Wichita-Sedgwick County Metropolitan Area Planning Department

January 12, 2021

City of Wichita
Attn: B Perkins
455 N. Main
8th Floor
Wichita, KS 67202

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

RE: **CON2020-00031 -** City Conditional Use (CON2020-00031) to allow for the expansion of the Northwest Water Treatment Plant; generally located on the west side of North Hoover Road and south of West 21st Street North (5000 block of West 21st Street North).

Dear Applicants:

At its regular meeting on **January 7, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request.

NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by **January 21, 2021, at 5 p.m.** Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a vote of 6 of its members.

If no protests are received the action of the MAPC is final. If protest petitions exceeding 20% of the valid protest area, the application will be forwarded to the City Council for review and final action on on **Tuesday, February 9, 2021**. This meeting will be held "virtually".

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 268-4421.

Sincerely,

Kathy L. Morgan

Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: Cindy Claycomb, City Council District VI, Mail Stop 1-13
Ana Lopez, CRS District VI, Mail Stop 1-135
Jeff Van Zandt, City Law, Mail Stop 1-72
MABCD
Deb Ary, City Engineering, Mail Stop 1-71

CONDITIONAL USE RESOLUTION NO. CON2020-00031

WHEREAS, The City of Wichita (Owners/Applicants), 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 an expansion of the Northwest Water Treatment Plant; generally located on the east side of North Hoover Road and the south side of West 21st Street North and described as:

Lot 1, Block 1, U-Needa Self Storage Addition to Sedgwick County, Kansas, TOGETHER WITH that vacated portion of 21st Street North described as follows: Commencing at the Northwest corner of Lot 1, Block 1, U-Needa Self Storage Addition to Sedgwick County, Kansas; thence along the North line of said Lot 1 on a platted bearing of N 89°22'29" E, a distance of 100.00 feet to the point of beginning; thence N 76°35'21" E, a distance of 103.08 feet; thence N 89°22'29" E, a distance of 74.90 feet; thence S 76°35'21" W, a distance of 103.08 feet; thence continuing along the North line of Lot 1 S 89°22'29" W, a distance of 75.00 feet to the point of beginning.

AND

A tract of land situated within Lot 2, Block 1, Northwest Water Treatment Plant Addition to Wichita, Sedgwick County, Kansas, being more fully described as follows: Beginning at a point on the West line of said Lot 2, said point being the Southwest corner of Lot 1, Block 1 in said Northwest Water Treatment Plant Addition; thence bearing South 00°37'53" East, along the West line of said Lot 2, a distance of 295.63 feet; thence bearing North 89°55'35" East, parallel with the South line of said Lot 1, a distance of 640.03 feet; thence bearing North 00°37'53" West, parallel with the West line of said Lot 2, a distance of 295.63 feet to the Southeast corner of said Lot 1; thence bearing South 89°55'35" West, distance of 640.03 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 January 7, 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 expand the area of the Northwest Water Treatment Plant legally described as:

Lot 1, Block 1, U-Needa Self Storage Addition to Sedgwick County, Kansas, TOGETHER WITH that vacated portion of 21st Street North described as follows: Commencing at the Northwest corner of Lot 1, Block 1, U-Needa Self Storage Addition to Sedgwick County, Kansas; thence along the North line of said Lot 1 on a platted bearing of N 89°22'29" E, a distance of 100.00 feet to the point of beginning; thence N 76°35'21" E, a distance of 103.08 feet; thence N 89°22'29" E, a distance of 74.90 feet; thence S 76°35'21" W, a distance of 103.08 feet; thence continuing along the North line of Lot 1 S 89°22'29" W, a distance of 75.00 feet to the point of beginning.

AND

A tract of land situated within Lot 2, Block 1, Northwest Water Treatment Plant Addition to Wichita, Sedgwick County, Kansas, being more fully described as follows: Beginning at a point on the West line of said Lot 2, said point being the Southwest corner of Lot 1, Block 1 in said Northwest Water Treatment Plant Addition; thence bearing South 00°37'53" East, along the West line of said Lot 2, a distance of 295.63 feet; thence bearing North 89°55'35" East, parallel with the South line of said Lot 1, a distance of 640.03 feet; thence bearing North 00°37'53" West, parallel with the West line of said Lot 2, a distance of 295.63 feet to the Southeast corner of said Lot 1; thence bearing South 89°55'35" West, distance of 640.03 feet to the point of beginning.

Adopted this **7th** Day of **January** 2021

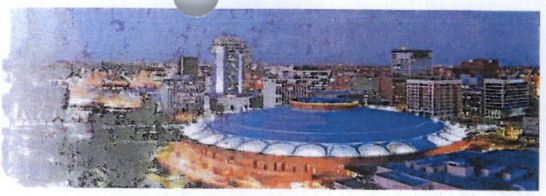
METROPOLITAN AREA PLANNING COMMISSION

Michael C. Greene, Chairman MAPC

ATTEST:

Scott Wadle, Secretary

The Wichita Eagle
Kansas.com
330 N Mead St | Wichita, KS 67202 | 316-268-6000



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453868	0004831074		OCA 150004	$117.60	1	14.00 In

Attention: Betsy Pagán

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

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

1 Insertions

Beginning issue of: 12/17/2020

Ending issue of: 12/17/2020

STATE OF KANSAS)
.SS
County of Sedgwick)

VICTORIA RODELA, 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 **12/17/2020** to **12/17/2020**.

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

V Rodela
Signature of Principal Clerk
DATED: 12/15/2020

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

Notary Public Dallas County, Texas

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

LEGAL PUBLICATION

OCA 150004
PUBLISHED IN THE WICHITA EAGLE
ON DECEMBER 17, 2020 (4831074)
(One Time Only)

MAPC/BZA January 7, 2021
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, January 7, 2021 no earlier than 1:30 p.m.**, the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals 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 Century II – Room 101B - 225 West Douglas Avenue, 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.**

CON2020-00031 City Conditional Use for SF-5 Single-Family Residential, OW Office Warehouse and IP Industrial Park zoned parcels; generally located south of West 21st St north. and east of Hoover Road to allow a major utility and the removal of an existing Protective Overlay #39 on the OW zoned parcel.

CON2020-00037 City Conditional Use to allow a Day Care, General on TF-3 zoned property; generally located one block south of West Harry Street and one block east of South Meridian Avenue (1701 S. Sedgwick Street)

CON2020-00038 City Conditional Use for Accessory Apartment in Single-Family Zoning (SF-5), Generally located on the west side of South Emporia Avenue and within 200 feet north of East Harry Street (1539 S Emporia).

CUP2020-00046 City CUP Amendment to DP-229 to revise land uses, maximum lot coverage, masonry wall and landscaping requirements, and cross-lot access requirements on property zoned LC Limited Commercial; generally located 300 feet south of East Central Avenue and east of North Greenwich Road.

PUD2020-00007 City zone change to create the Nguyen Senior Village PUD #76 to redevelop site for a senior living center on property generally located west of North Oliver and one-quarter mile south of East 17th Street North at the northeast corner of North Pershing Avenue and East 15th Street (4640 E 15th Street).

PUD2020-00011 City create Planned Unit Development on 6.96 acres located at the southwest corner of the intersection of McLean Blvd. and Douglas Ave. for a mixed-use development north of the baseball stadium. Riverfront Village PUD #77

PUD2020-00012 City PUD Planned Unit Development on zoned SF-5 Single Family Residential to permit accessory apartments within a residential area; generally located a half mile west of South 151st Street West and north of West Maple Street. PUD#80

VAC2020-00050 City vacation of 16-foot utility easement on property zoned LI Limited Industrial located on the north side of West Harry Street, 1770 feet west of South Tyler Road (9440 West Harry Street)

VAC2020-00051 City Vacation of a portion of a platted utility easement and a portion of a platted building setback to allow for redevelopment of the site on property zoned PUD Planned Unit Development #38; generally located on the east side of North Meridian Avenue and one block south of West 13th Street North.

ZON2020-00046 City zone change from LI limited Industrial to MF-18 Multi-Family Residential; generally located 150 feet east of North Washington and 675 feet north of East 2nd Street North (1016 East 3rd Street).

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 theWichitaSedgwick 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 a virtual connection site in-person (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	BPagan@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	3168587764

Participate Remately

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 meeting starts: https://global.gotomeeting.com/install/651544141

Attend a Virtual Connection Site In-Person

You may also participate in the hearing by going to meeting room 101B at Century II (225 West Douglas) to participate in the Planning Commission meeting by "virtual" connection. Planning Department staff members will be available to assist in your participation at this location. This option is 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 (2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on December 14, 2020
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission