Wichita-Sedgwick County Metropolitan Area Planning Department

September 24, 2021

Evergy of Kansas South, Inc.
Attn: Mark Ward
818 S Kansas Street
Topeka, KS 66612

Professional Engineering Consultants
Attn: Rebecca Mellies
303 S. Topeka
Wichita, KS 67202

Sedgwick County Public Works
Attn: Lynn Packer
1144 S. Seneca
Wichita, KS 67213

RE: CON2021-00038- County Conditional Use for Major Utility in Single-Family (SF-20) zoning associated with variance for screening wall height (BZA2021-00043), Generally located on the south side of West 21st Street North and one-quarter mile west of North Hoover Road.

Dear Applicant;

At its regular meeting on **February 18, 2021**, 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 received; therefore, the MAPC's approval is final.

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

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Sincerely,

Kathy L. Morgan

Kathy L. Morgan, Senior Planner
Metropolitan Area Planning Department
271 West 3rd Street, Room 203
Wichita, KS 67202

Copies to: Cindy Claycomb, WCC VI, Mail Stop 1-13
Ana Lopez, CRS District VI, Mail Stop 1-13
Jeff Van Zandt, City Law, Mail Stop 1-72
MABCD

CONDITIONAL USE RESOLUTION NO. CON2021-00038

WHEREAS, Evergy and Sedgwick County, Owners pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), to allow a Conditional Use for a Utility, Major on property zoned SF-20 Single-Family Residential Zoning District described as:

> A portion of Lot 1, Block A, Sedgwick County Zoo Second Addition, Sedgwick County, Kansas, described and prepared on July 16, 2021, by Charles W. Brooksher PS #1281/Professional Engineering Consultants P.A.CLS #65, being described as follows:
>
> Commencing at the Northwest corner of said Lot 1; thence N88°44'02"E along the North line of said Lot 1, and the South right-of-way of West 21st Street North, a distance of 131.82 feet, to a curve to the right having a radius of 1,909.86 feet and a chord that bears S88°25'41"E, a distance of 189.13 feet; thence Southeasterly along said curve and said South right-of-way a distance of 189.21 feet to the point of beginning, thence on a curve to the right having a radius of 1,909.86 feet and a chord that bears S83°16'44"E, a distance of 154.04 feet; thence along said curve and said South right-of-way a distance of 154.08 feet; thence S01°18'00"E a distance of 193.51 feet; thence S88°42'00"W a distance of 148.78 feet to the East line of a 30 foot utility easement; thence N02°17'58"W along said East line a distance of 215.04 feet to the South right-of-way of West 21st Street North and the point of beginning.

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 September 23, 2021, 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 for a Utility, Major on property zoned SF-20 Single-Family Residential Zoning District described as:

> A portion of Lot 1, Block A, Sedgwick County Zoo Second Addition, Sedgwick County, Kansas, described and prepared on July 16, 2021, by Charles W. Brooksher PS #1281/Professional Engineering Consultants P.A.CLS #65, being described as follows:
>
> Commencing at the Northwest corner of said Lot 1; thence N88°44'02"E along the North line of said Lot 1, and the South right-of-way of West 21st Street North, a distance of 131.82 feet, to a curve to the right having a radius of 1,909.86 feet and a chord that bears S88°25'41"E, a distance of 189.13 feet; thence Southeasterly along said curve and said South right-of-way a distance of 189.21 feet to the point of beginning, thence on a curve to the right having a radius of 1,909.86 feet and a chord that bears S83°16'44"E, a distance of 154.04 feet; thence along said curve and said South right-of-way a distance of 154.08 feet; thence S01°18'00"E a distance of 193.51 feet; thence S88°42'00"W a distance of 148.78 feet to the East line of a 30 foot utility easement; thence N02°17'58"W along said East line a distance of 215.04 feet to the South right-of-way of West 21st Street North and the point of beginning.

Adopted this **23rd** Day of **September,** 2021.

METROPOLITAN AREA PLANNING COMMISSION

William M. Johnson, Chair MAPC

ATTEST:

Scott Wadle, Secretary

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Emily Gillihan, being first duly sworn, deposes and says:
That he/she is Legal Manager of

The Derby Informer

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for **1 week** the first publication thereof being made as aforesaid on the **1st** day of **September** 2021, with subsequent publications being made on the following dates:

N/A

Emily Gillihan
Legal Manager

Subscribed and sworn to before me this 1st day of September, 2021.

Rhonda Cott
Notary Public

Rhonda Cott
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 2-20-23

Legal Publication

OCA 150004
Published in The Derby Informer on September 1, 2021

MAPC September 23, 2021
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, September 23 2021 no earlier than 1:30 p.m.**, the WichitaSedgwick County Metropolitan Area Planning Commission (Planning Commission) will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Wichita City Hall Building – 1st Floor Council Chambers – 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). **If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.**

BZA2021-00043: County Variance for height adjustment of screening wall in Single-Family (SF-20) zoning associated with conditional use for major utility (CON2021-00038), Generally located on the south side of West 21st Street North and one-quarter mile west of North Hoover Road.

CON2021-00038: County Conditional Use for Major Utility in Single-Family (SF-20) zoning associated with variance for screening wall height (BZA2021-00043), generally located on the south side of West 21st Street North and one-quarter mile west of North Hoover Road.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: **Scott Wadle** 271 W. 3rd Street – Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely
Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/651544141
You can also dial in using your phone.
United States: +1 (571) 317-3112
Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 651 544 141
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2##651544141

New to GoToMeeting? Get the app now and be ready when your first meetin starts: https://global.gotomeeting.com/install/651544141

Attend In-Person
You may also participate in the hearing in-person at the Wichita City Hall Coun Chambers (455 N. Main Street, Wichita, KS 67202). Please note that securi screening is required for public access to the building, self-paid parking available nearby, and COVID-19 protocols are in place. For more informatic please visit www.wichita.gov/visitcityhall. The in-person option is primari intended for those without other technology options, and who have not previous submitted recorded audio or video comments. If you have any written or visu materials you wish to present, please contact Planning Department Graphics st (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on September 1, 2021
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission

Official Hearing Notice - MAPC - September 23, 2021

Printer's Fee: $46.20
Additional copies: $_____

LEGAL DESCRIPTION

A PORTION OF LOT 1, BLOCK A, SEDGWICK COUNTY ZOO SECOND ADDITION, SEDGWICK COUNTY, KANSAS, DESCRIBED AND PREPARED ON JULY 16, 2021 BY CHARLES W. BROOKSHER PS #1281/PROFESSIONAL ENGINEERING CONSULTANTS P.A CLS #65, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE N88°44'02"E (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 SOUTH ZONE) ALONG THE NORTH LINE OF SAID LOT 1 AND THE SOUTH RIGHT OF WAY OF WEST 21ST STREET NORTH A DISTANCE OF 131.82 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 1909.86 FEET AND A CHORD THAT BEARS S88°25'41"E A DISTANCE OF 189.13 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTH RIGHT OF WAY A DISTANCE OF 189.21 FEET TO THE POINT OF BEGINNING AND A CURVE TO THE RIGHT HAVING A RADIUS OF 1909.86 FEET AND A CHORD THAT BEARS S83°16'44"E A DISTANCE OF 154.04 FEET; THENCE ALONG SAID CURVE AND SAID SOUTH RIGHT OF WAY A DISTANCE OF 154.08 FEET; THENCE S01°18'00"E A DISTANCE OF 193.51 FEET; THENCE S88°42'00"W A DISTANCE OF 148.78 FEET TO THE EAST LINE OF A 30 FOOT UTILITY EASEMENT; THENCE N02°17'58"W ALONG SAID EAST LINE A DISTANCE OF 215.04 FEET TO THE SOUTH RIGHT OF WAY OF WEST 21ST STREET NORTH AND THE POINT OF BEGINNING.

ENCOMPASSING 0.71 ACRES MORE OR LESS.

LEGEND

F.C.	FENCE CORNER	S/L	SECTION LINE
P/L	PROPERTY LINE		
ROW	RIGHT OF WAY		

105' R/W

W 21ST ST

SOUTH R/W LINE 21ST ST

L: 189.21' R: 1909.86'
CB: S88°25'41"E CD: 189.13'

POB

L: 154.08' R: 1909.86'
CB: S83°16'44"E CD: 154.04'

P/L

ZOO BLVD

POC
NW CORNER OF
LOT 1, BLOCK A

N88°44'02"E 131.82'

S/L

EASEMENT LINE

118.50' (F.C.)

N02°17'58"W 215.04'

20.00'

20' ORNAMENTAL SWING GATE

9' STONECAST WALL (TYP)

99.33' (F.C.)

S01°18'00"E 193.51'

PROPOSED CONCRETE PAVED ACCESS DRIVE

PROPOSED SEDGWICK COUNTY BATTERY ENERGY STORAGE SITE

20.00'

20' ORNAMENTAL SWING GATE

EASEMENT LINE

118.50' (F.C.)

S88°42'00"W 148.78'

EASEMENT LINE

9' STONECAST WALL (TYP)

35' BUILDING SETBACK

SG001
LOT 1 BLOCK A
SEDGWICK COUNTY ZOO
2ND ADDITION

0.71 AC. = EASEMENT AREA

EAST LINE OF 30' UTILITY EASEMENT

SITE PLAN

APPROVED 9-23-2021 RMmorgan

SITE PLAN
20 0 10 20 40
(IN FEET)

PEC #: 209030-070

PEC PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
303 S TOPEKA ST
WICHITA, KS 67202
316-262-2691
www.pec1.com

REV.	REVISION DESCRIPTION	DATE	BY/CK
8			
7			
6			
5			
4			
3			
2			
1			

DRAWN BY AJH – PEC DATE 08/2021
DESIGNED BY RMM – PEC DATE 08/2021
APPROVED BY RMM – PEC DATE 08/2021

SCALE: AS SHOWN
W.R. NO. --

evergy.

TITLE: SEDGWICK COUNTY BATTERY ENERGY STORAGE SITE PLAN

DWG. NO.
SHEET NO. 1 OF 1
REV. 0

8/13/2021 3:57 PM aric.hermann