CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

June 17, 2016

City of Wichita
Property Management
c/o John Philbrick
Mail Stop 1-135

REFERENCE: CON2016-00014 – Conditional Use request for a Major Utility/Water Treatment Plant on SF-5 Single-family Residential zoned property generally located east of Hoover Road on the south side of 21st Street North (WCC #VI)

Dear Sir:

At its regular meeting on June 16, 2016, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to APPROVE, the request, with the following conditions.

(1) The Conditional Use shall be for a water treatment plant, not a sewage treatment plant. The site shall be platted before building permits are issued.
(2) The site shall be developed according to an approved site plan which shall show, but not limited to, parking, signage, landscaping, screening, etc. The site plan turned in with the application will be considered a concept plan which will be replaced with a site plan that will more closely resemble the facility when it is ready for development.
(3) IP Industrial Park setbacks shall apply to the site: a 50-foot front building setback, a 10-foot rear building setback and a 15-foot interior side yard building setback.
(4) Compatibility Height standards shall be in effect.

NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. The adopted policy is that the City Council will not take additional testimony on

zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 PM on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by June 30, 2016, at 5 PM. Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the City Commission overrides such a protest and approves the application by a vote of six (6) of its members.

If there are no valid protests or appeals of the Conditional Use, the recommendation of the MAPC is final. If appeals or protest petitions are filed, your application will be forwarded to the July 19, 2016, City Council meeting as a non-consent item for final action. This meeting will be at 9:00 a.m., on the first floor of City Hall, 455 N. Main.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Bill Longnecker
Senior Planner

BL: mc
cc: PEC, P.A., c/o Charles Brown, 303 South Topeka, Wichita KS 67202
Gary Janzen, City Engineer Public Works and Utilities, Mail Stop 1-71
Janet Miller, WCC VI, Mail Stop 1-13
Janet Johnson, Supervisor Office of Community Engagement, Mail Stop 1-135

CONDITIONAL USE RESOLUTION NO. CON2016-00014

WHEREAS, the City of Wichita, c/o John Philbrick (owner); 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 "Major Utility," specifically a Water Treatment Plant on approximately 75.18-acres zoned SF-5 Single-Family Residential ("SF-5"), described as:

A portion of the North Half of Section 11, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, also being a portion of land described in Condemnation Case No. 97C-380, more particularly described as:

Commencing at the northwest corner of the Northwest Quarter of said Section 11; thence bearing of North 89°55'35" East from the Kansas coordinate system 1983 south zone (K.S.A. 58-20a02), along the north line of said Northwest Quarter of said Section 11, for a distance of 500.02 feet to the Point of Beginning, said point being 500 feet east of the west line of said Northwest Quarter of Section 11; thence continuing bearing North 89°55'35" East along said north line of Section 11 for a distance of 2128.66 feet to the northeast corner of said Northwest Quarter of Section 11; thence bearing North 89°55'31" East along the north line of the Northeast Quarter of Section 11 for a distance of 790.81 feet to the northwest right of way line of the Arkansas River Watershed Wichita and Valley Center Big Slough – Cowskin Floodway, Arkansas River, Kansas, January 1950; thence along said Big Slough Floodway line for the following courses, bearing South 41°01'31" West for a distance of 184.98 feet; thence bearing South 48°58'29" East for a distance of 171.00 feet; thence bearing South 41°01'31" West for a distance of 300.00 feet; thence bearing North 48°58'29" West for a distance of 171.00 feet; thence bearing South 41°01'31" West for a distance of 697.42 feet to the east line of the Northwest Quarter of said Section 11; thence bearing South 41°01'31" West for a distance of 570.06 feet to the north line of the south half of the Northwest Quarter of said Section 11; thence bearing South 40°57'45" West for a distance of 1129.02 feet to the northeast right of way line of the Missouri-Pacific Railroad, being 50 feet northeast of the centerline of said Railroad; thence departing from said Big Slough Floodway line, bearing North 40°22'55" West along said northeast railroad right of way line for a distance of 1122.38 feet to said north line of the south half of the Northwest Quarter of said Section 11; thence continuing bearing North 40°22'55" West along said northeast railroad right of way line for a distance of 448.90 feet to the most southerly corner of U-Needa Self Storage Addition to Sedgwick County, Kansas, being 50 feet northeast of the centerline of said Railroad, also being 500 feet east of the west line of said Northwest Quarter of Section 11; thence North 0°38'52" West along the east side of said U-Needa Self Storage Addition for a distance of 974.06 feet to the Point of Beginning; Except the following: The north 10.00 acres of the east 640 feet of the west 1140 feet of the Northwest Quarter of Section 11, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, lying south of the north 60 feet thereof. Said tract is subject to varying road right of way for 21st Street along the north side thereof; generally located east of North Hoover Road on the south side of West 21st Street North.

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 June 16, 2016, 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 MAPC that this application be approved to allow a Conditional Use for a "Major Utility," specifically a Water Treatment Plant on approximately 75.18-acres zoned SF-5 Single-Family Residential ("SF-5"), described as:

A portion of the North Half of Section 11, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, also being a portion of land described in Condemnation Case No. 97C-380, more particularly described as:

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Approved subject to the following conditions:

(1) The Conditional Use shall be for a water treatment plant, not a sewage treatment plant. The site shall be platted before building permits are issued.
(2) The site shall be developed according to an approved site plan which shall show, but not limited to, parking, signage, landscaping, screening, etc. The site plan turned in with the application will be considered a concept plan which will be replaced with a site plan that will more closely resemble the facility when it is ready for development.
(3) IP Industrial Park setbacks shall apply to the site: a 50-foot front building setback, a 10-foot rear building setback and a 15-foot interior side yard building setback.

(4) Compatibility Height standards shall be in effect.

Adopted this 16th day of June 2016.

METROPOLITAN AREA PLANNING COMMISSION

Carol Chapman Neugent

Carol Chapman Neugent , Chair MAPC

ATTEST:

Dale Miller

Dale Miller, Secretary

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING

AGENDA ITEM NO. 7

STAFF REPORT
MAPC June 16, 2016
DAB VI June 15, 2016

CASE NUMBER: CON2016-00014

APPLICANT/AGENT: City of Wichita - Public Works, c/o Gary Janzen (applicant/owner)
PEC, c/o Charles Brown (agent)

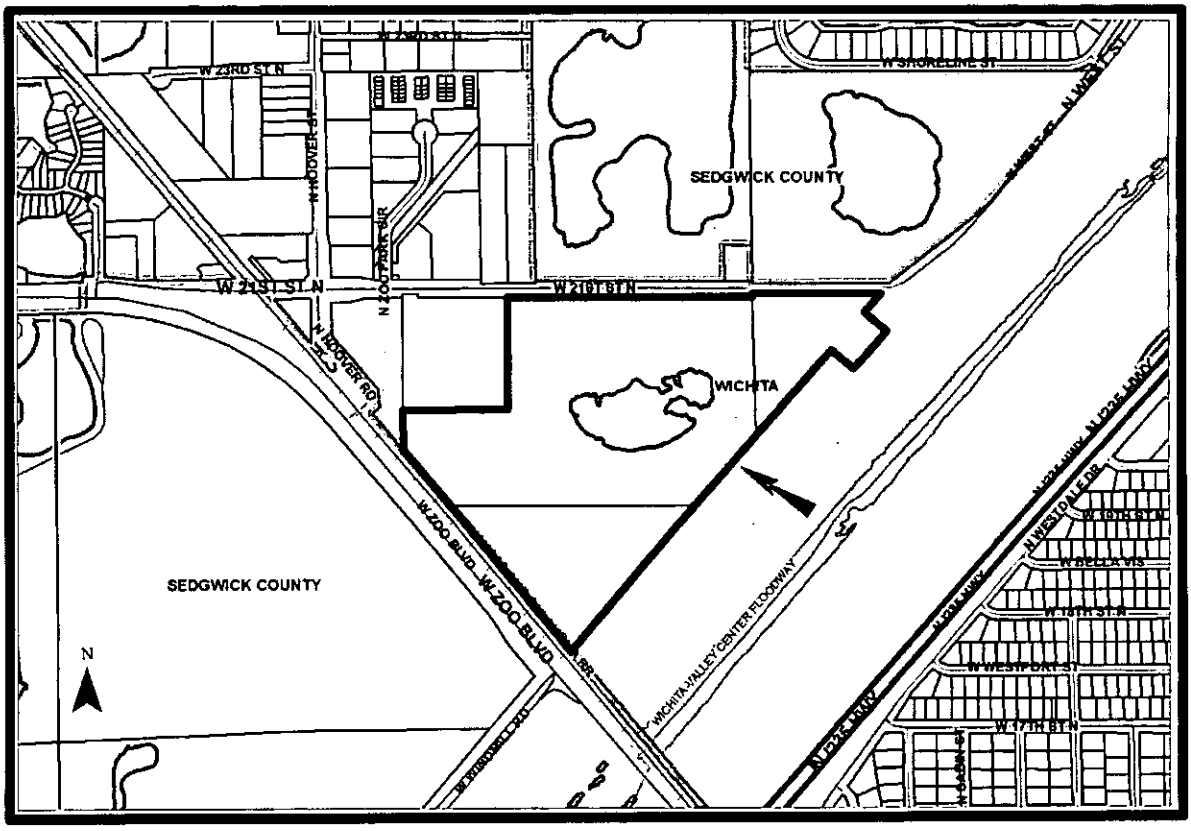
REQUEST: Conditional Use for a Major Utility

CURRENT ZONING: SF-5 Single-family Residential

SITE SIZE: 75.18-acres

LOCATION: Generally located east of North Hoover Road on the south side of West 21st Street North (WCC VI)

PROPOSED USE: Water Treatment Plant



BACKGROUND: The applicant is requesting a Conditional Use for a "major utility," specifically a water treatment plant on the undeveloped 75.18-acre, SF-5 Single-family Residential (SF-5) zoned tract located on the south side of West 21st Street North and east of North Hoover Road. The Unified Zoning Code (UZC) requires consideration of a Conditional Use for a major utility in the SF-5 zoning district; UZC, Sec.III-B.5.c. (2).

The proposed water treatment plant will not treat sewage. The proposed water treatment plant will treat raw water from the Eques Beds and Cheney Lake via existing water pipelines located along West 21st Street North and Zoo Boulevard. The proposed water treatment plant will provide water for the future demands and peak use time. The proposed water treatment plant will also serve as a backup for the City's only water treatment plant complex. The existing water treatment plant complex is located in a portion of Riverside area of town that has a development mix of Botanica public park, Cowtown, Sims public golf course, the Wichita Art Museum (built 1976, 2003) and urban density, mostly single-family residential development. The City's only water treatment plant is also its first water treatment plant (built 1940, with subsequent expansions in 1955, 1968, 1993, 2008). Prior to its construction water for the City was provided by multiple wells.

The applicant's site plan shows the proposed water treatment plant complex developed around the site's existing, spent sand pit (Conditional Use CU-191). The complex consists of an operational building, finished and raw water clear wells, pump stations, disposal wells, reject water storage, a maintenance building and a material storage area. This plant will also be configured to send raw water from Cheney to the Aquifer Storage and Recovery Project (pump station to ASR) in the Eques beds by means of a storage reservoir and pump station. There is a pump station to the Hess Pump station which will allow the City to continue distribution of water from a single point, which is located at the City's only water treatment plant in the Riverside area of town.

Disposal wells at the new plant will inject the reject water that is created from a reverse osmosis process into the deep aquifer below the site. All of the clear wells and water storage facilities are partially or fully submerged concrete reservoirs that hold water either before or after a process and before it moves to the next process of treatment, distribution or injection. Since demand varies from one minute to the next, storage is required to balance what is coming to a plant versus what is going out. The site plan is a concept since there is no time line for the beginning and completion of the facility, but there is a future need, thus the request.

The area is a mix of land uses located in both the County and the City of Wichita. The zoning in the area includes SF-20 Single-Family Residential (SF-20), SF-5, LC Limited Commercial (LC), OW Office-Warehouse (OW), GC General Commercial (GC), IP Industrial Park and LI Limited Industrial (LI). The zoning allows a wide range of uses (some noncompliant) including up-scale single-family subdivisions, a few isolated single-family residences, active and spent sand pits, farmland, a construction and demolition landfill with a temporary rock crusher, limited manufacturing, an auto body shop, undeveloped land and self-storage warehouses. Two SF-5 zoned single-family residences and two SF-20 zoned sand pits are located directly north of the site across 21st Street North. Both of the sand pits are spent (CU-292, CU-16 and CU-24) but there has been recent subdivision and zoning activity on them. On March 10, 2016, SUB2016-

00009 was presented to the Subdivision Committee (SD) as an expansion of the still developing Emerald Bay up-scale single-family residential subdivision; no action was taken by the SD. The other sand pit had a Conditional Use (CON2016-00002) approved for a temporary rock crusher to clean up its current noncompliant use as a construction and demolition landfill and a wrecking and salvage yard. An IP zoned manufacturing business is located northwest of the site across 21st Street North, as are an IP zoned commercial strip building and self-storage warehouses. A LI zoned (ZON2000-00012, PO #72) auto body repair shop is located further northwest of the site on the northeast corner of Hoover Road and 21st Street North. A mostly SF-5 and a small strip of LC zoned 10-acre undeveloped tract abuts a west portion of the site. This 10-acre tract is being considered for IP zoning at the June 16, 2016, MAPC meeting. An OW zoned self-service warehouse (SCZ-0764, PO Protective Overlay #39) is located further west of the site. There is an active rail road track that abuts the OW zoned site. The Sedgwick County Zoo and a County park are located further west of the site, across Zoo Boulevard. The Wichita-Valley Center Floodway and its levee abuts the south and east sides of the site. Most of the site is located in FEMA Flood Plain.

CASE HISTORY: Conditional Use CU-191 was approved to allow sand extraction on the site on December 1, 1976. The property was zoned R-1 Suburban Residential in 1958, which was converted to SF-20 zoning in 1996. The site was annexed in the City between 1991 and 2000, after which the SF-20 zoning became SF-5.

ADJACENT ZONING AND LAND USE:

NORTH: SF-5, SF-20, IP	Single-family residences, spent sand pits, manufacturing,
SOUTH: Levee	Wichita-Valley Floodway
EAST: Levee	Wichita-Valley Center Floodway
WEST: SF-5, LC, OW	Undeveloped land, self-service warehouse, active rail road Tracks, zoo, public park

PUBLIC SERVICES: The site has direct access onto 21st Street North. The site is located approximately 450 feet east of the Hoover Road – 21st Street North intersection. At this location both streets are paved two-lane local streets that function like collectors, providing quick access to the nearest paved four-lane arterial streets, Zoo Boulevard and another portion of 21st Street North or the paved two-lane arterial West Street. Public sewer is available to the site. Public water would have to be extended to the site, across 21st Street North. Most of the site is located in FEMA Flood Plain.

CONFORMANCE TO PLANS/POLICIES: The "Community Investment Plan's" (Plan, adopted November 19, 2015) "2035 Wichita Future Growth Map" depicts the site as "new "residential." The new residential category encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the residential category. Pockets of major institutional and commercial uses likely will be developed within this area as well, based upon market-driven location factors. In certain areas, especially those in proximity to existing industrial uses, highways, rail lines, and airports, pockets of industrial uses likely will be developed.

The site's SF-5 zoning is a match for the new residential category and restricts development pretty much too single-family residential development and some institutional uses by right. The site's SF-5 zoning has more in common to some of the some of the most recent development in the area, such as the still developing Emerald Bay single-family residential subdivision, which is located less than a half of a mile northeast of the site.

The Plan has a goal of providing a well-maintained long-term water supply, treatment and distribution system that supports the economic growth, vitality and quality of life aspirations of our community. The proposed water treatment plant is part of that goal.

The UZC classifies a major utility as a "civic and public use." The UZC has no definition of civic and public uses. However, the proposed water treatment facility most closely resembles an industrial use that does not generate pollution, odor, noise, safety hazards, or high levels of traffic. This observation is based on the City's only water treatment plant and its integration into the Riverside neighborhood which is a development mix of Botanica public park, Cowtown, Sims public golf course, the Wichita Art Museum and urban density, mostly single-family residential development. Based on the location of the City's existing water treatment plant it appears highly likely that the proposed water treatment plant can meet the Plan's goal of compatibility among various land uses.

The proposed facility requires consideration of a Conditional Use as a major utility in all zoning districts except the AFB Air Force Base (AFB) zoning district, which allows it by right. There are no supplemental use regulations listed for a Conditional Use for a major utility, however compatibility standards will apply as will, platting, landscaping and other development standards. Utilities provide services that are essential to support development, which is the intent of the application.

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 Conditional Use shall be for a water treatment plant, not a sewage treatment plant. The site shall be platted before building permits are issued.
(2) The site shall be developed according to an approved site plan which shall show, but not limited to, parking, signage, landscaping, screening, etc. The site plan turned in with the application will be considered a concept plan which will be replaced with a site plan that will more closely resemble the facility when it is ready for development.
(3) IP Industrial Park setbacks shall apply to the site: a 50-foot front building setback, a 10-foot rear building setback and a15-foot interior side yard building setback.
(4) Compatibility Height standards shall be in effect.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The area is a mix of land uses located in both the County and the City of Wichita. The zoning in the area includes SF-20, SF-5, LC, OW, GC, IP, and LI. The zoning allows a wide range of uses (some noncompliant) including up-scale single-family subdivisions, a few isolated single-family residences, active and spent sand pits, farmland, a construction and demolition landfill with a

temporary rock crusher, limited manufacturing, an auto body shop, undeveloped land and self-storage warehouses.

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2. **The suitability of the subject property for the uses to which it has been restricted:** The undeveloped 75.18-acre site is zoned SF-5, which permits single-family residential development and some institutional uses, such as schools and churches, by right. Most of the site is located in a FEMA Flood Plain, which possibly makes the site less attractive for single-family residential development.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** If approved the Conditional Use shall be for a water treatment plant, not a sewage treatment plant. The proposed water treatment facility most closely resembles an industrial use that does not generate pollution, odor, noise, safety hazards, or high levels of traffic. This observation is based on the City's only water treatment plant and its integration into the Riverside neighborhood which is a development mix of Botanica public park, Cowtown, Sims public golf course, the Wichita Art Museum and urban density, mostly single-family residential development. Based on the location of the City's existing water treatment plant it appears highly likely that the proposed water treatment plant can meet the Community Investment Plan's goal of compatibility among various land uses.

4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The "Community Investment Plan's" (Plan, adopted November 19, 2015) "2035 Wichita Future Growth Map" depicts the site as "new "residential." The new residential category encompasses areas of land that likely will be developed or

redeveloped by 2035 with uses predominately found in the residential category. Pockets of major institutional and commercial uses likely will be developed within this area as well, based upon market-driven location factors. In certain areas, especially those in proximity to existing industrial uses, highways, rail lines, and airports, pockets of industrial uses likely will be developed.

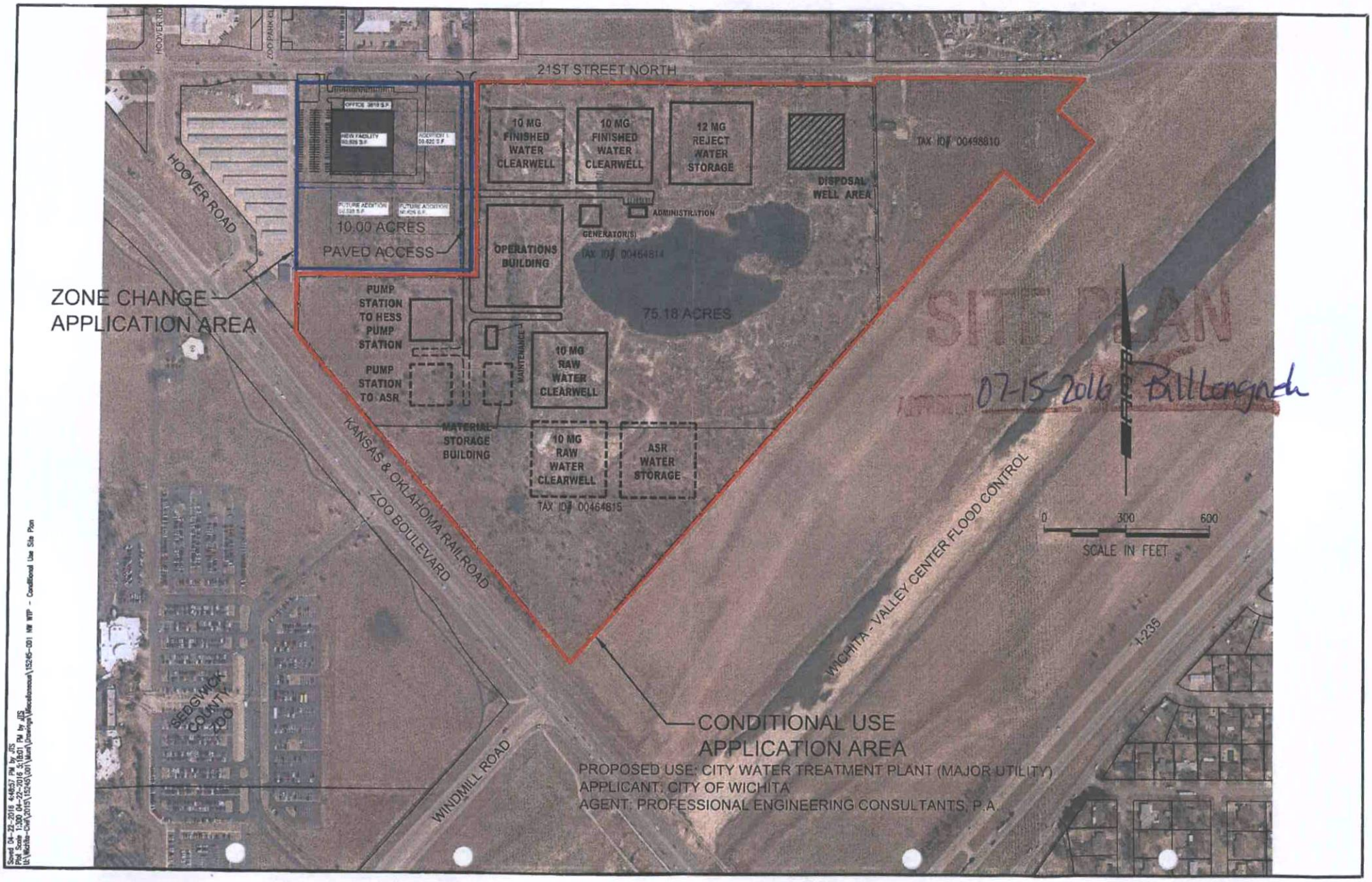
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The proposed facility requires consideration of a Conditional Use as a major utility in all zoning districts except the AFB Air Force Base (AFB) zoning district, which allows it by right. There are no supplemental use regulations listed for a Conditional Use for a major utility, however compatibility standards will apply as will, platting, landscaping and other development standards. Utilities provide services that are essential to support development, which is the intent of the application.

5. **Impact of the proposed development on community facilities:** Traffic on 21st Street North, Hoover Road, Zoo Boulevard and West Street could increase due to the development of the 75.18-acre site. But, any development on the zoned SF-5 site will increase traffic and the proposed facility will generate less traffic than 75.18-acres of single-family residential traffic. Further impact on community facilities will be determined at the time of platting.



Saved 04-22-2016 4:48:57 PM by JDS
Plot Scale 1:300 04-22-2016 4:18:01 PM by JDS
I:\Wichita-Civil\2015\15249\001\Main\Drawings\Miscellaneous\15245-001 NW WTP - Conditional Use Site Plan

SIGN LEGEND

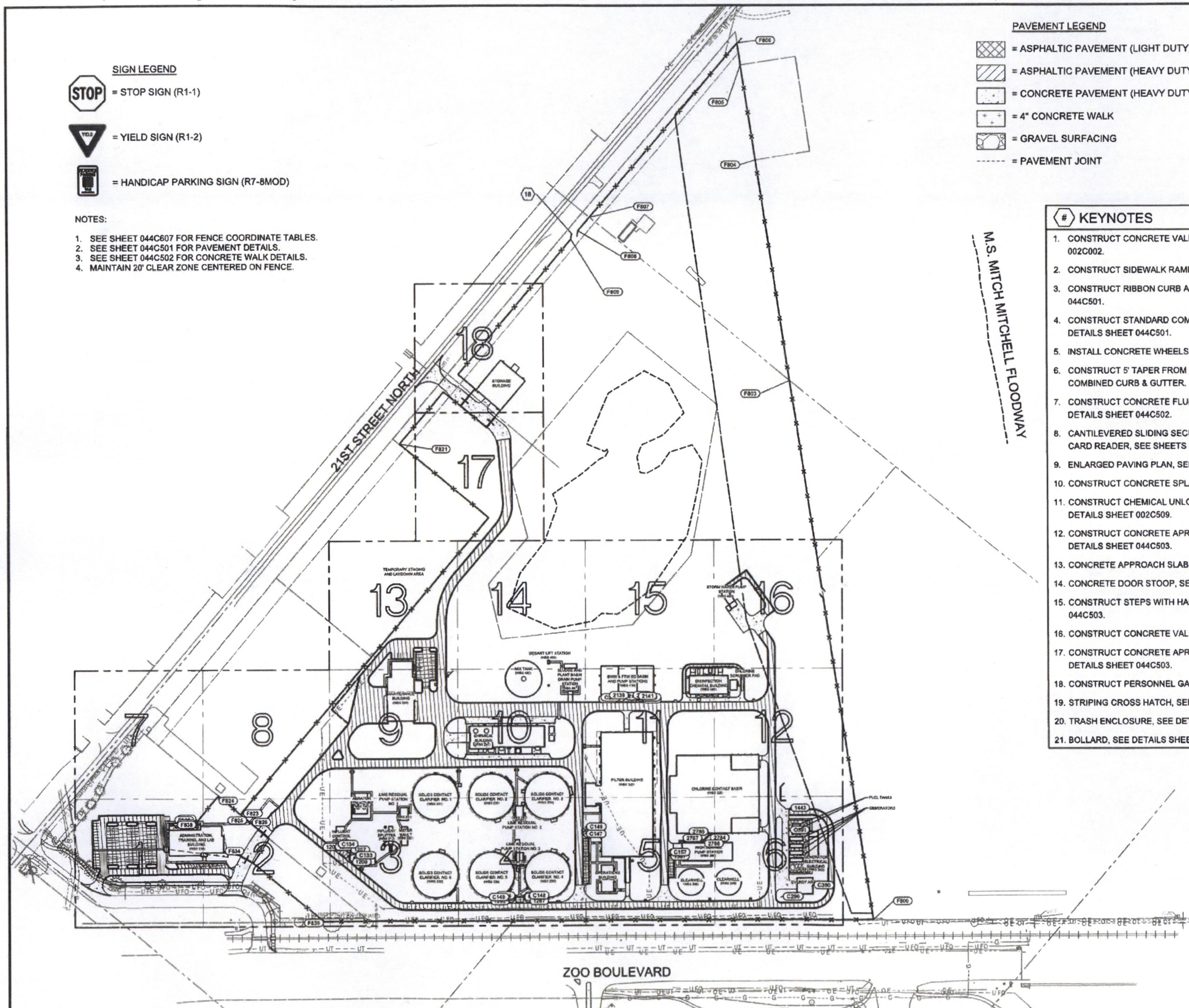
STOP = STOP SIGN (R1-1)

= YIELD SIGN (R1-2)

= HANDICAP PARKING SIGN (R7-8MOD)

NOTES:

1. SEE SHEET 044C607 FOR FENCE COORDINATE TABLES.
2. SEE SHEET 044C501 FOR PAVEMENT DETAILS.
3. SEE SHEET 044C502 FOR CONCRETE WALK DETAILS.
4. MAINTAIN 20' CLEAR ZONE CENTERED ON FENCE.



PAVEMENT LEGEND

= ASPHALTIC PAVEMENT (LIGHT DUTY)

= ASPHALTIC PAVEMENT (HEAVY DUTY)

= CONCRETE PAVEMENT (HEAVY DUTY)

= 4" CONCRETE WALK

= GRAVEL SURFACING

= PAVEMENT JOINT

APPROVAL
Klmorgan
11-29-2021

no.	date	by	ckd	description
0	11/12/21	DSB	JAG	PACKAGE 4: ISSUED FOR CONSTRUCTION

KEYNOTES

1. CONSTRUCT CONCRETE VALLEY GUTTER, SEE DETAILS SHEET 002C002.
2. CONSTRUCT SIDEWALK RAMP, SEE DETAILS SHEET 002C003.
3. CONSTRUCT RIBBON CURB AND GUTTER, SEE DETAILS SHEET 044C501.
4. CONSTRUCT STANDARD COMBINED CURB & GUTTER, SEE DETAILS SHEET 044C501.
5. INSTALL CONCRETE WHEELSTOP, SEE DETAILS SHEET 044C502.
6. CONSTRUCT 5' TAPER FROM RIBBON CURB TO STANDARD COMBINED CURB & GUTTER.
7. CONSTRUCT CONCRETE FLUME THROUGH SIDEWALK, SEE DETAILS SHEET 044C502.
8. CANTILEVERED SLIDING SECURITY GATE WITH DUAL HEAD CARD READER, SEE SHEETS 002C502 & 044C419.
9. ENLARGED PAVING PLAN, SEE SHEET 044C419.
10. CONSTRUCT CONCRETE SPLASH PAD, SEE SHEET 002C509.
11. CONSTRUCT CHEMICAL UNLOADING CONTAINMENT VAULT, SEE DETAILS SHEET 002C509.
12. CONSTRUCT CONCRETE APRON (FOR CURB INLET), SEE DETAILS SHEET 044C503.
13. CONCRETE APPROACH SLAB, SEE DETAILS SHEET 002S510.
14. CONCRETE DOOR STOOP, SEE DETAILS SHEET 002S510.
15. CONSTRUCT STEPS WITH HANDRAIL, SEE DETAILS SHEET 044C503.
16. CONSTRUCT CONCRETE VALLEY, SEE DETAILS SHEET 044C501.
17. CONSTRUCT CONCRETE APRON (FOR CURB CONNECTION), SEE DETAILS SHEET 044C503.
18. CONSTRUCT PERSONNEL GATE, SEE DETAILS SHEET 002C502.
19. STRIPING CROSS HATCH, SEE DETAILS SHEET 044C502.
20. TRASH ENCLOSURE, SEE DETAILS SHEETS 510A500 & 510A501.
21. BOLLARD, SEE DETAILS SHEET 044C502

NORTH

0 150' 300'
SCALE IN FEET

JOSHUA GOLKA LICENSED 24136 11/19/2021 KANSAS PROFESSIONAL ENGINEER

Wichita WATER PARTNERS
PEC
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
303 SOUTH TOPEKA WICHITA, KS 67202
316-262-2691 www.pec1.com
LICENSE NO. E-310

date	detailed
APRIL 6, 2020	D. BILLINGSLEY
designed	checked
J. GOLKA	M. BILLINGSLEA

CITY OF WICHITA

SEDGWICK COUNTY, KANSAS

NORTHWEST WATER TREATMENT FACILITY
SITE - CIVIL
OVERALL PAVING PLAN

project	contract
114461	

drawing 044C101 — rev. 0

sheet of sheets

file 171350-009-044C101.dwg

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