



Wichita-Sedgwick County Metropolitan Area Planning Department

February 27, 2009

City of Wichita
Property Management
455 N. Main
Wichita, KS 67202

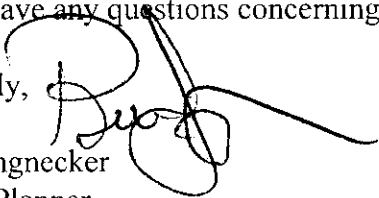
RE: CON2008-68 - City conditional use for safety service (regional fire training facility) in SF-5 Single-family Residential zoning, generally located on the north side of 31st Street South and west of Oliver Avenue

Dear Ladies and Gentlemen:

At its regular meeting on **January 22, 2009**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC 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,


Bill Longnecker
Senior Planner
Current Plans Division

DKS/mc
Enclosure

Cc: PEC, P.A., Attn: Robert Hartman, 303 S. Topeka, Wichita, KS 67202
K-15 Organization, John Kemp, 3000 E. Dunham, Wichita, KS 67216

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

T 316.268.4421 F 316.268.4390

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AND THAT PART OF THE SE 1/4 OF SEC. 2, TWP. 28-S, R-1-E OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SEC. 2, TWP. 28-S, R-1-E OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS; THENCE BEARING N00°00'00"E ALONG THE EAST LINE OF SAID SE 1/4, A DISTANCE OF 312.00 FEET; THENCE BEARING S89°10'47"W, A DISTANCE OF 59.50 FEET TO NE CORNER OF LOT 1, ROBERT E. BLEVINS ADDITION AND THE POINT OF BEGINNING; THENCE BEARING N13°59'21"E, A DISTANCE OF 39.26 FEET TO A POINT THAT IS 50.00 FEET WEST OF THE EAST LINE OF SAID SE 1/4; THENCE BEARING N00°00'00"E, PARALLEL WITH THE EAST LINE OF SAID SE 1/4, A DISTANCE OF 151.13 FEET; THENCE BEARING S89°10'47"W PARALLEL WITH THE SOUTH LINE OF SAID SE 1/4, A DISTANCE OF 849.58 FEET; THENCE BEARING S44°09'31"W, A DISTANCE OF 142.16 FEET; THENCE BEARING N70°41'25"W, A DISTANCE OF 20.30 FEET TO THE NORTHEAST CORNER OF LOT1, BLOCK A, DEN ADDITION; THENCE BEARING S00°58'13"E, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 333.97 FEET; THENCE BEARING S85°18'04"E, A DISTANCE OF 240.66 FEET TO A POINT THAT IS 50.00 FEET NORTH OF THE SOUTH LINE OF SAID SE 1/4; THENCE BEARING N89°10'47"E PARALLEL WITH THE SOUTH LINE OF SAID SE 1/4, A DISTANCE OF 422.26 FEET TO THE SW CORNER OF LOT 1, ROBERT E. BLEVINS ADDITION; THENCE BEARING N00°00'00"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE 262.00 FEET TO THE NORTH LINE OF LOT 1; THEN BEARING N89°10'47"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 290.50' FEET TO THE POINT OF BEGINNING.

CONDITIONAL USE DESCRIPTION

FENCING - TRAINING AREA TO BE ENCLOSED BY CHAIN LINK FENCE.

SCREENING - PARKING LOTS AND PAVED MAINTENANCE BUILDING APRONS WITHIN 150' OF OLIVER AND 31ST ST. SOUTH AS PER CITY OF WICHITA LANDSCAPE ORDINANCE.

BUILDING SETBACKS - 35' ALONG 31ST ST. SOUTH AND OLIVER. 0' ALONG NORTH PROPERTY LINE AND 58' ALONG WEST PROPERTY LINE.

DATE OF PREPARATION: NOVEMBER 5, 2008

DATE OF TOPOGRAPHIC SURVEY: JANUARY 2007

OWNER: CITY OF WICHITA
455 N. MAIN
WICHITA, KANSAS 67202

SUBDIVIDER: PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
303 S. TOPEKA
WICHITA, KS 67202

CONDITIONAL USE RESOLUTION NO. CON2008-00068

WHEREAS, the City of Wichita (applicant/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 for Safety Service, specifically a regional fire training facility on approximately 12.5-acre zoned SF-5 Single-family Residential ("SF-5") and Limited Commercial ("LC") described as:

Lot 1, Robert E. Blevins Addition, Wichita, Sedgwick County, Kansas; together with that part of the Southeast Quarter of Section 2, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence Easterly along the South line of said Southeast Quarter, 1,159.84 feet to the intersection with the Easterly right-of-way line of Kansas Turnpike Authority (deeded and described in Special Warranty Deed, (Deed Book 1085, Page 469), and designated therein as Kansas Turnpike Tract No. 7-34, revised April 22, 1957); thence Northeasterly with a deflection angle to the left of 64 degrees 25'30" along said Easterly Kansas Turnpike Authority right-of-way line, 130.00 feet to the intersection with the North line of Kansas Turnpike Tract No. 7-34K as deeded and described in said Special Warranty Deed, (Deed Book 1085, Page 469), and for a point of beginning; thence continuing Northeasterly along said Easterly Kansas Turnpike Authority right-of-way line, 426.17 feet; thence Southeasterly with a deflection angle to the right of 84 degrees 42'18", 271.03 feet; thence Southerly with a deflection angle to the right of 69 degrees 43'12" and perpendicular to the South line of said Southeast Quarter, 333.97 feet to a point on the North line of said Kansas Turnpike Authority Tract No. 7-34K; thence Westerly with a deflection angle to the right of 95 degrees 40'09" along the North line of said Kansas Turnpike Tract No. 7-34K, 440.36 feet to the point of beginning. (Tract will be platted as Lot 1, Block A, Den Addition, Wichita, Sedgwick County, Kansas.)

And that part of the Southeast Quarter of Section 2, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas described as follows: Commencing at the Southeast corner of the Southeast Quarter of Section 2, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence bearing North 00 degrees 00'00" East along the East line of said Southeast Quarter, a distance of 312.00 feet; thence bearing South 89 degrees 10'47" West, a distance of 59.50 feet to the Northeast corner of Lot 1, Robert E. Blevins Addition and the point of beginning; thence bearing North 13 degrees 59'21" East, a distance of 39.26 feet to a point that is 50.00 feet West of the East line of said Southeast Quarter; thence bearing North 00 degrees 00'00" East, parallel with the East line of said Southeast Quarter, a distance of 151.13 feet; thence bearing South 89 degrees 01'47" West parallel with the South line of said Southeast Quarter, a distance of 849.58 feet; thence bearing South 44 degrees 09'31" West, a distance of 142.16 feet; thence bearing North 70 degrees 41'25" West, a distance of 20.30 feet to the Northeast corner of Lot 1, Block A, Den Addition; thence bearing South 00 degrees 58'13" East, along the East line of said Lot 1, a distance of 333.97 feet; thence bearing South 85 degrees 18'04" East, a distance of 240.66 feet to a point that is 50.00 feet North of the South line of said Southeast Quarter; thence bearing North 89 degrees 01'47" East parallel with the South line of said Southeast Quarter, a distance of 422.26 feet to the Southwest corner of Lot 1, Robert E. Blevins Addition; thence bearing North 00 degrees 00'00" East along the West line of said Lot 1, and distance of 262.00 feet to the North line of Lot 1; thence bearing North 89 degrees 10'47" East along the North line of said Lot 1, a distance of 290.50 feet to the point of beginning. Generally located on the north side of 31st Street South and west of Oliver Avenue.

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 January 22, 2009, consider said application.

WHEREAS, the MAPC has authority to permit a Conditional Use for Safety Service, specifically a regional fire training facility on approximately 12.5-acre zoned SF-5 Single-family Residential ("SF-5") and Limited Commercial ("LC"), 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 described as:

Lot 1, Robert E. Blevins Addition, Wichita, Sedgwick County, Kansas; together with that part of the Southeast Quarter of Section 2, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence Easterly along the South line of said Southeast Quarter, 1,159.84 feet to the intersection with the Easterly right-of-way line of Kansas Turnpike Authority (deeded and described in Special Warranty Deed, (Deed Book 1085, Page 469), and designated therein as Kansas Turnpike Tract No. 7-34, revised April 22, 1957); thence Northeasterly with a deflection angle to the left of 64 degrees 25'30" along said Easterly Kansas Turnpike Authority right-of-way line, 130.00 feet to the intersection with the North line of Kansas Turnpike Tract No. 7-34K as deeded and described in said Special Warranty Deed, (Deed Book 1085, Page 469), and for a point of beginning; thence continuing Northeasterly along said Easterly Kansas Turnpike Authority right-of-way line, 426.17 feet; thence Southeasterly with a deflection angle to the right of 84 degrees 42'18", 271.03 feet; thence Southerly with a deflection angle to the right of 69 degrees 43'12" and perpendicular to the South line of said Southeast Quarter, 333.97 feet to a point on the North line of said Kansas Turnpike Authority Tract No. 7-34K; thence Westerly with a deflection angle to the right of 95 degrees 40'09" along the North line of said Kansas Turnpike Tract No. 7-34K, 440.36 feet to the point of beginning. (Tract will be platted as Lot 1, Block A, Den Addition, Wichita, Sedgwick County, Kansas.)

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Approved subject to the following conditions:

1. The site shall be developed in general conformance with the approved site plan, including the required landscape buffer/landscaping where the nonresidential development is adjacent to residential zoning and arterial or collector streets.

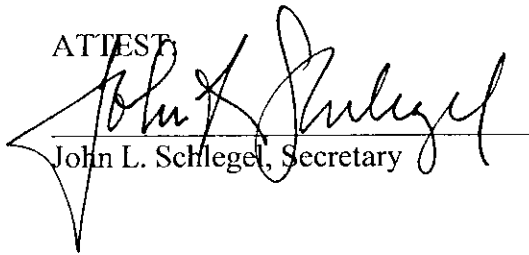
2. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
3. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set 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 22nd day of January, 2009.

METROPOLITAN AREA PLANNING COMMISSION


Darrel Downing, Chair MAPC

ATTEST


John L. Schlegel, Secretary

STAFF REPORT

MAPC, January 22, 2009

CASE NUMBER: CON2008-00068

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

AGENT: PEC c/o Rob Hartman

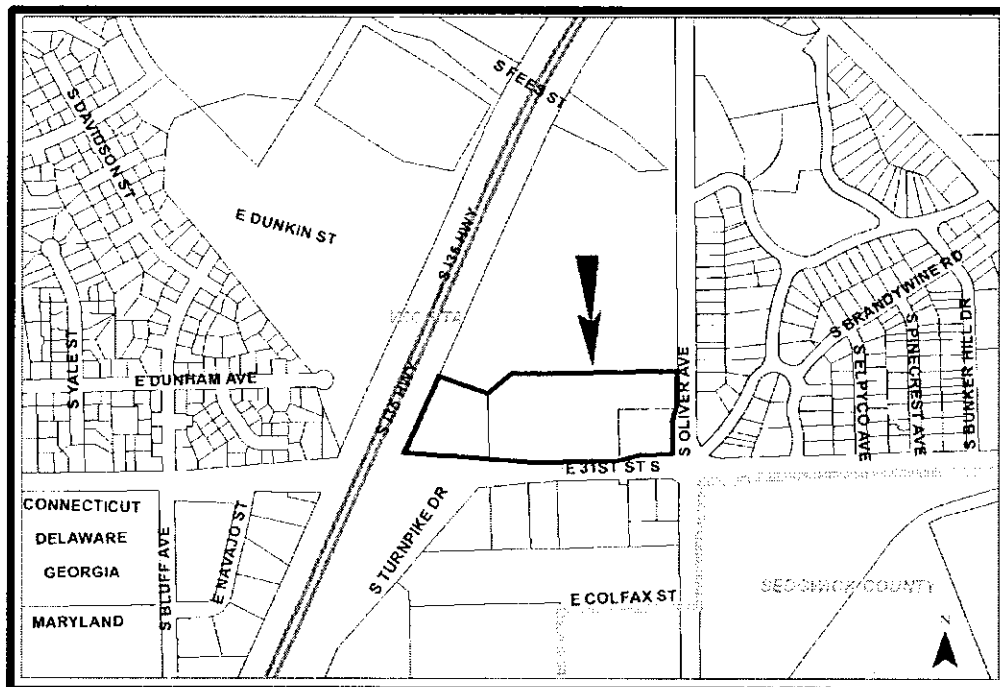
REQUEST: Conditional Use for Safety Service

CURRENT ZONING: SF-5 Single-Family Residential ("SF-5"), LC Limited Commercial ("LC")

SITE SIZE: 12.5-acres

LOCATION: North side of the 31st Street South, between Oliver Avenue and IH-35- Kansas Turnpike (KTA)

PROPOSED USE: Regional fire training facility



BACKGROUND: The applicant is requesting a Conditional Use to allow the development of a regional fire training facility on an unplatted 12.5-acre site located on north side of the 31st Street South, between Oliver Avenue and IH-35-KTA. Most of the site is zoned SF-5 Single-Family Residential ("SF-5"), with the east corner of it being zoned LC Limited Commercial ("LC"). A regional fire training facility is considered a "Government Service," which the Unified Zoning Code (UZC, Art II, Sec II-B, 5{d}) defines as "...buildings or facilities owned and operated by a government entity and providing services to the public...." Government services are first permitted by right in the LC zoning district, but require a Conditional Use in the more restrictive zoning districts, including the SF-5 zoning district. The regional fire training facility would provide training opportunities for all fire departments within the City and Sedgwick County.

The SF-5 zoned portion of the site is part of the unplatted approximately 44-acres property owned by the City and developed as the eastern portion of Plainview Park and an existing fire department training facility. The existing training facility is used for recruit training, basic firefighting skills training, driver and vehicle certification and re-certification, aerial ladder placement, safety driving courses, confined space training, EMT re-certification, trench rescue, and other related training. Most of the training occurs Monday – Friday, 8AM – 5PM, with some training on nights and weekends. The applicant proposes to keep the current facility's burn/training tower (which was recently rebuilt) the metal classroom/storage building and existing paved parking. The 2007-2013 City CIP has budgeted money for expansion of the current facility, including a new training center and a 72 stall parking lot. Beyond the 2007-2013 City CIP, future development plans include a maintenance building, a Sedgwick County addition to the above noted training center, a fueling station, a low water bridge, more paved parking, new fencing and demolition of some older structures; Exhibit #1, site plan. The undeveloped LC zoned portion is platted as Lot 1, Robert E Blevins Addition. Access to the site is off of 31st Street South.

Abutting the north side of the site is the previously mentioned eastern portion of the SF-5 zoned Plainview Park. The park has baseball fields that are heavily used March – mid October, Monday – Saturday, usually 5:30 PM – 10:30 PM, with some day games April – May, 3PM – 5PM. The park also has an area reserved for model plane flying that is open at all times. There is a bike path that runs through the site, from the park, which the applicant proposes to relocate future west on the site, which has been conceptually approved by Parks. Access to the park is off Oliver Avenue. The Kansas Turnpike (KTA) – IH 35 highway abuts the west side of the site.

The area west of the KTA is zoned SF-5 & MF-29 Multi-Family Residential ("MF-29"), and is developed as the western half of Plainview Park and has a mix of single-family and multi-family housing around the park. The western portion of the park is connected to the eastern portion of the park by a pedestrian crossover. The Boeing and Spirit Aircraft Companies, and some smaller privately owned industrial businesses, have developed most of the land south of 31st Street South to ½ mile south of 47th Street South, on both sides of Oliver Avenue. These properties are zoned Limited Industrial

("LI") and are a complex of manufacturing, assembly, warehouse, machine shops, tool & die, research and office. McConnell Air Force Base is also south and east of the area. The Boeing and Spirit Aircraft Companies and McConnell Air Force Base make up the most dominant economic dynamic in the city. Sandwiched between Oliver Avenue and McConnell and east of the site, across Oliver, is a small area zoned SF-5, TF-3 Duplex Residential ("TF-3"), MF-29, B Multi-Family Residential ("B") and LC. This area is a mix of single-family and multi-family housing, a bank and a retail store.

CASE HISTORY: The property is not platted and is owned by the City. The Park Department received the land in 1955 and it was developed as a public park with ball fields in the late 1960's through the early 1970's. The fire department training facility has been here since 1960 – 1961, which qualifies it has a legal nonconforming development. The western portion of the site had an application for LI zoning, ZON2002-69, which was never completed.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Plainview Park (public park)
SOUTH:	LI	Manufacturing, warehouse, Boeing & Spirit aircraft companies
EAST:	SF-5	Single-family residences
WEST:	KTAL –35, SF-5, MF-29	Single-family residences, Plainview Park (public park), multi-family residential

PUBLIC SERVICES: The site has frontage along 31st Street South, a paved 4-lane arterial at this location west of the Oliver – 31st Street South intersection. The site currently has access onto 31st. Public water and sewer service will have to be extended to the property along 31st Street South.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Park and Open Space" development. This category includes golf courses, public open space, private development reserves and recreational facilities/corridors, including natural drainage channels, easements, and abandoned railway corridors. The regional fire training facility is considered a "Government Service," which the UZC (Art III, Sec III-D) classifies as a "Public and Civic" land use. The UZC also classifies "Parks" as a "Public and Civic" land use. The current coexisting fire training facility and Plainview Park (since the early 1960s) would seem to indicate that an expansion of the fire training facility would have a minimal negative effect on each other. The proposed regional fire training facility would insure that industrial zoning would remain south of 31st Street South and act as a buffer for the park development. The regional fire training facility would provide training opportunities for all fire departments within the City and Sedgwick County.

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

1. The site shall be developed in general conformance with the approved site plan, including the required landscape buffer/landscaping where the nonresidential development is adjacent to residential zoning and arterial or collector streets.
2. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
3. 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 SF-5 zoned Plainview Park and the existing fire training facility occupy the land north of 31st Street South, between Oliver Avenue and KTA/I-35. The park and the training facility have coexisted on this site since the early 1960s. The Boeing and Spirit Aircraft Companies, and some smaller privately owned industrial businesses, have developed most of the land south of 31st Street South to ½ mile south of 47th Street South, on both sides of Oliver Avenue. These properties are zoned Limited Industrial ("LI") and are a complex of manufacturing, assembly, warehouse, machine shops, tool & die, research and office. McConnell Air Force Base is also south and east of the area. The Boeing and Spirit Aircraft Companies and McConnell Air Force Base make up the most dominant economic dynamic in the city. Sandwiched between Oliver Avenue and McConnell and east of the site, across Oliver, is a small area zoned SF-5, TF-3, MF-29, B, and LC. This area is a mix of single-family and multi-family housing, a bank and a retail store.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned SF-5, but has never been developed as residential. The current use of the property is a fire training facility and a part of Plainview Park, although this particular section of the parkland has no playing fields or recreation equipment. It's proximity to extensive industrial zoning and industrial development, plus nearby arterials, truck routes and rail systems make it is doubtful that the property will ever be developed as residential or be an integral part of the existing park, except to allowing continuation of the bike path through it. Expansion of the existing fire training facility into a regional training facility would provide training opportunities for all fire departments within the City and Sedgwick County.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental effects on nearby properties should be minimal.

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 "Park and Open Space" development. This category includes golf courses, public open space, private development reserves and recreational facilities/corridors, including natural drainage channels, easements, and abandoned railway corridors. The regional fire training facility is considered a "Government Service," which the UZC (Art III, Sec III-D) classifies as a "Public and Civic" land use. The UZC also classifies "Parks" as a "Public and Civic" land use. The current coexisting fire training facility and Plainview Park (since the early 1960s) would seem to indicate that an expansion of the fire training facility would have a minimal negative effect on each other. The proposed regional fire training facility would insure that industrial zoning would remain south of 31st Street South and act as a buffer for the park development. The regional fire training facility would provide training opportunities for all fire departments within the City and Sedgwick County.
5. Impact of the proposed development on community facilities: Public water and sewer service will have to be extended to the property along 31st Street South. The City will lose parkland, but that will be offset by the benefits of having a regional fire training facility that will provide the opportunity for better safety services to the Sedgwick County communities.