



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Kansas Evergy South, Inc.
818 South Kansas Avenue
Topeka, KS 66612

November 21, 2023

Waterman Properties LLC
Attn: John Belford
800 East 3rd Street North
Wichita, KS 67202

Scott and Crystal Downey
447 North Rock Island Avenue
Wichita, KS 67202

RE: CON2023-00052 - Conditional Use request in the City to modify CON2023-00022 site plan for the expansion of the existing substation on property zoned LI Limited Industrial District, generally bounded by East Central Avenue, East 3rd Street North, North Mead Avenue, and North Rock Island Avenue.

Dear applicants,

On November 21, 2023, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request, subject to the following conditions:

1. The final site plan must be reviewed by the Wichita Historic Preservation Board with an appeal to the Wichita City Council prior to the issuance of building permits.
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.

If you have any questions concerning this matter, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth
Associate Planner

Cc: Maggie Ballard, Councilmember District VI; Ana Lopez, CSR District VI; MABCD



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Kansas Evergy South, Inc.
818 South Kansas Avenue
Topeka, KS 66612

October 26, 2023

RE: CON2023-00052 – Conditional Use request in the City to modify CON2023-00022 site plan for the expansion of the existing substation on property zoned LI Limited Industrial District, generally bounded by East Central Avenue, East 3rd Street North, North Mead Avenue, and North Rock Island Avenue.

Dear applicant,

At its regular meeting on **October 26, 2023**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request.

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 **November 9, 2023**. 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 **November 9, 2023**, at 5:00 p.m.

This application will be heard by the District Advisory Board (DAB) VI on **Monday, November 13, 2023**, beginning at 6:30 p.m. at the Evergreen Community Center & Library, 2601 North Arkansas. For more information on this meeting, please contact Community Services Representative for District VI, Ana Lopez at (316) 303-8043 or alopez@wichita.gov.

To ensure that Conditional Use applications would not be ruled invalid due to the recent American Warrior, Inc. v. Board of County Commissioners of Finney County, Kansas, the Planning Department is sending Conditional Use cases to the respective Governing Body for action. To do this, the Planning Director is submitting an appeal for all Conditional Use applications, per UZC Sec. V.A.5. This application will be considered by the Wichita City Council on **Tuesday, November 28, 2023** 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,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth

CC: Maggie Ballard, Council Member District VI
Ana Lopez, CSR, District VI
MABCD
PEC Engineering, attn: Rebecca Mellies, 303 South Topeka, Wichita, KS 67202
Claire Willenberg, 1402 North Garland, Wichita, KS 67203
Kansas State Representative John Carmichael, 1475 North Lieunett, Wichita, KS 67203

Dec. 8, 2023BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.RESOLUTION NO. 23-499

WHEREAS, Scott A. and Crystal D. Downey, Beltz Land Holdings, Evergy Kansas South Inc., Waterman Properties LLC, Kansas Gas & Electric Co., Owners, 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 LI Limited Industrial District, generally bounded by East Central Avenue, East 3rd Street North, North Mead Avenue, and North Rock Island Avenue, legally described as:

A tract of land in the Northwest Quarter of Section 21, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, being described and prepared on 04/04/2023 by Brian O'Keefe, LS #1558 and Professional Engineering Consultants P.A., C.L.S. #65, as follows:

Commencing at the Northeast corner of said Northwest Quarter; thence S88°54'15"W (bearings based on the Kansas Coordinate System 1983 South Zone) along the north line of said Northwest Quarter, a distance of 660.96 feet to the point of beginning; thence S01°02'34"E along the east right of way line for North Mead Street, a distance of 632.70 feet to the north right of way line for East Third Street, thence N88°59'34"E along said right of way line, a distance of 140.25 feet to the west right of way line for North Rock Island Avenue; thence N02°31'24"W along said right of way line, a distance of 600.00 feet; thence S88°59'18"W, a distance of 128.75 feet to 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 October 26, 2023, 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 LI Limited Industrial District, generally bounded by East Central Avenue, East 3rd Street North, North Mead Avenue, and North Rock Island Avenue, legally described as:

A tract of land in the Northwest Quarter of Section 21, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, being described and prepared on 04/04/2023 by Brian O'Keefe, LS #1558 and Professional Engineering Consultants P.A., C.L.S. #65, as follows:

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Approved subject to the following conditions:

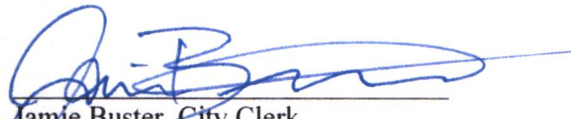
- 1) The final site plan must be reviewed by the Wichita Historic Preservation Board with an appeal to the Wichita City Council prior to the issuance of building permits.
- 2) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 3) If the 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 Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 5th day of Dec, 2023.

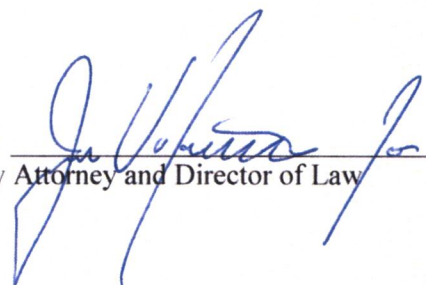

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:


Jamie Buster, City Clerk

(SEAL)



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



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
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The Sacramento Bee
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Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	497381	Print Legal Ad-IPL01508720 - IPL0150872	RES#23-499	\$121.14	2	72 L

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

JMBuster@wichita.gov

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON
December 8, 2023
BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS,
RESOLUTION NO. 23-499

WHEREAS, Scott A. and Crystal D. Downey, Beltz Land Holdings, Evergy Kansas South Inc., Waterman Properties LLC, Kansas Gas & Electric Co., Owners, 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 LI Limited Industrial District, generally bounded by East Central Avenue, East 3rd Street North, North Mead Avenue, and North Rock Island Avenue, legally described as:

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WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of October 26, 2023, 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.

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

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

Adopted on 5th day of December 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magana, City Attorney and Director of Law

IPL0150872

Dec 8 2023

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

1 insertion(s) published on:

12/08/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, depose 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 12/08/2023 to 12/08/2023.

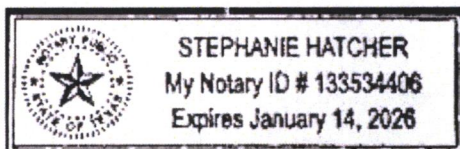
Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 12/08/2023

Stephanie Hatcher

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



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



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
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The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	473779	Print Legal Ad-IPL01420260 - IPL0142026		\$150.99	2	90 L

Attention: MANDY HEBERT
CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

MHEBERT@wichita.gov

LEGAL PUBLICATION MAPC/SEA October 26, 2023 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 26, 2023, 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, 2nd 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.

CON2023-00030: Conditional Use request in the City to permit a 92 foot Wireless Telecommunications Facility with a 10 foot lightning rod on property zoned LC Limited Commercial District; generally located east of South Seneca Street and approximately 450 feet south of West Maple Street (420 S. Seneca Street).

CON2023-00051: Conditional Use request in the City for Personal Care and Personal Improvement Uses on property zoned GO General Office; located on the southeast corner of North Oliver Avenue and East 1st Street North (150 North Oliver).

CON2023-00052: Conditional Use request in the City to modify CON2023-00022 site plan for the expansion of the existing substation on property zoned U Limited Industrial District; generally bounded by East Central Avenue, East 3rd Street North, North Mead Avenue, and North Rock Island Avenue.

DER2023-00012: Unified Zoning Code amendment to the Use Regulations table (Article III-D) to better clarify what uses are permitted by right and when they are a conditional use.

PUD2023-00011: Zone change request in the City from SF-5 Single-Family Residential to PUD Planned Unit Development #116 to allow for vehicle storage yard and industrial operation; located on the north side of West MacArthur Road and within one-half mile west of South Seneca Street (1514 & 1530 W. MacArthur Rd).

VAC2023-00040: Vacation request in the City to vacate a portion of a platted setback to permit construction of a detached garage, on property zoned SF-5 Single-Family Residential; generally located on the north side of East Central Avenue, one-quarter mile east of North Woodlawn Blvd (508 N Hampton). Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd 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 (see below):

- 1) Attend in-person at the Ronald Reagan Building
- 2) Submit comments ahead of time

Attend In-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5pm, 3 days prior to the meeting.

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) - 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 Department 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
Written comments should be submitted by 5 pm the day before the meeting.
Video and Audio Comments
Comments in video or audio message (mp3, etc.) formats should 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

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>

Planning
WITNESS MY HAND on October 5, 2023

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0142026

Oct 5 2023

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

1 insertion(s) published on:

10/05/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, depose 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 10/05/2023 to 10/05/2023.

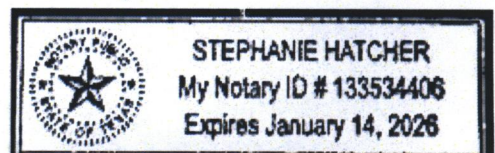
Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 10/05/2023

Stephanie Hatcher

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



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

Existing Site and Demo Plan



STEEPLE

APPROVED 11/21/23 BY CMR



STAFF REPORT
MAPC: October 26, 2023
DAB VI: November 13, 2023

CASE NUMBER: CON2023-00052 (City)

APPLICANT/AGENT: Evergy Kansas South, Inc. (Applicant) / Professional Engineering Consultants (Agent)

REQUEST: Conditional Use to allow Utility, Major

CURRENT ZONING: LI Limited Industrial District

SITE SIZE: 1.81 acres

LOCATION: Generally located north of East 3rd Street North, between North Mead Avenue and North Rock Island Avenue (402 North Mead Avenue).

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 LI Limited Industrial District. The 1.81-acre property is addressed as 402 North Mead Avenue, located north of East 3rd Street North, south of East Central Avenue, between North Mead Avenue and North Rock Island Avenue.

The applicant is requesting the Conditional Use to expand the existing substation, which was completed around 1950. The subject site is currently developed with the following:

- An electrical substation;
- a small manufacturing facility located at 433 North Rock Island Avenue;
- the Keep Klean Building located at 800 East 3rd Street North; and
- an upholstery business originally constructed as a Phillips 66 Station.

In 2023, the Wichita City Council approved a Conditional Use to expand the substation (CON2023-00022). However, it did not include the subject property to the north. The Keep Klean Building has been listed on the Register of Historic Kansas Places since 2006 and the National Register of Historic Places since 2007. The Phillips 66 Station has been on the Wichita Register of Historic Places since 1978. The applicant seeks to demolish the small manufacturing facility, along with portions of the Keep Klean Building and the Phillips 66 Station properties for the expansion of the substation.

The applicant's site plan proposes preserving the south and east facades of the Keep Klean Building along with the two-story tower on the southeast corner. However, it also proposes significant amount of demolition, which includes concrete block additions of an unknown date and a portion of the south façade, that may result in the property's delisting from the National Register of Historic Places and the Register of Historic Kansas Places. The proposed demolition, under Kansas state preservation law K.S.A. 75-2724, will trigger a formal review from the Wichita Historic Preservation Board (HPB). This site plan and proposed demolition will be reviewed by the HPB on November 13. As a condition of approval of this Conditional Use request, staff also recommends the applicant be required to submit a site plan for review by the Wichita Historic Preservation Board with an appeal to Wichita City Council.

The subject site is exempt from the Wichita Landscape Ordinance requirements as well as screening requirements since it was zoned LI Limited Industrial District prior to the Ordinance's implementation. Additionally, it does not abut residential zoning. However, the site plan shows a chain link fence around the perimeter of the property, along with two gates on the east side and two ornamental gates on the west side. The design of the fence may change subject to HPB review. Because the substation is unmanned, the substation expansion will not have any off-street parking.

Properties to the north, south, east and west are all zoned LI Limited Industrial District. Property to the north, across East Central Avenue, is developed with a vacant building. Property to the south is an apartment building known as the International Harvesters Building, which is individually listed on the National Register of Historic Places (NRHP). Property to the east is developed with a parking lot. Property to the west is developed with a surplus store.

CASE HISTORY: The subject site is unplatted. The property is exempt from platting due to its public utility status per Subdivision Section 3-105(D). In 2007, the Planning Department administratively approved a 25 percent reduction in parking (BZA2007-00001). In 2023, the Wichita City Council approved a Conditional Use to expand the substation (CON2023-00022) with a condition that the site plan be reviewed and approved by the Wichita Historic Preservation Board with an appeal to the City Council. However, it did not include the Phillips 66 Station property to the north.

ADJACENT ZONING AND LAND USE:

North:	LI	Vacant building
South:	LI	International Harvesters Building (NRHP)

East:	LI	Parking lot
West:	LI	Surplus store

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 Mead Avenue, North Rock Island Avenue, and East 3rd Street North, which are all two-way, local streets with sidewalks. It also has access to East Central Avenue, which is a four-lane arterial with sidewalks on each side. North Rock Island has a sidewalk on the east side, while North Mead Avenue and East 3rd Street North have sidewalks on both sides. North Mead Avenue and North Rock Island Avenue are both paved, while East 3rd Street North is partially a brick street. Wichita Transit serves this area within one block northwest of the subject site, on the southwest corner of Central Avenue and North Mead Avenue.

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 "Residential and Employment Mix". This category is described as "*areas of land that likely will be developed or redeveloped by 2035 with uses predominately of a mixed nature. Due to the proximity of higher intensity businesses uses, residential housing types within this area likely will be higher density. Due to the proximity of residential uses, employment uses likely will have limited negative impacts associated with noise, hazardous emissions, visual blight, and odor.*"

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. One of the Guidelines within the Established Central Area "encourage[s] 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."
- **Current Condition:** The subject property is located within an area identified as an "area of stability." The *Places for People Plan* defines Areas of Opportunity as areas that "require fewer interventions and potentially less public investment to maintain a stable development environment and community. Improvements should be targeted to support development momentum and strengthen the established physical context."

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 final site plan must be reviewed by the Wichita Historic Preservation Board with an appeal to the Wichita City Council prior to the issuance of building permits.
- 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:

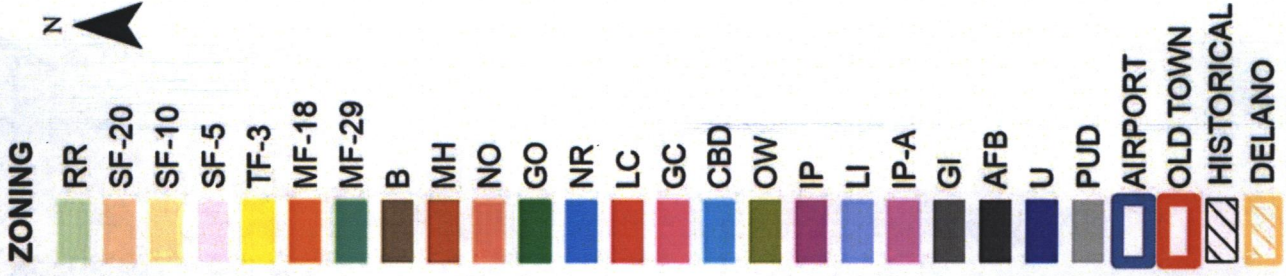
1. The zoning, uses and character of the neighborhood: The character of the neighborhood is a mix of commercial, light industrial, and residential. Properties to the north, south, east and west are all zoned LI Limited Industrial District. Property to the north, across East Central Avenue, is developed with a vacant building. Property to the south is an apartment building known as the International Harvesters Building, which is individually listed on the National Register of Historic Places (NRHP). Property to the east is developed with a parking lot. Property to the west is developed with a surplus store.
2. The suitability of the subject property for the uses to which it has been restricted: The properties are suitable for the uses to which it has been restricted. The property is zoned LI Limited Industrial District. Utility, Major is permitted in LI zoning by Conditional Use.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions may impact the integrity of the historic building on site. However, one of the conditions of approval, which requires final site plan approval from the Wichita Historic Preservation Board, may mitigate the detrimental impacts.
4. Length of time subject property has remained vacant as zoned: The subject site is not vacant. Property records show the subject site has been developed since 1929.
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

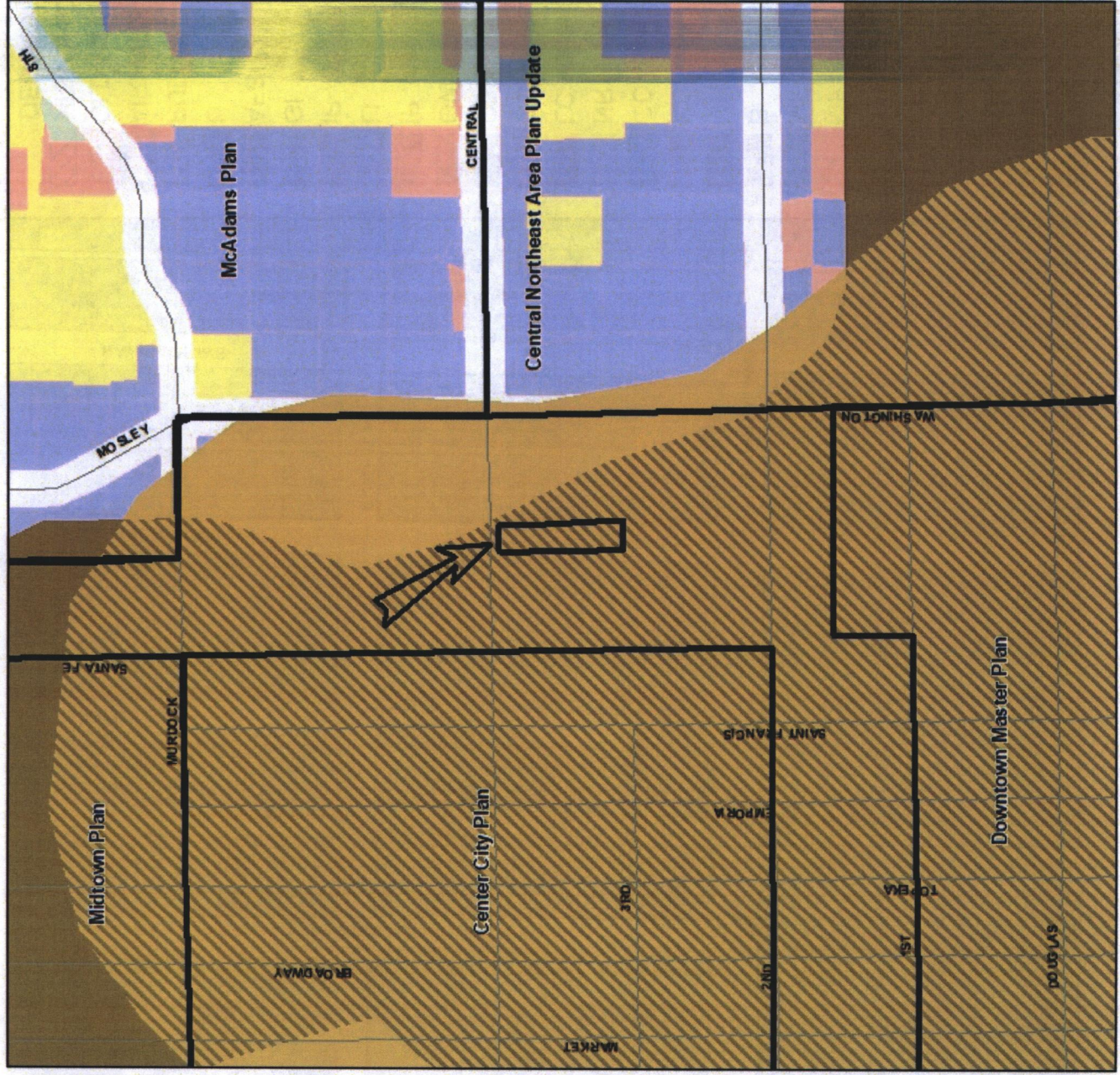






2035 Wichita Future Growth Concept Map

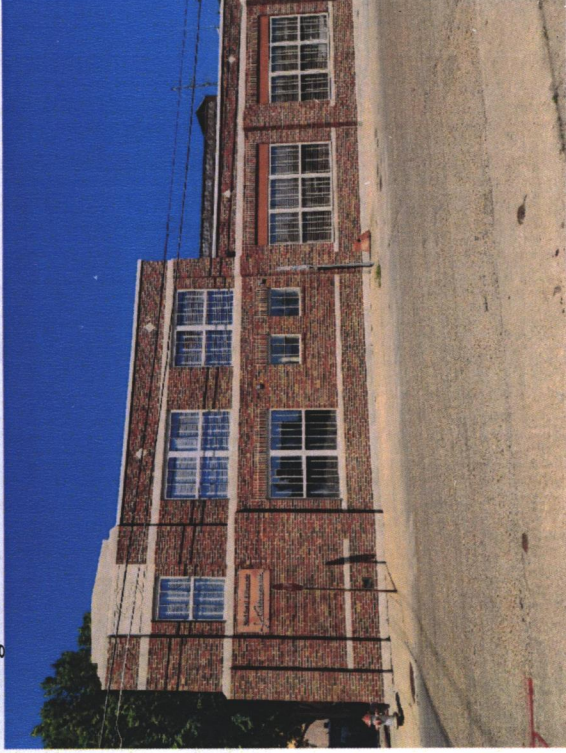
- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Small City Urban Growth Areas
 - Small City Urban Growth Areas
 - Rural Areas
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Neighborhood/Area Plans



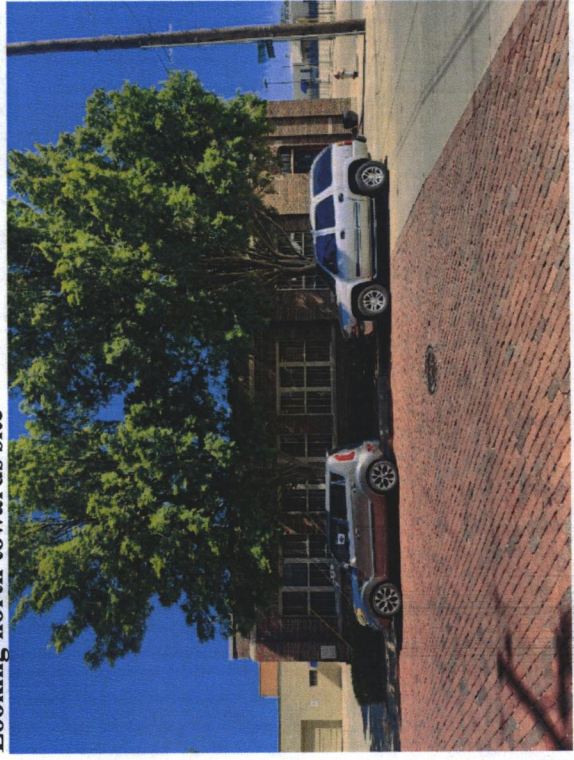
Looking west towards site



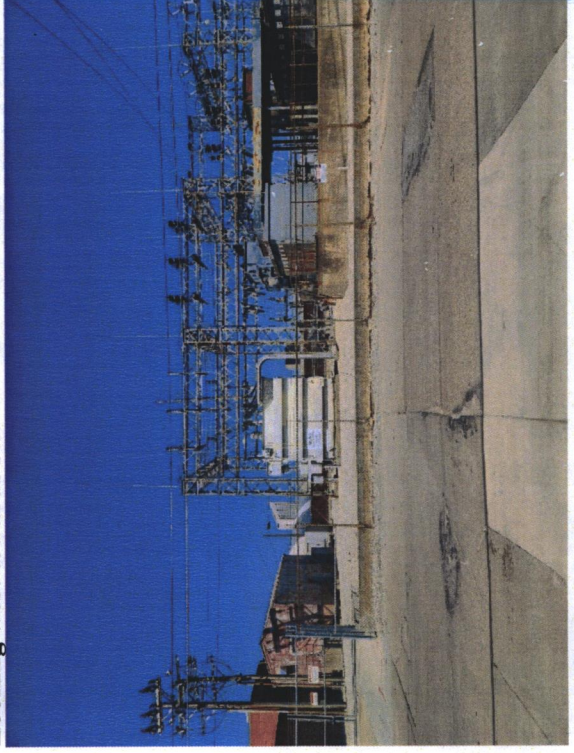
Looking west towards site



Looking north towards site



Looking west towards site



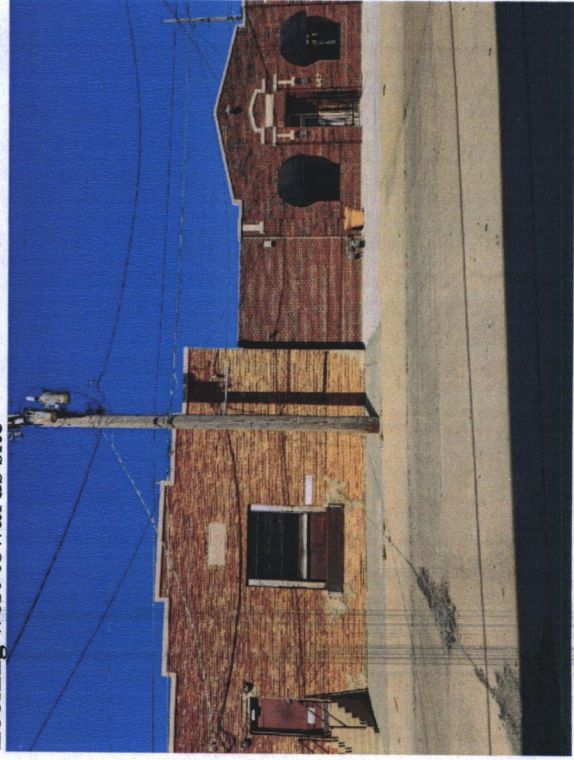
Looking west towards site



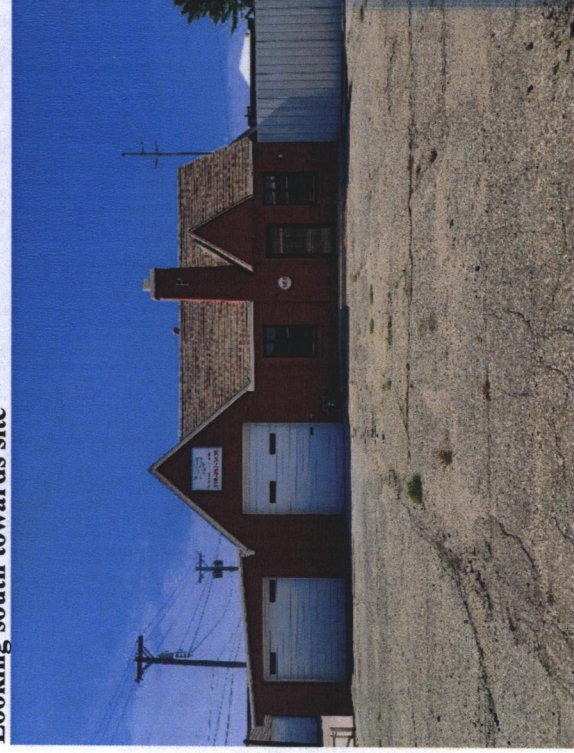
Looking west towards site



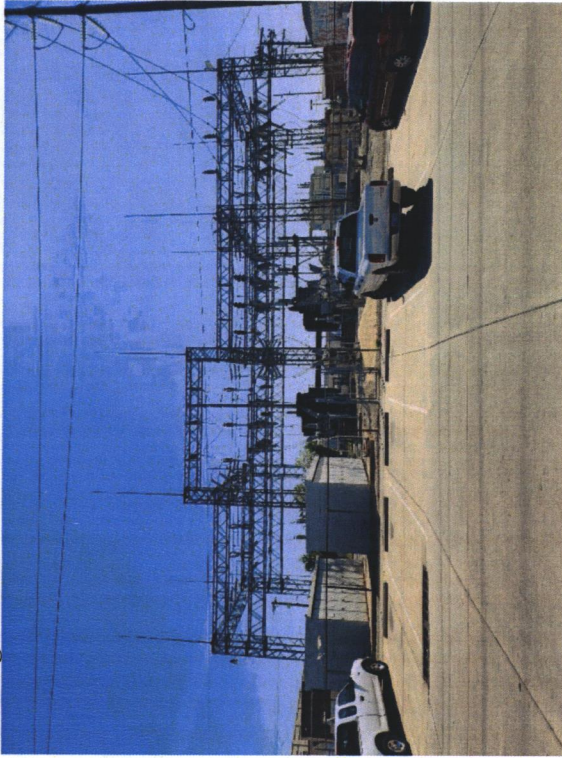
Looking west towards site



Looking south towards site



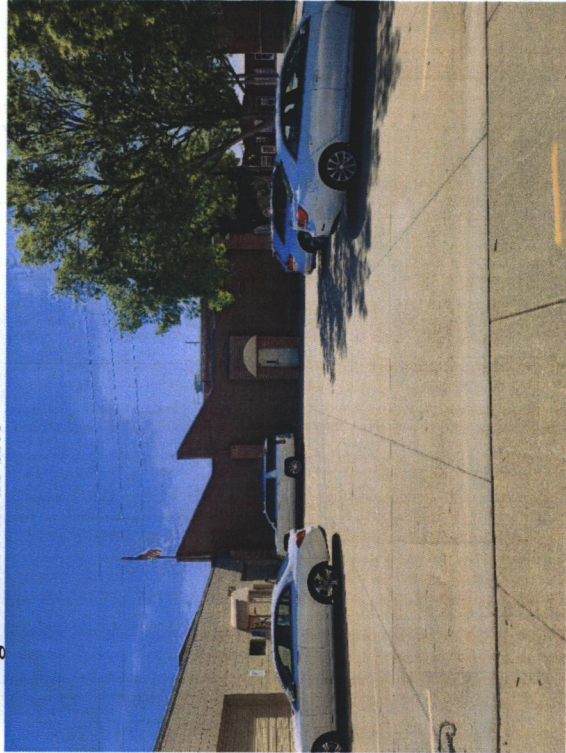
Looking east towards site



Looking west towards site



Looking west towards site



Looking east towards site

