKS

- BM #1 - COW DISC @ SW COR AMIDON & 21ST ST. NORTH ELEV.=127.89
- BM #2 - " " CUT TO W SIDE COOLIDGE ENE OF THE NE COR RAPID MUFFLER BLDG ELEV.=124.80
- BM #3 - " " CUT ON TC E SIDE COOLIDGE @ NW COR SITE (NEAR 23RD ST. N.) ELEV.=123.95



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Fire Station No. 7
2346 N. Coolidge Ave

2001 Green Livingston Associates, Inc.

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Green Livingston Associates, Inc.

Regional Library & Fire Stations
(No. 4, 7, 12, 13 & 19)
for the City of Wichita, Kansas

SITE CIVIL PLAN

Job No.	1038.000	B-CP 101 or Page 4 of 49
Date	01/25/02	
Drawn		
Checked		



STAFF REPORT

MAPC – April 4, 2002

CASE NUMBER: CON2002-00008

APPLICANT/OWNER: City of Wichita c/o Norman Jakovac

AGENT: MKEC Engineering Consultants, Inc. c/o Dean Sellers

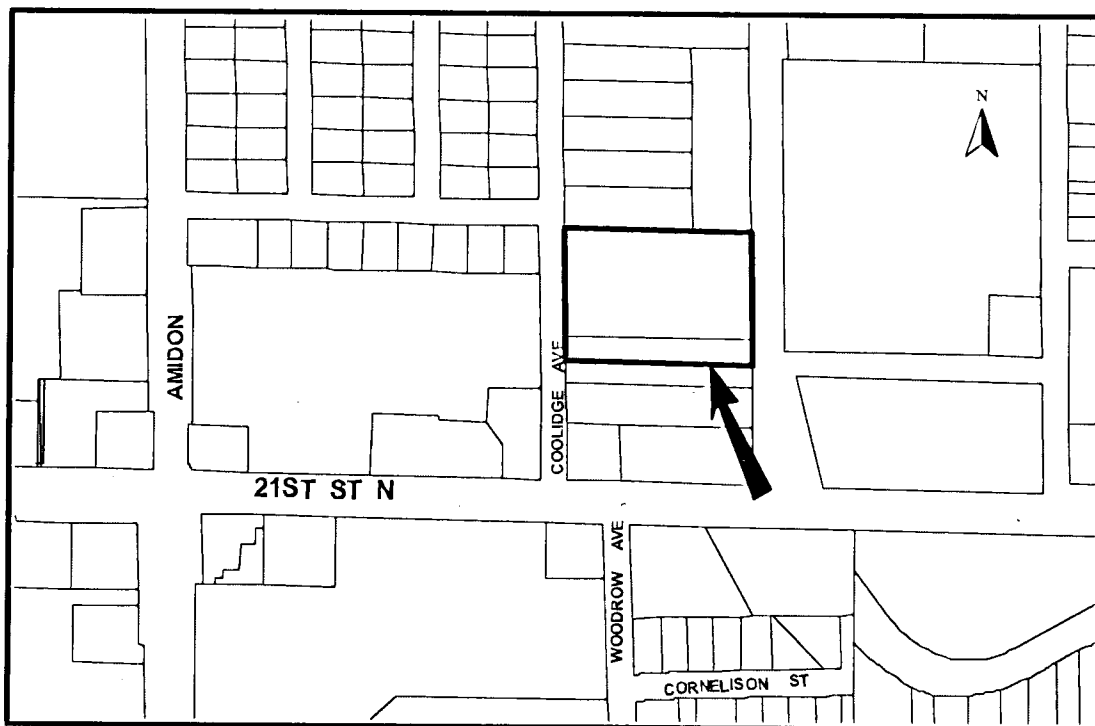
REQUEST: Conditional Use to allow Safety Service

CURRENT ZONING: "LC" Limited Commercial, "GO" General Office, and "SF-5" Single Family Residential

SITE SIZE: 1.12 acres

LOCATION: North of 21st Street North and east of Coolidge

PROPOSED USE: Fire Station



BACKGROUND: The applicant is requesting a Conditional Use to allow the construction of a fire station on a 1.12 acre platted tract located north of 21st Street North and east of Coolidge. The subject property zoned "LC" Limited Commercial, "GO" General Office, and "SF-5" Single-Family Residential. A fire station is included in the Unified Zoning Code definition of Safety Service, which is permitted by right in the "LC" Limited Commercial and less restrictive zoning districts but requires a Conditional Use in more restrictive zoning districts.

The subject property is currently developed with a vacant, single-story office/retail building. The applicant proposes to raze the existing building and redevelop the site with a fire station per the attached site plan. The site plan shows the fire station located approximately in the center of the site, with a parking area located south and east of the fire station. Two access drives to Coolidge are shown, with the southern access drive to be used for fire trucks leaving the station and the northern access drive to be used when fire trucks return to the station. A landscaped street yard is provided along the Coolidge street frontage, and landscaped buffer yards are provided along the north and south property lines. The specific landscape materials to be used in the landscaped yards will be determined through a separate landscape plan to be approved by the Planning Director and the Zoning Administrator.

The subject property abuts residential zoning to the east and north, and normally screening would be required along both property lines. However, the Unified Zoning Code provides an exception to the screening requirements when properties are separated by a major barrier. The Little Arkansas River located east of the subject is specifically defined by the Unified Zoning Code as a major barrier; therefore, screening will be required only along the north property line. The existing fence located along the north property line satisfies the screening requirement.

The character of the surrounding area is dominated by the regional-scale commercial uses located at the intersection of 21st Street North and Amidon. Residential uses to the north and east also are located in close proximity to the subject property. The properties located west of the subject property across Coolidge are zoned "LC" Limited Commercial and "B" Multi-Family Residential and are developed with a grocery store and single-family residences, respectively. The properties located south of the subject property are zoned "LC" Limited Commercial and are developed with office and retail uses. The property located east of the subject property across the Little Arkansas River is zoned "B" Multi-Family Residential and is developed with apartments. The properties located north of the subject property are zoned "SF-5" Single-Family Residential and are developed with single-family residences.

CASE HISTORY: The subject property is platted as the north 30 feet of Lot 2 and all of Lot 3, Brunch Addition, which was recorded December 3, 1957.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-5"	Single-family residences
EAST:	"B"	Apartments
SOUTH:	"LC"	Retail, office
WEST:	"LC" & "B"	Grocery store, single-family residences

PUBLIC SERVICES: The subject property has frontage along Coolidge, a paved local street; however, the subject property will access 21st Street North via the intersection with Coolidge located ½ block to the south. In this location, 21st Street North is a five-lane arterial street with current traffic volumes of approximately 21,500 vehicles per day. The 2030 Transportation Plan projects traffic volumes on 21st Street North to increase to approximately 23,250 vehicles per day. The proposed use of will decrease the potential traffic generation by the subject property, and many of the trips generated by the subject property will be by emergency vehicles for which other vehicles must yield. Public water and sewer service are currently available to the subject property.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Commercial" development. The proposed development of the subject property with a fire station is consistent with the "Commercial" land use designation. The Fire Station Location Study completed in February 2000 identifies the 21st Street North and Amidon area as the appropriate location to relocate Fire Station #7, which is currently located at the intersection of 13th Street North and St. Paul. The Fire Station Location Study indicates that Fire Station #7 needs to be relocated because the current station is in too small for newer fire trucks and is in a poor location relative to the coverage needs of northwestern central Wichita.

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

1. The site shall be developed in general conformance with the approved site plan.
2. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
3. Any violation of the conditions of approval shall render the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The character of the surrounding area is dominated by the regional-scale commercial uses located at the intersection of 21st Street North and Amidon. Most of the property in the area is zoned "LC" Limited Commercial. The proposed use of the subject property as a fire station is compatible with the zoning, uses, and character of the neighborhood.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned "LC" Limited Commercial, "GO" General Office, and "SF-5" Single-Family Residential. The subject property is suitable for office and retail uses permitted by these zoning districts, and the subject property is currently developed with such uses. However, office and retail uses on the subject property have not proven successful and are currently vacant.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by the screening, lighting, and compatibility standards of the Unified Zoning Code and the landscaped street yard, parking lot screening, and buffer requirements of the Landscape Ordinance, which should limit noise, lighting, and other activity from adversely impacting the lower intensity residential area to the north.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Commercial" development. The proposed development of the subject property with a fire station is consistent with the "Commercial" land use designation. The Fire Station Location Study completed in February 2000 identifies the 21st Street North and Amidon area as the appropriate location to relocate Fire Station #7.
5. Impact of the proposed development on community facilities: No detrimental impacts on community facilities are anticipated.