



Wichita-Sedgwick County Metropolitan Area Planning Department

August 11, 2017

Charlie Brown
303 South Topeka Avenue
Wichita, KS 67202

Katie Walbridge
818 South Kansas Avenue
Wichita, KS. 66601

RE: CON2017-000027 – City Conditional Use for a Utility, Major expansion located at 3509 North Hydraulic Avenue

Dear Mr. Brown,

At its regular meeting on July 20, 2017, 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.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Kyle C. Kobe'.

Kyle C. Kobe
Associate Planner

KCK:al
Attachment

Copies to: MABCD
Lavonta Williams, Council Member District I
Kameelah Alexander, CSR I

CONDITIONAL USE RESOLUTION NO. CON2017-00027

WHEREAS, Westar Energy, (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 being a the expansion of the Coleman Substation, on property zoned GI General Industrial District at 3509 North Hydraulic Avenue and legally described as:

The south two hundred seventy (270) feet for the north four hundred seventy (470) feet of the part of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 26 South, Range 1 East, lying east of the east right-of-way line of Interstate 35 (now known as Interstate 135).

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 July 20, 2017, 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 Major Utility, specifically being the expansion of the Coleman Substation, on property zoned GI General Industrial District at 3509 North Hydraulic Avenue and legally described as:

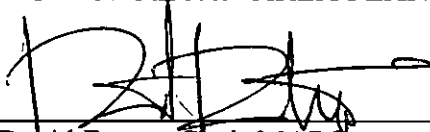
The south two hundred seventy (270) feet for the north four hundred seventy (470) feet of the part of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 26 South, Range 1 East, lying east of the east right-of-way line of Interstate 35 (now known as Interstate 135).

Subject to the following conditions:

1. The site is to be developed as shown on the Coleman Substation Plan dated 6/17 by PEC, PA.
2. Screening of the substation shall be within a material that meets the screening requirements of Article IV Section B.3.h. of the Unified Zoning Code.
3. Any changes to the site or screening design, shall be reviewed and approved by the Director of Planning prior to issuance of any building permits.
4. 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 20 Day of July 2017

METROPOLITAN AREA PLANNING COMMISSION



David Foster, Chair MAPC

ATTEST:



Dale Miller, Secretary

STAFF REPORT
 MAPC July 20, 2017
 DAB VI July 19, 2017

CASE NUMBER: CON2017-00027

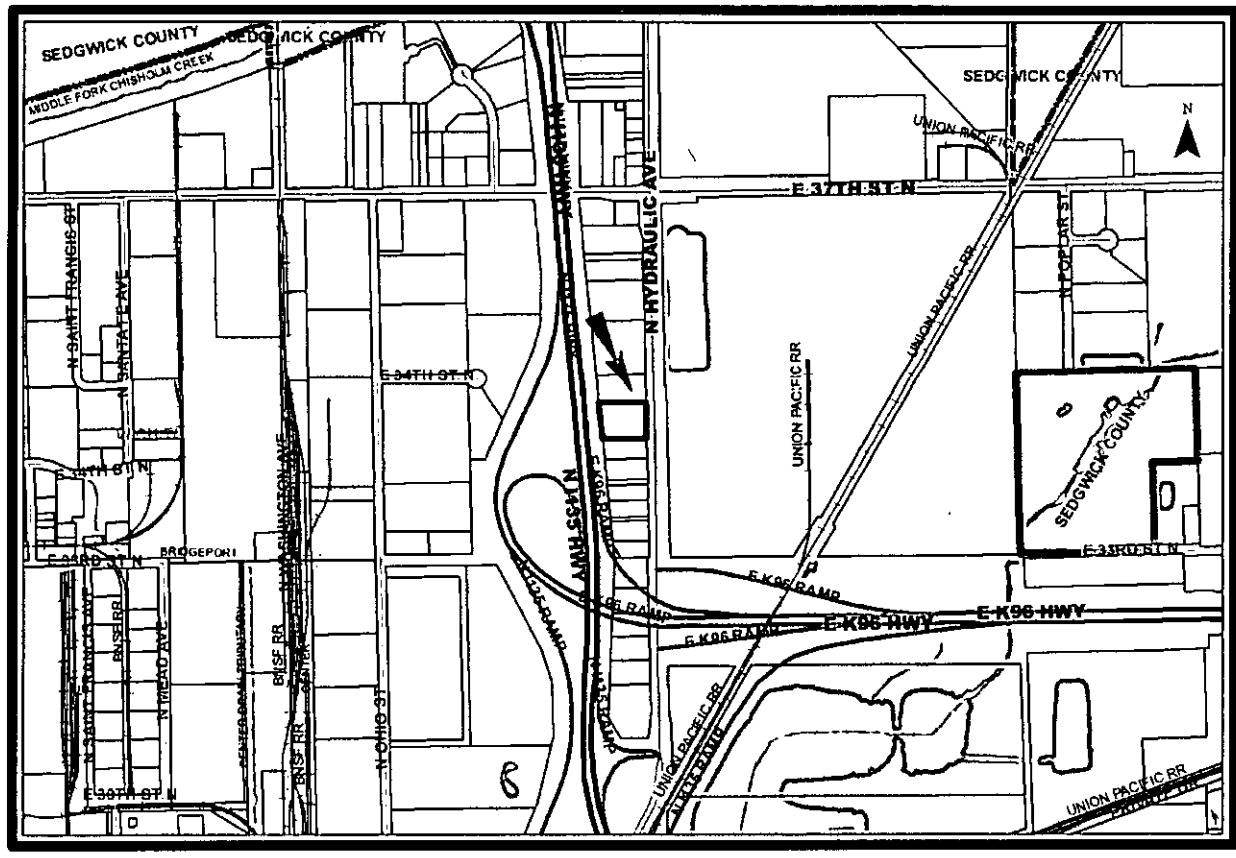
APPLICANT/AGENT: Westar Energy/ Professional Engineering Consultants, Charles Brown

REQUEST: Conditional Use for Utility, Major for the expansion of an existing electric substation.

CURRENT ZONING: GI General Industrial

SITE SIZE: 2.04 acres

LOCATION: Generally located on the west side of North Hydraulic Ave, approximately .25 miles south of 37th Street North. (3509 North Hydraulic Avenue)



BACKGROUND: This application was filed to request a Conditional Use Permit for the expansion of an existing electrical substation 3509 North Hydraulic Avenue. The site abuts I-135 and is zoned GI General Industrial.

The purpose of this application is to allow for Westar to upgrade and expand the equipment in the Coleman Substation. According to the applicant the existing equipment is aging and it is starting to limit the station's ability to provide reliable service.

The applicant states that, if approved this expansion would allow for both better and more reliable service to the current businesses and residents of the area, as well as increased capacity to cover any growth that may occur in this service area. The applicant proposes beginning construction in the fall of 2017 and to begin operations in 2018.

Staff requested additional landscaping along both the east and west property lines. The applicant responded by sending a Landscaping Plan that shows additional plantings along both property lines. The Landscaping Plan is attached.

Currently at this station there is a chain link screening fence with vinyl slats, Wester has proposed to a vinyl coated chain link fence for the expansion of the substation. However, according to Article IV Section B.3.h. of the Unified Zoning Code: "Screening Walls and Fences shall be constructed of standard building materials customarily used for Wall and Fence construction such as brick, stone, concrete masonry, stucco, concrete or wood." The plan should be revised to meet this requirement.

Much of the information contained within this staff report was summarized from a FAQ document sent by the applicant that addressed most of the major, relevant issues with this case.

SURROUNDING DEVELOPMENT: To the north is a gas station and to the south is a truck rental company. The two dominant land uses near this property are the Coleman Company to the east and I-135 to the west. All of the uses nearby are industrial in nature or supportive of industrial.

CASE HISTORY: The property is not platted. The Subdivision Ordinance provides an exemption of platting requirements for public utilities. There are been no prior zoning cases for this site.

ADJACENT ZONING AND LAND USE:

NORTH:	GI	Gas Station
SOUTH:	GI	Ryder Truck Rental
EAST	GI	The Coleman Company
WEST:		I-135

PUBLIC SERVICES: North Hydraulic Avenue is an Arterial Street. All municipal utilities are available at the property.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as Industrial. The proposed use is consistent with the industrial designation for this area. As an expansion of an existing substation it would simply be continuing the same use as before but on a slightly different footprint.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**, subject to the following conditions:

- a. The site is to be developed as shown on the Coleman Substation Plan dated 6/17 by PEC, PA.
- b. Screening of the substation shall be within a material that meets the screening requirements of Article IV Section B.3.h. of the Unified Zoning Code.
- c. Any changes to the site or screening design, shall be reviewed and approved by the Director of Planning prior to issuance of any building permits.
- d. 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 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:** To the north is a gas station and to the south is a truck rental company. The two dominant land uses near this property are the Coleman Company to the east and I-135 to the west. All of the uses nearby are industrial in nature or supportive of industrial.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The proposed utility facility is a reasonable use of the property, after review and approval of a Conditional Use application. The application is for an expansion of a use that already exists on the property. The parcel is zoned for Industrial, so it is very compatible, but the zoning code requires a Conditional Use Permit for the proposed expansion.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The existing utility station has been in operation for many years and has not had an adverse effect on nearby property. The site will be screened appropriately and the nearby uses should not be negatively impacted by this use at all.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as Industrial. The proposed use is consistent with the industrial designation for this area. As an expansion of an existing substation it would simply be continuing the same use as before but on a slightly different footprint.
- (5) **Impact of the proposed development on community facilities:** The aesthetic impacts of this should be minimal. However, this facility will enhance the surrounding area by providing a higher capacity service of a critical utility than currently exists.

Staff Report Attachments:

1. Conditional Use Site Plan
2. Landscaping Plan

DWG. NO.	
SK9168_PL01	
SHEET NO.	REV.
1 of 1	0

recommended rate.

Instructions.

PRUNE ALL DAMAGED TWIGS AFTER PLANTING.

RUBBER HOSE LOOP, AT CROOK OF LOWEST BRANCH

18 GA. GALV. SOLID WIRE- LEAVE SOME SLACK IN LINES FOR TREE MOVEMENT

WHITE SAFETY FLAG

2"x2"x8" STAKE KEEP STAKE PLUMB, LEVEL & OUT OF TREE PIT- MIN (3).

INSTALL TREE SO TOP OF ROOT BALL IS SLIGHTLY HIGHER THAN ADJACENT GRADE. ROOT FLARE SHALL BE ABOVE ADJACENT GRADE

4" OF MULCH

COMPLETELY REMOVE TWINE/ BURLAP/ WIRE BASKET FROM ROOT BALL

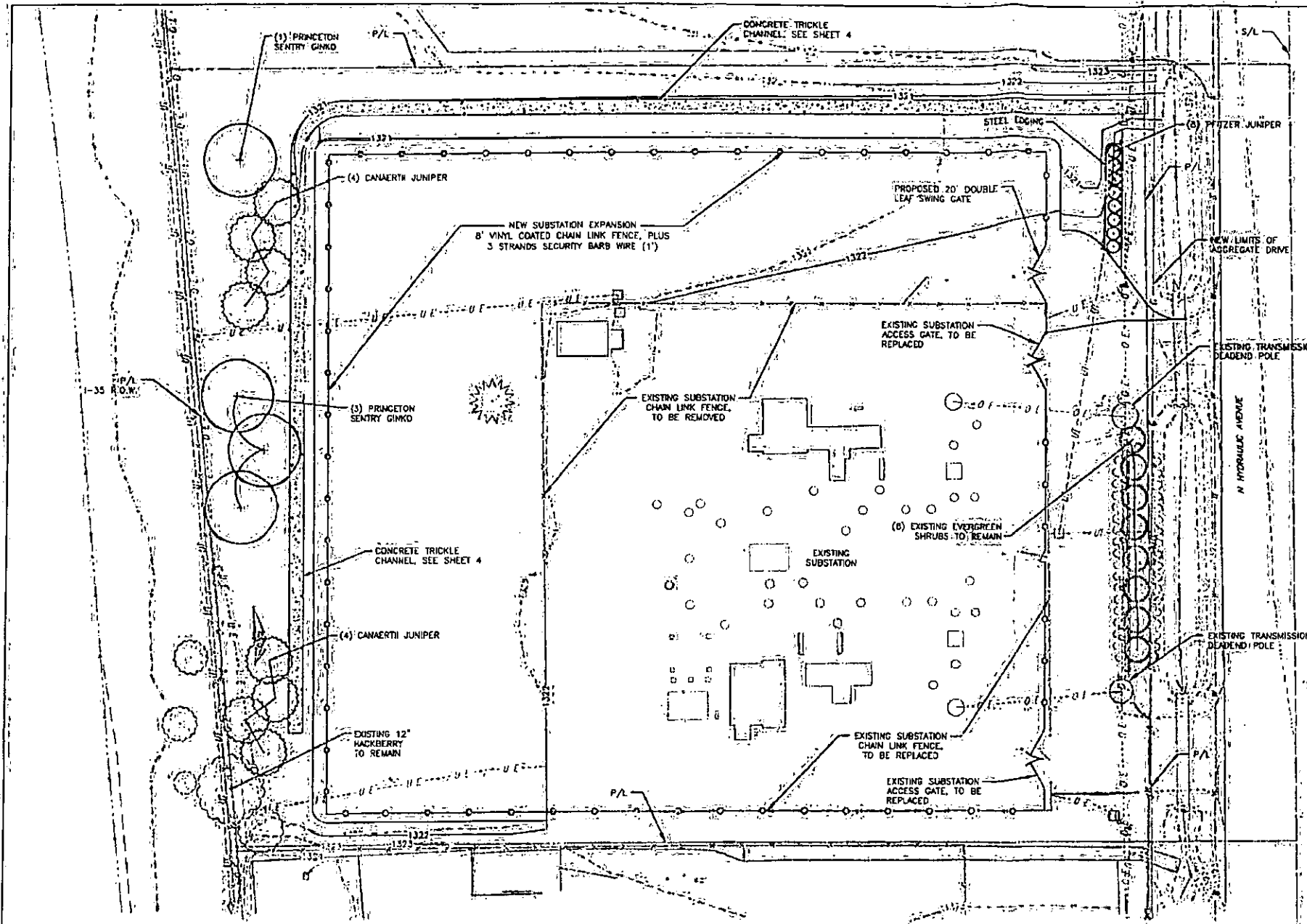
6" TREE SAUCER

PREPARED BACKFILL- REFER TO SPECIFICATIONS- TAMP TO PREVENT SETTLEMENT SOAK BACKFILL AFTER PLANTING.

5'-0"

X

1.5X



LEGAL DESCRIPTION:
 THE SOUTH TWO HUNDRED SEVENTY (270) FEET OF THE NORTH FOUR HUNDRED SEVENTY (470) FEET OF THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 26 SOUTH, RANGE 1 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 35 (NOW KNOWN AS INTERSTATE 135).

- GENERAL NOTES**
1. PROPOSED PROJECT IS EXPANSION OF EXISTING SUBSTATION.
 2. ALL SITE LIGHTING SHALL BE NO TALLER THAN 12' AND SHALL BE DIRECTED AWAY FROM RESIDENTIAL STRUCTURES/ZONING.
 3. SEE LANDSCAPING DETAILS SHEET LSD102 FOR GENERAL PLANTING NOTES AND DETAILS.

LEGEND

BSL	BUILDING SETBACK LINE
F.C.	FENCE CORNER
E.P.	EDGE OF PAD
P/L	PROPERTY LINE
S/L	SECTION LINE

PLANTING ORDINANCE CALCULATIONS FOR THE CITY OF TOPEKA, KS

REQUIRED LANDSCAPED STREET YARD - METHOD 1 (USED FOR ALL PROJECTS)	
METHOD 1	
HYDRAULIC AVE	
260' X 15' = 4,020 SF	
1-35' POS	
260' X 15' = 4,035 SF	
4,020 SF + 4,035 SF = 8,055 SF	
METHOD 2	
537' (TOTAL LINEAL FEET OF STREET FRONTAGE)	
53' (6% STREET FRONTAGE ADJUSTMENT)	
484' (ADJUSTED STREET FRONTAGE NUMBER)	
484' X 15' = 7,260 SF	
7,260 SF (TOTAL LANDSCAPED STREET YARD REQUIRED)	
18,000 SF (TOTAL LANDSCAPED STREET YARD PROVIDED)	
7,260/500 = 15 TREES REQUIRED	
13 TREES PROVIDED: (1) EXISTING 12" HACKBERRY TO REMAIN (COUNTS FOR 2)	
TOTAL = 15 TREES PROVIDED	

BOTANICAL NAME	COMMON NAME	PLANT SIZE	CONTAINER SIZE	CONDITION	REMARKS
TREES					
GINKGO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY GINKGO	3" CAL.	B&B		MALE ONLY
JUNIPERUS VIRGINIANA 'CANAERTII'	CANAERTII JUNIPER	6" TALL	B&B		
SHRUBS					
JUNIPERUS X MEDIA 'PFIZERIANA'	PFIZER JUNIPER		#5	CONTAINER	FULL & HEALTHY
BUFFALOGRASS SEED MIXTURE					
BUFFALOGRASS CODY PRIMED W/ KNO3 2.5					
BLUE GRAMA ALMA, HACHITA D.S					
TOTAL = 3.0 LBS/1,000 S.F.					

APPROVED **LANDSCAPE PLAN**
 10/5/17 *NES*

CON 2017-27 Screening Plan per GP #3

Date: 10-23-17 *SK*

DESIGNED BY: <i>MLS - PEC</i>	DATE: 09/20/17	SCALE: AS SHOWN	FILE: SK9168_LS01
APPROVED BY: <i>CRC - PEC</i>	DATE: 09/20/17	PROJECT NO: P23776	REV: 1 of 2
Westar Energy COLEMAN SUBSTATION LANDSCAPING PLAN			SK9168_LS01 1 of 2



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