



Wichita-Sedgwick County Metropolitan Area Planning Department

November 15, 2019

Joan S. and Elmer J. Sigg Revocable Trust
P.O. Box 122
Colwich, KS 67030

MKEC Engineering, Inc.
%Brian Lindebak
411 Webb Road
Wichita, KS 67206

RE: CON2019-00035 - County conditional use to allow Safety Services for a future County Fire Station on property zoned RR Rural Residential on the west side of North 247th Street West and approximately 900 feet north of West 61st Street North

Dear Applicant:

At its regular meeting on **October 10, 2019**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request in accordance with the attached resolution. No protests were filed, so this matter is considered complete, subject to the conditions outlined in the resolution.

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

Sincerely,

A handwritten signature in black ink that reads 'David L. Yearout'.

David L. Yearout, AICP
Principal Planner

Copies to: MABCD – Kelly Dixon
BCCC #3 David T. Dennis
Justin Waggoner

CONDITIONAL USE RESOLUTION NO. CON2019-00035

WHEREAS, Joan W. and Elmer J. Sigg, (Owners) through Brian Lindebak, MKEC (Agent) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a Safety Services facility for a future County Fire Station on property zoned RR, Rural Residential District, on the west side of North 247th Street West and approximately 900 feet north of West 61st Street North, and legally described as:

A tract of land in the Southeast Quarter of Section 10, Township 26 South, Range 3 West of the 6th P.M., Sedgwick County, Kansas described as follows:

BEGINNING at the Northeast corner of Lot 10, Block 3, Gresl Addition to Andale, Sedgwick County, Kansas; thence West along the North line of said Gresl Addition a distance of 295.16 feet; thence North parallel with the East line of said Southeast Quarter a distance of 295.16 feet; thence East parallel with the North line of said Gresl Addition a distance of 295.16 feet to a point on the West line of Deed to the State of Kansas for Highway Purposes, recorded in Deed Book 1315, Page 276, said point being 60 feet West of the East line of the Southeast Quarter of Section 10; thence South parallel with the East line of said Southeast Quarter a distance of 295.16 feet to the POINT OF BEGINNING.
Said tract CONTAINS: 87,118 square feet or 2.00 acres of land, more or less.

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 October 10, 2019, 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 Safety Services facility for a future County Fire Station on property zoned RR, Rural Residential District, on the west side of North 247th Street West and approximately 900 feet north of West 61st Street North, and legally described as:

A tract of land in the Southeast Quarter of Section 10, Township 26 South, Range 3 West of the 6th P.M., Sedgwick County, Kansas described as follows:

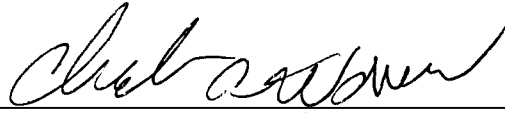
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Said tract CONTAINS: 87,118 square feet or 2.00 acres of land, more or less.

Subject to the following conditions:

1. Within 60 days of approval, the applicant shall provide a revised site plan showing compliance with the screening requirements of the Unified Zoning Code (Section IV.B.4.d cited herein) and the lighting requirements of the Unified Zoning Code (Section IV.B.5 cited herein).
2. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 10th Day of OctoSber, 2019

METROPOLITAN AREA PLANNING COMMISSION



Charles A. Warren, Chair MAPC

ATTEST:



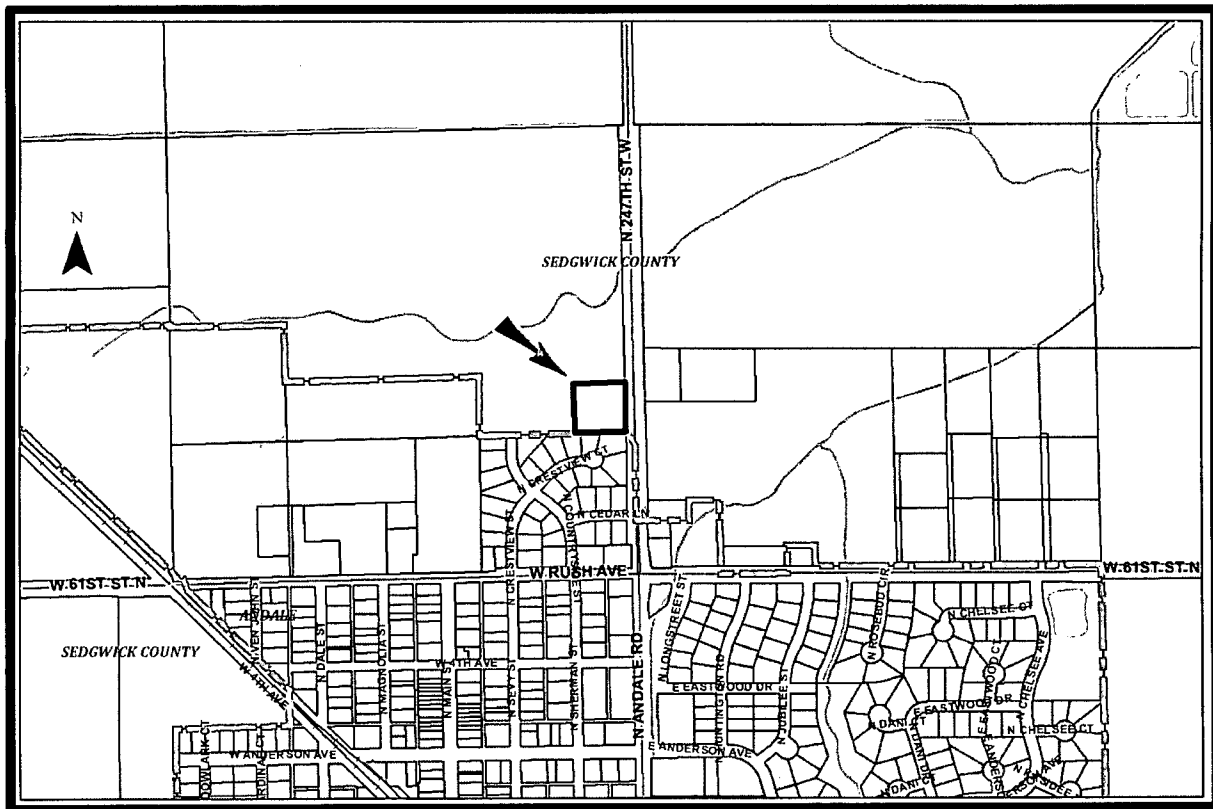
Dale Miller, Secretary

STAFF REPORT

MAPC October 10, 2019

City of Andale Area of Influence – No comment

- CASE NUMBER:** CON2019-00035
- OWNER/APPLICANT:** Joan S. Sigg Revocable Trust & Elmer J. Sigg Revocable Trust (Owner)/
 MKEC – Brian Lindebak (Agent)
- REQUEST:** Conditional Use for Safety Services
- CURRENT ZONING:** RR - Rural Residential District
- SITE SIZE:** 2.00 acres
- LOCATION:** Generally located on the west side of North 247th Street West and
 approximately 900 feet north of West 61st Street North
- PROPOSED USE:** Safety Service – New County Fire Station



BACKGROUND: This County application was filed to request a Conditional Use to permit a Safety Service facility, which will be a new County Fire Station on the west side of North 247th Street West at the north edge of the City of Andale, approximately 900 feet north of West 61st Street North. The entirety of the subject property is presently being platted for this facility as Sedgwick County Fire Station No. 31 Addition.

The agent has provided a revised site plan showing how the proposed fire station will be developed based on the proposed platting, which included addition site design for appropriate drainage issues. A copy of the site plan is attached.

This site is subject to the requirements in the Unified Zoning Code concerning screening from adjacent residential property along the side and rear lot lines. The applicable provision in the Unified Zoning Code is in Section IV.B.4.d as follows:

d. Screening along interior side and rear yards.

- (1) **General.** Screening of all nonresidential Uses shall be provided along all side or rear Lot Lines Abutting or across an Alley from a residential zoning District and screening of Multi-Family and Manufactured Home Park Uses shall be provided along all side or rear Lot Lines Abutting or across an Alley from property zoned TF-3 or more restrictive.

In addition, the provisions in the Unified Zoning Code concerning lighting standards apply. The applicable provision in the Unified Zoning Code is in Section IV.B.5 as follows:

5. **Lighting Standards.** Outdoor lighting sources, including base or pedestal, pole and fixture, shall employ cut-off luminaries to minimize light trespass and glare, and shall be mounted at a height not exceeding one-half the distance from the neighboring Lot, unless evidence is provided to the satisfaction of the Zoning Administrator that the light source will be aimed or shielded such that the light source is not visible from the neighboring Lot. Lighting sources shall be limited to 15 feet in height within 200 feet of residential zoning Districts.

The surrounding neighborhood is zoned RR to the east, west and north and is used mostly for agricultural uses. There is an existing rural residence on the east side of 247th Street West. The property to the south is in the City of Andale and is zoned R-1, Single-Family Residential by the City of Andale. That property is also used residentially.

CASE HISTORY: This property is currently being platted. There is no other record of any specific zoning actions on this parcel over the past several years.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	vacant agricultural
SOUTH:	R-1	single-family residence
EAST:	RR	single-family residence
WEST:	RR	vacant agricultural

PUBLIC SERVICES: The property will connect to public water and public sanitary sewer service from the City of Andale. The City has indicated this will occur and may not require annexation. There is sufficient capacity on North 247th Street West to accommodate traffic volume from the facility.

CONFORMANCE TO PLANS/POLICIES: The “*Community Investment Plan*” shows this location to be in the Urban Growth Area for the City of Andale. The City of Andale replied to this request indicating the City felt no need to comment further regarding this matter and was supportive of the establishment of the new fire station.

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

1. Within 60 days of approval, the applicant shall provide a revised site plan showing compliance with the screening requirements of the Unified Zoning Code (Section IV.B.4.d cited herein) and the lighting requirements of the Unified Zoning Code (Section IV.B.5 cited herein).
2. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is zoned RR to the east, west and north and is used mostly for agricultural uses. There is an existing rural residence on the east side of 247th Street West. The property to the south is in the City of Andale and is zoned R-1, Single-Family Residential by the City of Andale. That property is also used residentially.
2. **The suitability of the subject property for the uses to which it has been restricted:** The subject land has been used for agricultural purposes in the past and could continue for such use, but at a much lesser value to the owner.
3. **Extent to which removal of the restrictions will detrimentally effect nearby property:** The requested authorization is to establish a new fire station. This will have no other detrimental effects on other properties in the area.
4. **Length of time the property has been vacant as currently zoned:** The property has been used agriculturally for years.
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** The establishment of a fire station will benefit the agricultural community with improved public safety services. There is no harm to the community. The requested use is reasonable and will enhance value of the land.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The “*Community Investment Plan*” shows this location to be in the Urban Growth Area for the City of Andale. The City of Andale replied to this request indicating the City felt no need to comment further regarding this matter and was supportive of the establishment of the new fire station.
7. **Impact of the proposed development on community facilities:** The proposed use will have no detrimental impact on community facilities.

