Wichita-Sedgwick County Metropolitan Area Planning Department

Evergy Kansas South, Inc.
Attn: Jessica Keck
818 S. Kansas Ave
Topeka, KS 66601

April 4, 2024

PEC, PA
Attn: Rebecca Mellies
303 S. Topeka
Wichita, KS 67202

RE: RE: CON2024-00002 – Request to allow Conditional Use to allow Utility, Major; located on the west side of the North Hoover Street and West 1st Street North intersection (255 North Hoover Street).

Dear Applicant;

At its regular meeting on **April 2, 2024**, the Wichita City Council considered the above captioned request. The action of the City Council was **APPROVAL** of the request with the following conditions:

1) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

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.

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

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

Copies to: Maggie Ballard, Council Member, District VI
Ana Lopez, CSR, District VI
MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

Evergy Kansas South, Inc.
Attn: Jessica Keck
818 S. Kansas Ave
Topeka, KS 66601

February 26, 2024

PEC, PA
Attn: Rebecca Mellies
303 S. Topeka
Wichita, KS 67202

RE: CON2024-00002 – Request to allow Conditional Use to allow Utility, Major; located on the west side of the North Hoover Street and West 1st Street North intersection (255 North Hoover Street).

Dear Applicant,

At its regular meeting on **February 22, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request with the following conditions:

1) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
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.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on **March 7, 2024**. 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 located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **March 7, 2024, at 5:00 p.m**.

This application will be presented to the Wichita City Council on **Tuesday, Aprill 2, 2024,** beginning at 9:00 a.m.

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,

Brad Eatherly
Current Plans
Senior Planner

CC: Maggie Ballard, Council Member District VI
Ana Lopez, CSR, District VI
MABCD

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON April 5, 2024

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

RESOLUTION NO. 24-124

WHEREAS, Evergy Kansas South, Inc., 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 to permit Utility, Major on property zoned SF-5 Single-Family Residential District located, legally described as:

PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 27 SOUTH, RANGE 01 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, BEING DESCRIBED AND PREPARED ON 11/16/2023 BY CHARLES W. BROOKSHER PS #1281 AND PROFESSIONAL ENGINEERING CONSULTANTS P.A., C.L.S. #65, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°54'33"E (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 SOUTH ZONE) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 108.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°54'33"E ALONG SAID EAST LINE A DISTANCE OF 989.58 FEET TO THE EAST RIGHT OF WAY LINE OF I-235; THENCE ALONG SAID EAST RIGHT OF WAY FOR THE FOLLOWING FIVE COURSES: N35°15'12"W A DISTANCE OF 13.57 FEET; THENCE N27°09'11"W A DISTANCE OF 161.77 FEET; THENCE N21°37'16"W A DISTANCE OF 567.86 FEET; THENCE N00°54'20"W A DISTANCE OF 300.72 FEET; THENCE N88°48'18"E, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 280.01 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER 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 February 2, 2024, consider said application; and

WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit Utility, Major on property zoned SF-5 Single-Family Residential District, generally located on the west side of the North Hoover Street and West 1st Street North intersection (255 North Hoover Street), legally described as:

PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 27 SOUTH, RANGE 01 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, BEING DESCRIBED AND PREPARED ON 11/16/2023 BY CHARLES W. BROOKSHER PS #1281 AND PROFESSIONAL ENGINEERING CONSULTANTS P.A., C.L.S. #65, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°54'33"E (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 SOUTH ZONE) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 108.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°54'33"E ALONG SAID EAST LINE A DISTANCE

OF 989.58 FEET TO THE EAST RIGHT OF WAY LINE OF I-235; THENCE ALONG SAID EAST RIGHT OF WAY FOR THE FOLLOWING FIVE COURSES: N35°15'12"W A DISTANCE OF 13.57 FEET; THENCE N27°09'11"W A DISTANCE OF 161.77 FEET; THENCE N21°37'16"W A DISTANCE OF 567.86 FEET; THENCE N00°54'20"W A DISTANCE OF 300.72 FEET; THENCE N88°48'18"E, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 280.01 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER AND THE POINT OF BEGINNING.

Approved subject to the following conditions:

1) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

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 Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 2nd day of April, 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL)

Approved as to form:
Jennifer Magaña, City Attorney and Director of Law

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	539054	Print Legal Ad-IPL01675550 - IPL0167555		$124.50	2	74 L

Attention: LaTosha Alvarez
CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

JMBuster@wichita.gov

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.
RESOLUTION NO. 24-124

WHEREAS, Evergy Kansas South, Inc., 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 to permit Utility, Major on property zoned SF-5 Single-Family Residential District located, legally described as:
PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 27 SOUTH, RANGE 01 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, BEING DESCRIBED AND PREPARED ON 11/16/2023 BY CHARLES W. BROOKSHER PS #1281 AND PROFESSIONAL ENGINEERING CONSULTANTS P.A., C.L.S. #65, AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°54'33"E (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 SOUTH ZONE) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 108.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°54'33"E ALONG SAID EAST LINE A DISTANCE OF 989.58 FEET TO THE EAST RIGHT OF WAY LINE OF I-235; THENCE ALONG SAID EAST RIGHT OF WAY FOR THE FOLLOWING FIVE COURSES: N35°15'12"W A DISTANCE OF 13.57 FEET; THENCE N27°09'11"W A DISTANCE OF 161.77 FEET; THENCE N21°37'16"W A DISTANCE OF 567.86 FEET; THENCE N00°54'20"W A DISTANCE OF 300.72 FEET; THENCE N88°48'18"E, LEAVING SAID RIGHT OF WAY, A DISTANCE OF 280.01 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER 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 February 2, 2024, consider said application; and
WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit Utility, Major on property zoned SF-5 Single-Family Residential District, generally located on the west side of the North Hoover Street and West 1st Street North intersection (255 North Hoover Street), legally described as:
PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 27 SOUTH, RANGE 01 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, BEING DESCRIBED AND PREPARED ON 11/16/2023 BY CHARLES W. BROOKSHER PS #1281 AND PROFESSIONAL ENGINEERING CONSULTANTS P.A., C.L.S. #65, AS FOLLOWS:
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Approved subject to the following conditions:
The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
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 Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.
Adopted on 2nd day of April 2024.

Lily Wu, Mayor, City of Wichita
ATTEST:

Jamie Buster, City Clerk
(SEAL) Approved as to form:
Jennifer Magan a, City Attorney and Director of Law
IPL0167555
Apr 5 2024

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
04/05/24

STATE OF KANSAS)
SS
County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 04/05/2024 to 04/05/2024.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/05/2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
23834	514932	Print Legal Ad-IPL01573790 - IPL0157379		$206.32	3	82 L

Attention: MANDY HEBERT
CITY OF WICHITA / MABCD
271 W 3RD ST N
3RD FLOOR STE 301
WICHITA, KS 67202
kgonzalez@wichita.gov

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on February 1, 2024
(One Time Only)
MAPC/BZA February 22, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 22, 2024, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 3rd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

BZA2024-00002: Variance request in the City to allow 9 ft masonry Wall and equipment footings within zoning setback for expansion of utility substation on property zoned SF-5 Single Family Residential District, generally located on the west side of North Hoover Road and West 1st Street North (255 N Hoover Road).

CON2024-00001: Conditional Use request in the City to allow Correctional Placement Residence, Limited with additional restrictions, with ZON2024-00001 from SF-5 Single-Family to GO General Office; located on the north side of West 31st Street South and within one-quarter mile east of South Seneca (928 W 31st St).

CON2024-00002: Conditional Use request in the City to allow Utility Major on property zoned SF-5 Single Family Residential District, generally located on the west side of North Hoover Road and West 1st Street North (255 N Hoover Road).

CUP2024-00001: Request in the City to Amend the Killarney West CUP DP-156 to permit a Kennel/Boarding/Breeding/Training facility on Parcel 6 on property zoned LC Limited Commercial; located on the east side of North Woodlawn Avenue, within one-quarter mile north of East K-96 Highway (3590 N. Woodlawn).

CUP2024-00002: Request in the City for a Major amendment to CUP DP-108 to create two new parcels and permit Entertainment Establishment in the City, located on the southwest corner of East 29th Street North and North Rock Road.

DER2023-00017: Unified Zoning Code amendment (City and County) to the Use Regulations pertaining to requirements for all Solar Energy Conversion Systems (SECS) applications.

VAC2024-00001: Vacation request in the City to vacate a portion of a utility easement to allow walking for a walking connection between two buildings on property zoned LI Limited Industrial District, generally located on southeast corner of Esthner Avenue and Meridian Avenue(2621 W Esthner Ct).

VAC2024-00002: Vacation request in the City to vacate a sewer easement under an existing building, located approximately 680 feet east of the intersection of S. Seneca St. and West 31st St. S. (928 W. 31st St. S.).

VAC2024-00003: Vacation request in the City to vacate a portion of a utility easement to develop a warehouse on existing property zoned GI General Industrial District, generally located on southwest corner of 37th Street N & Saint Francis Street.

VAC2024-00004: Vacation request in the City to vacate a portion of Oak Street Right-of-Way to allow to create a private parking area for a commercial campus, generally located on within one-block north of West Douglas Avenue and one block west of North Sycamore (130 N Oak St).

VAC2024-00005: Vacation request in the City to vacate a portion of a utility easement to allow for development on property zoned GC General Commercial (PO 282 & 416), generally located on northwest corner of North Hoover Avenue & West Central Avenue (715 N & 721 N Hoover Ave).

ZON2024-00001: Zone Change request in the City from SF-5 Single-Family to GO General Office with CON2024-00001 to allow Correctional Placement Residence, Limited with additional restrictions; located on the north side of West 31st Street South, within one-quarter mile east of South Seneca (928 W. 31st St South).

ZON2024-00002: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex on property located within 237 ft northwest of the intersection of West 2nd Street North and North Doris Street (321 N Doris St).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 3rd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick 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.

Options to participate:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 3rd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – 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. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)
The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: https://www.wichita.gov/Planning.

WITNESS MY HAND on February 1, 2024
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission
IPL0157379
Feb 1 2024

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
02/01/24

STATE OF KANSAS)
SS
County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 02/01/2024 to 02/01/2024.

Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 02/05/2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

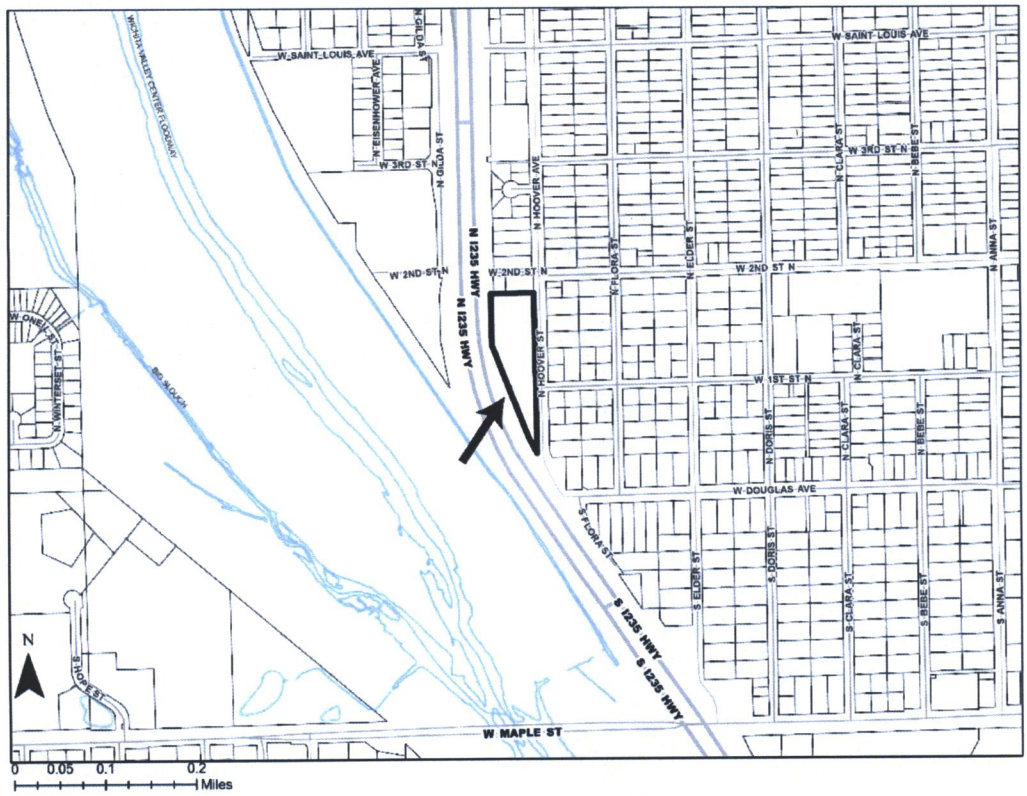
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

AGENDA ITEM NO. 4.1

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: February 22, 2024
DAB VI: March 11, 2024

CASE NUMBER:	CON2023-00002 (City)
APPLICANT/AGENT:	Evergy Kansas South, Inc. (Applicant) / Professional Engineering Consultants (Agent)
REQUEST:	Conditional Use to allow Utility, Major
CURRENT ZONING:	SF-5 Single-Family Residential
SITE SIZE:	3.6 acres
LOCATION:	Generally located on the west side of the North Hoover Street and West 1st Street North intersection (255 North Hoover Street).
PROPOSED USE:	Expand existing substation.
RECOMMENDATION:	Approve with conditions.



BACKGROUND: The applicant is requesting a Conditional Use to allow Utility, Major on a property zoned SF-5 Single-Family Residential District (SF-5). The 3.6-acre property is addressed as 255 North Hoover Street, located on the west side of the North Hoover Street and West 1st Street North intersection. The applicant is requesting the Conditional Use to expand the existing substation.

The parking requirement for Utility, Major is one per employee. The provided site plan does not indicate parking, however, the applicant would be required to demonstrate required parking before any building permit was approved.

The applicant is requesting a variance concurrently with the conditional use request to allow a nine-to-ten-foot screening wall on the east property line of both the existing substation location as well as the proposed expansion and along the south project boundary of the proposed expansion. The applicant is also requesting a variance to encroach approximately twenty inches into the twenty-five-foot zoning setback on the eastern portion of the property.

Landscaping shall be required per the Landscape Ordinance unless one of the following two items apply:

1) When the value of the new addition, renovation, or redevelopment exceeds fifty (50) percent of the value of the existing development, as determined by the County Appraiser's office; or
2) When there is more than a thirty (30) percent increase of the gross floor area on the site.

Properties to the north are zoned SF-5 and are developed with what Sedgwick County tax records identify as two single-family dwellings. Properties to the east are zoned SF-5 and TF-3 Two-Family Residential District (TF-3) and are developed with single-family dwellings. Property to the south is the Interstate 235 right-of-way and the MS Mitch Mitchell Floodway. Property to the west, across I-235, is zoned GC General Commercial District (GC) and is developed with an industrial use of some kind.

CASE HISTORY: The subject site is unplatted. The property is exempt from platting due to its public utility status per Subdivision Regulations Section 3-105(D). There are no past zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

North:	SF-5	Single-Family Dwellings
South:	ROW	ROW for I-235, MS Mitch Mitchell Floodway
East:	SF5, TF-3	Single-Family Dwellings
West:	ROW, GC	I-235, Industrial use

PUBLIC SERVICES: All municipal services, such as water, stormwater, and sewer, are in place and can accommodate the required services to the existing site. This site has access to North Hoover Street and West 1st Street North, which are paved, two-way, local streets with no sidewalks. Wichita Transit serves this area within one-quarter mile east of the subject site, on the southeast corner of West 1st Street North and North Doris Street.

CONFORMANCE TO PLANS/POLICIES: The proposed application is in conformance to the *Community Investments Plan.* The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for "Industrial". This category is described as "*areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality. Centers or concentrations of manufacturing, warehousing, distribution, construction, research, and technology are located in close proximity to highways and airports and may have rail service. Industrial uses associated with the extraction, processing or refinement of natural resources or recycling of waste materials typically are located along rail lines.*" Expansion of the substation at this location is a reasonable request.

The *Community Investments Plan*'s Locational Guidelines "provide a framework for decision-making regarding land use changes so as to encourage patterns of development that efficiently and effectively use land, public infrastructure, and services; strive for compatibility among various land uses; and promote quality of place through design." The requested Conditional Use is in conformance with the Locational Guidelines. Locational Guideline 2.a under the heading *Development Pattern* encourages "*infill development that maximizes public investment in existing and planned infrastructure and services.*"

The requested Conditional Use is in conformance with the goals of the *Wichita: Places for People Plan.* The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as "a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles."

- Strategies: The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested Conditional Use aligns with Strategy 6, "Encourage infill and redevelopment that is contextual to the environment in which it is occurring."

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the Conditional Use be **APPROVED**, subject to the following conditions:

1) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
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 character of the neighborhood is residential in nature. Properties to the north are zoned SF-5 and are developed with what Sedgwick County tax records identify as two single-family dwellings. Properties to the east are zoned SF-5 and TF-3 Two-Family Residential District (TF-3) and are developed with single-family dwellings. Property to the south is the Interstate 235 right-of-way and the MS Mitch Mitchell Floodway. Property to the west, across I-235, is zoned GC General Commercial District (GC) and is developed with an industrial use of some kind.

2. The suitability of the subject property for the uses to which it has been restricted: The property is suitable for the uses to which it has been restricted. The property is zoned SF-5. Utility, Major is permitted in SF-5 zoning by Conditional Use approval.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions should not detrimentally affect nearby property.

4. Length of time subject property has remained vacant as zoned: The subject site is not vacant. It is unknown how long the subject site has been used as a substation.

5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the application will bring upgrades to the substation, which benefits the community. Denial of the request could represent a loss in the use of this portion of the applicant's property.

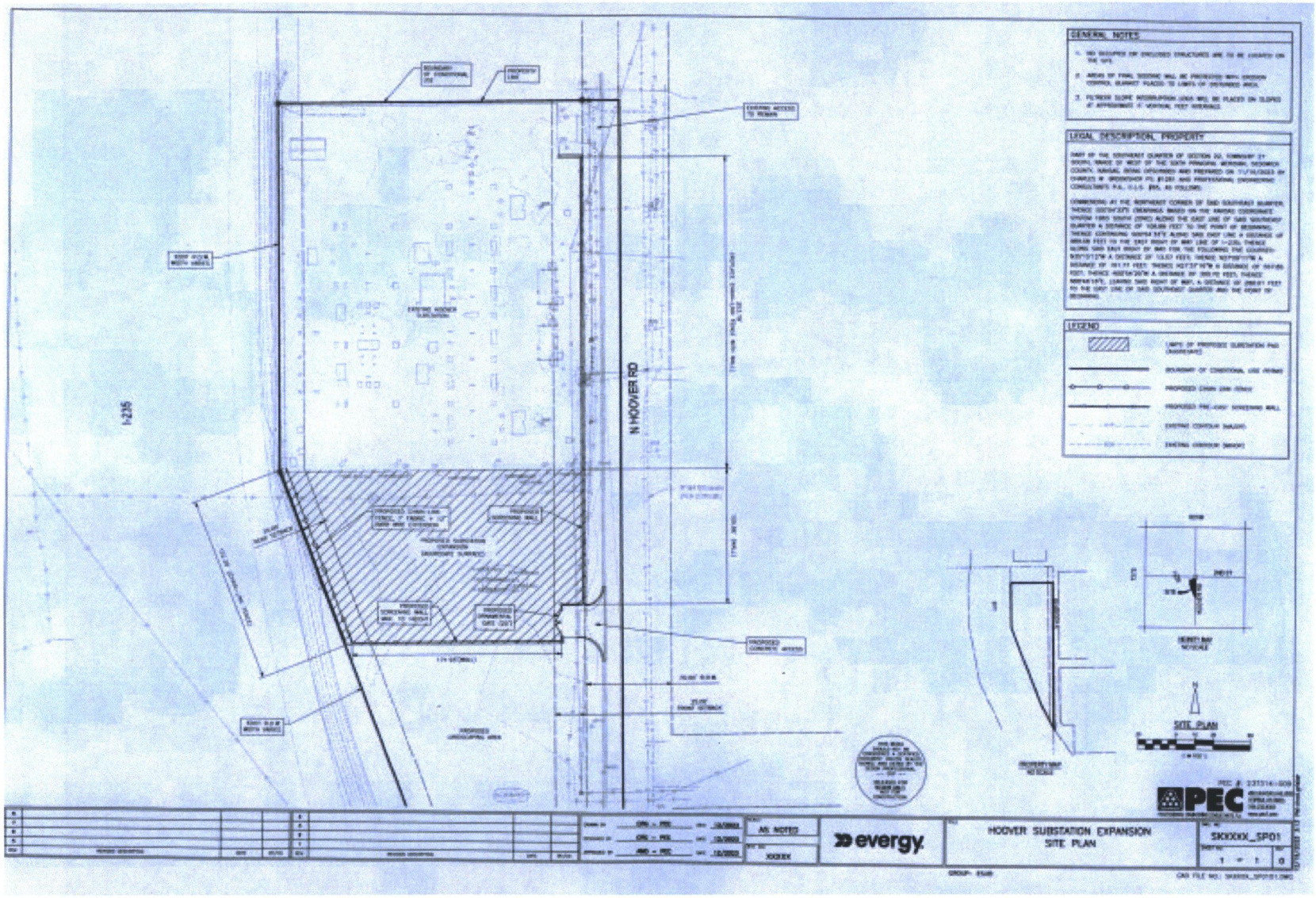
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application is in conformance to the *Community Investments Plan* and the *Wichita Places for People Plan*, as discussed in the report.

7. Impact of the proposed development on community facilities: The proposed use is not anticipated to have any negative impacts on community facilities.

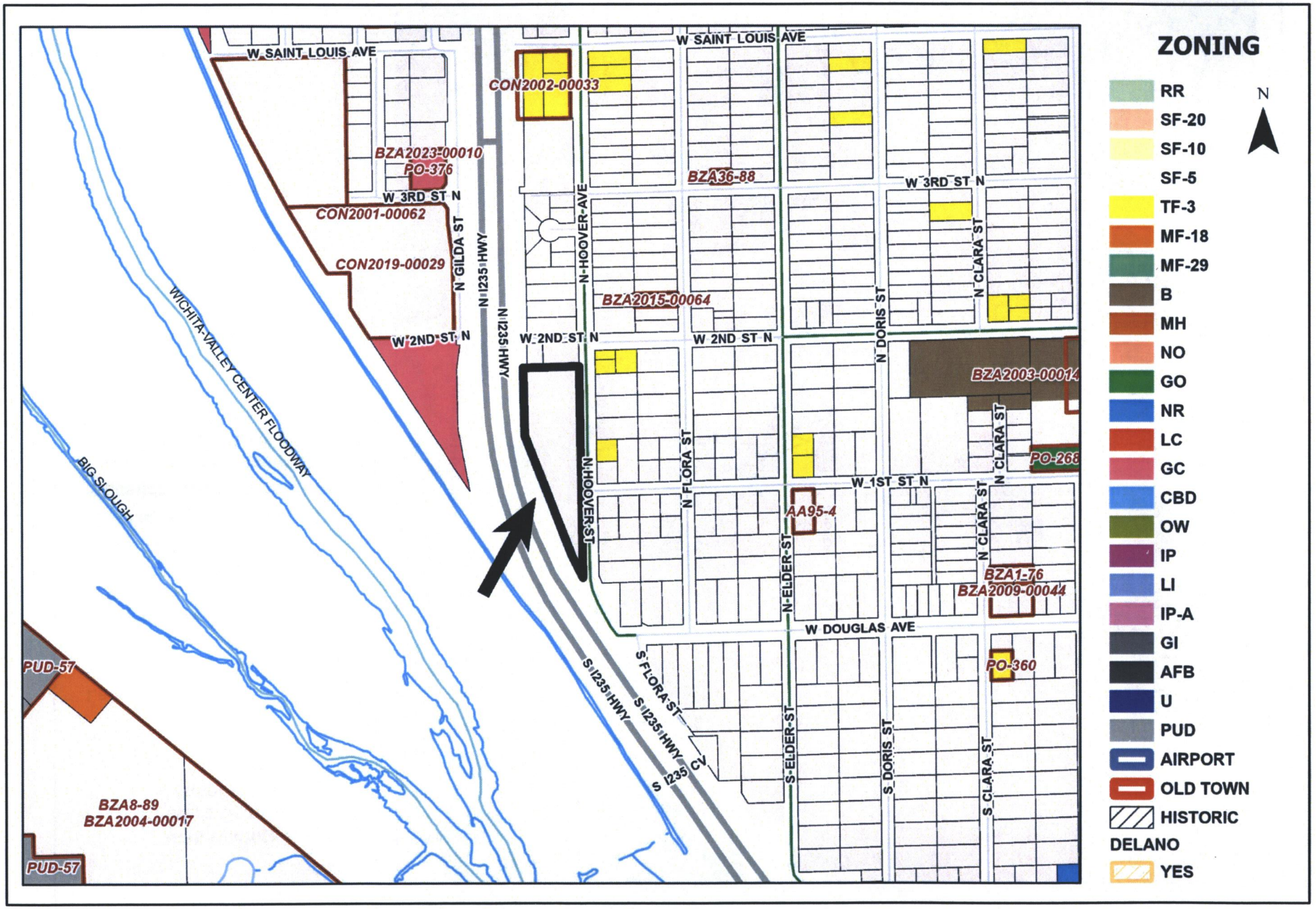
8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff has not received any public comment on the requested Conditional Use.

Attachments:

1. Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos


GENERAL NOTES
LEGAL DESCRIPTION: PROPERTY
LEGEND
I-235
N HOOVER RD
SITE PLAN
HOOVER SUBSTATION EXPANSION
SITE PLAN
evergy.
PEC


N
W 2ND ST N
N GILDA ST
W 2ND ST N
N HOOVER AVE
W 2ND ST N
N I235 HWY
N I235 HWY
N HOOVER ST
N ELDER ST
W 1ST ST N
N FLORA ST
W DOUGLAS AVE
S FLORA ST
S ELDER ST
0 0.02 0.04 0.08
Miles


ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN
HISTORIC
DELANO
YES
N
W SAINT LOUIS AVE
CON2002-00033
BZA2023-00010
PO-376
CON2001-00062
CON2019-00029
W 3RD ST N
W 2ND ST N
N GILDA ST
N I235 HWY
N-HOOVER-AVE
BZA36-88
BZA2015-00064
N DORIS ST
N CLARA ST
BZA2003-00014
PO-268
N FLORA ST
W 1ST ST N
AA95-4
N-ELDER-ST
BZA1-76
BZA2009-00044
W DOUGLAS AVE
PO-360
S I235 HWY
S FLORA ST
S I235 HWY CV
S-ELDER-ST
S DORIS ST
S CLARA ST
WICHITA-VALLEY CENTER FLOODWAY
BIG SLOUGH
PUD-57
BZA8-89
BZA2004-00017

2035 Wichita Future Growth Concept Map



Looking northwest into site



Looking east away from site





Looking north away from site

Looking south away from site



Looking west away from site



SITE PLAN

APPROVED

7/24/24