



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:

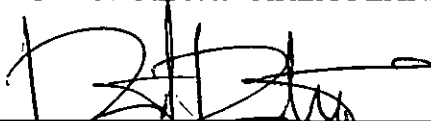
The south two hundred seventy (270) feet for the north four hundred seventy (470) feet of the part of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 33, Township 26 South, Range 1 East, lying east of the east right-of-way line of Interstate 35 (now known as Interstate 135).

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

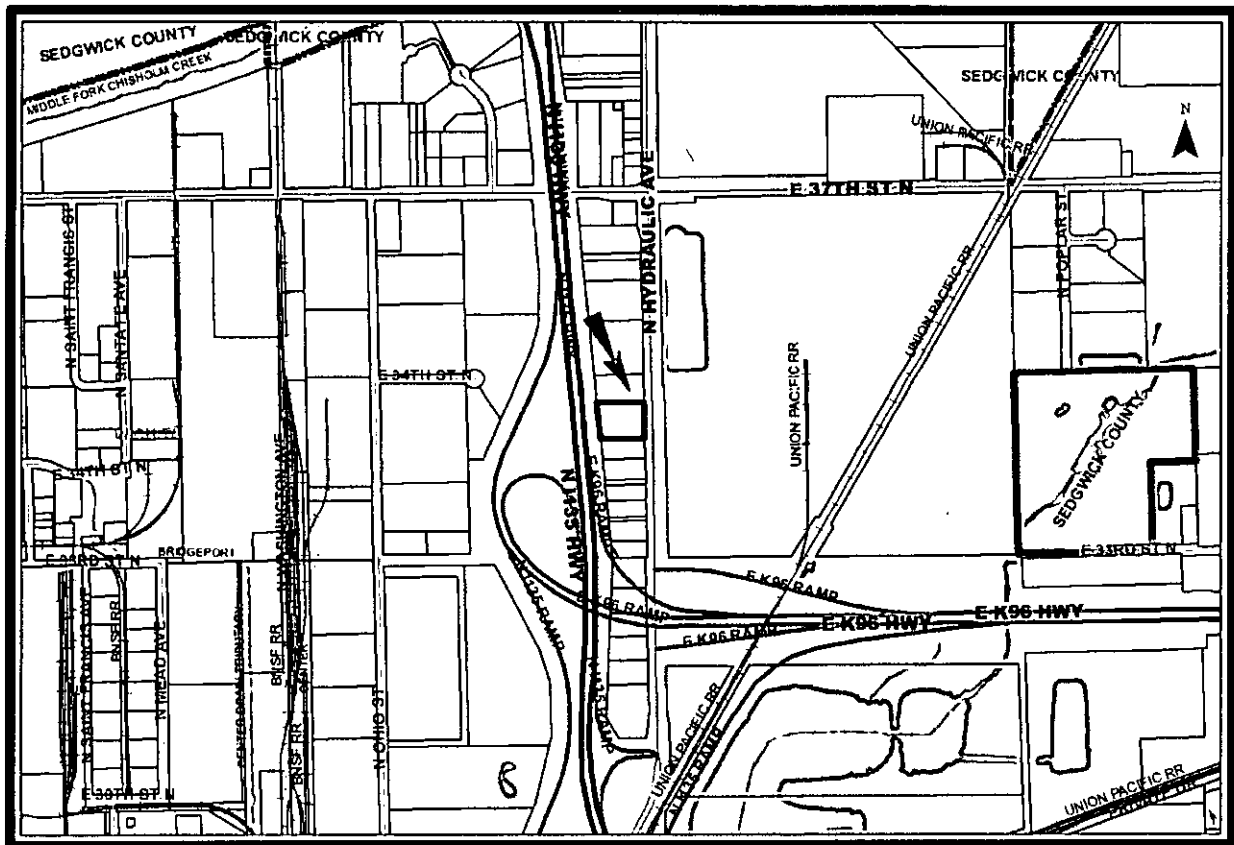
APPLICANT/AGENT: Westar Energy/ Professional Engineering Consultants, Charles Brown

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:

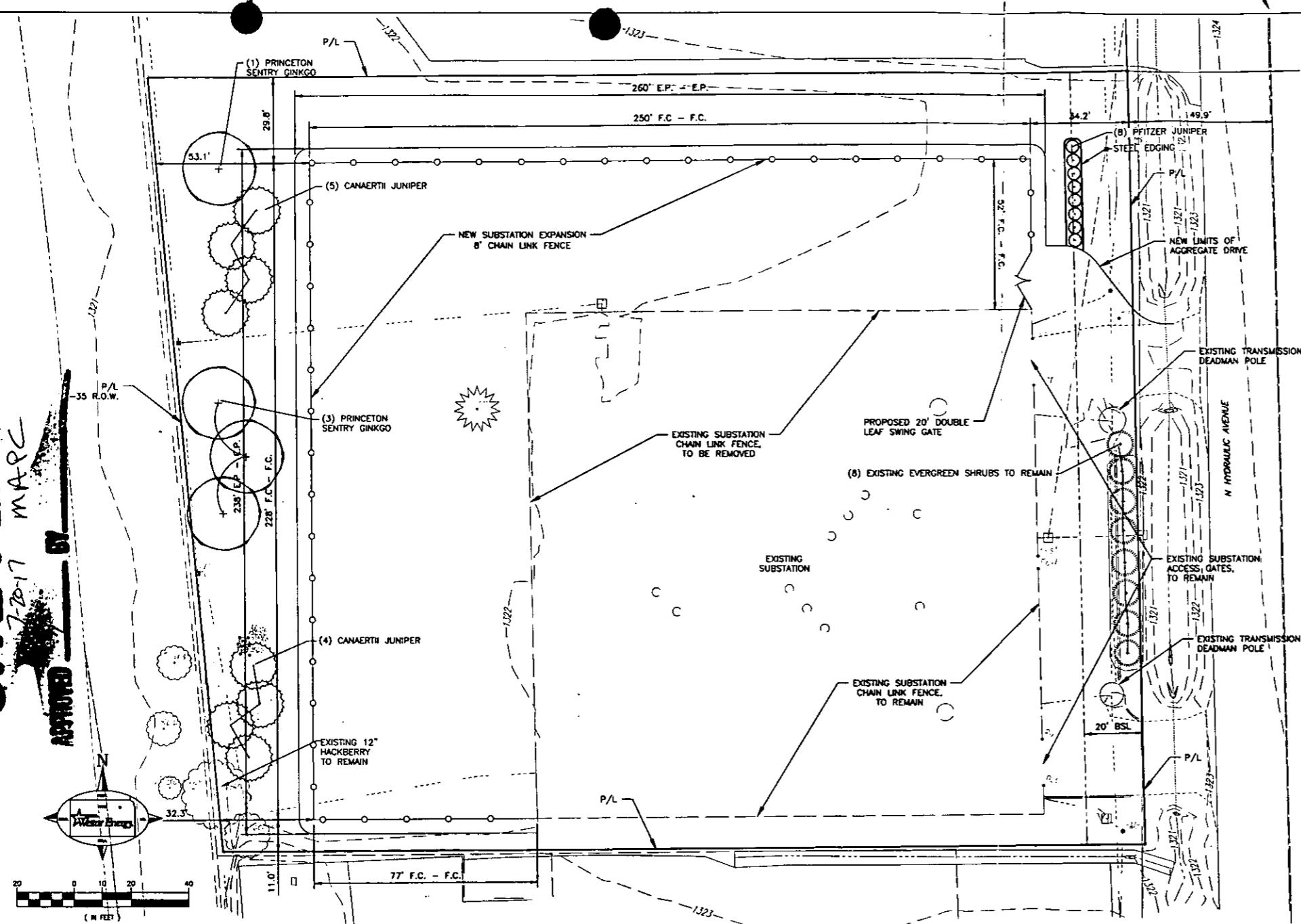
- (1) **The zoning, uses and character of the neighborhood:** To the north is a gas station and to the south is a truck rental company. The two dominant land uses near this property are the Coleman Company to the east and I-135 to the west. All of the uses nearby are industrial in nature or supportive 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

SITE PLAN

APPROVED BY 7-20-17 M.A.R.C.



GENERAL PLANTING NOTES

- 1) Prior to beginning any work on the site, the contractor shall contact the office of the Landscape Architect for specific instructions relevant to the sequencing of work. Report any issues in site conditions and construction that may affect the planting layout to the project architect prior to starting construction.
- 2) Landscape contractor shall provide all labor, materials, and service necessary to furnish and install plantings as specified herein and as shown on these plans.
- 3) No material substitutions shall be made without Landscape Architect's approval. Alternative materials of similar size and character may be considered if specified plant materials cannot be obtained. Landscape Architect reserves the right to revise plant list as deemed necessary.
- 4) Landscape contractor is to stake all plant material (tree and shrub) locations as well as planter bed edges locations prior to installation. Contractor is to contact owner's representative for pre-installation conference and final approval of staking. Adjust plant locations only as necessary to avoid site conflicts.
- 5) Utilities have been shown on the plan for rough location of services. Contractor shall locate all utilities before work. Locate exact utility locations by contacting utility locator services. Contractor will be responsible for the repair of any damage he may cause to utilities.
- 6) General Contractor shall provide 4" of topsoil at all sod and planting areas. Grade shall be adjusted for sod thickness. Any berms shown on plans are reflected on grading plan. Finish grading shall be performed by landscape contractor.
- 7) When clay soil is encountered in the establishment of the lawn or the installation of the plant material it shall be improved in accordance with standard trade practice.
- 8) Backfill for plant excavations to be clean natural soil, excavated from planting pits mixed with compost and well-rotted manure at a ratio of three (3) parts soil to one (1) part compost and well-rotted manure.
- 9) Cultivate ground cover planting beds to a depth of 8". Fill compost and well-rotted manure into the planting bed at the approximate ratio of one (1) part compost/manure to three (3) parts soil.
- 10) All plant materials shall be protected from the drying action of the sun and wind after being dug, while being transported, and while awaiting planting. Balls of plants which cannot be planted immediately shall be protected from drying action by covering them with moist mulch. Periodically, apply water to mulch-covered balls to keep moist. If planting should occur during growing season, apply anti-desiccant to leaves before transport to reduce likelihood of windburn. Reapply anti-desiccant after planting to reduce transpiration.
- 11) After planting is completed, repair injuries to all plants as required. Limit amount of pruning to a minimum necessary to remove dead or injured twigs and branches. Prune in such a manner as not to change natural habit or shape of plant. Make cuts flush, leaving no stubs. Cuts of one inch (1") or more to be painted with tree paint. Central leaders shall not be removed.
- 12) Tree trunks shall be straight.
- 13) Place groundcover/perennials within one foot (1') of trunk of trees or shrubs planted within area. Planting arrangements shall be triangular, with proper on-center spacing between plants.
- 14) Steel edging material shall be used to separate all turf areas from planting beds. Place edging flush with grade. Secure edge material in soil with minimum two stakes per section.
- 15) Planting beds are to be free of weeds and grass. Treat planting beds with a pre-emergent herbicide prior to planting. Apply in accordance with standard trade practice. Do not apply herbicide in perennial beds.
- 16) The contractor shall provide all water, watering devices and labor needed to irrigate plant materials until acceptance of plant materials as described within specifications. The contractor shall supply enough water to maintain the plant's healthy condition. Provide and install watering bags for all trees.
- 17) Use hardwood chip mulch in all planting beds. Landscape contractor shall submit a sample of mulch for approval prior to starting construction. Size of material to range from 1" to 3" only. Place 2" to 4" of mulch in all shrub beds. Place 1" of mulch in groundcover beds. Place 4" of mulch in all tree saucers.
- 18) Remove all rubbish, equipment and material and leave the area in a neat, clean condition each day. Maintain paved areas utilized for loading equipment and materials by other trades in a clean and unobstructed condition at all times. Remove soil or dirt that accumulated during or as a result of planting operations each day.
- 19) All plants shall be inspected by the owner and Landscape Architect at substantial completion. Contractor shall replace immediately any plants not in healthy and vigorous condition at that time at no expense to the owner.
- 20) Any vegetated areas disturbed by the construction process must be restored by repairing the soil bed and reestablishing original plantings.
- 21) Landscape contractor is required to remove the tree stakes and all dead wood on trees one year after provisional/final acceptance.
- 22) All trees shall be calipered, and undersized trees shall be rejected.
- 23) Any deviation to the approved final landscape plan shall require the written approval of the Landscape Architect prior to installation.
- 24) If shown, contractor shall verify the amount of plant materials shown on the plans matches the quantity shown on the plant schedule. Quantities listed on plans supersede those on plant materials list. Report any discrepancies to the Landscape Architect immediately.
- 25) Fertilize all plant materials and turf with Nitrogen fertilizer at manufacturer's recommended rate.
- 26) Apply Myka (or equal) Mycorrhizal fungi to plant material per the manufacturer's instructions.

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).

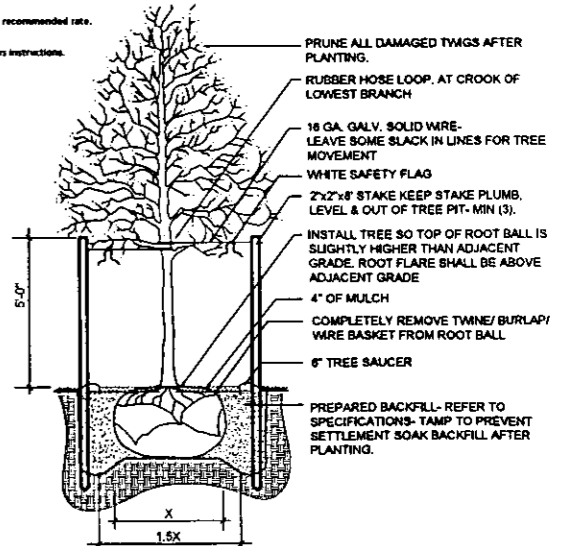
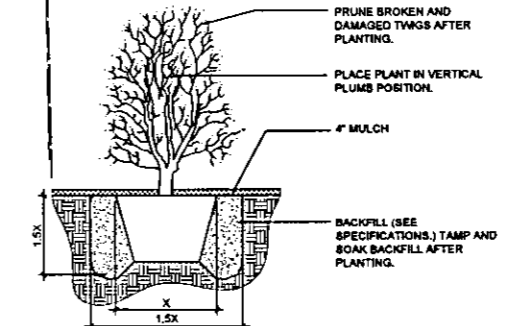
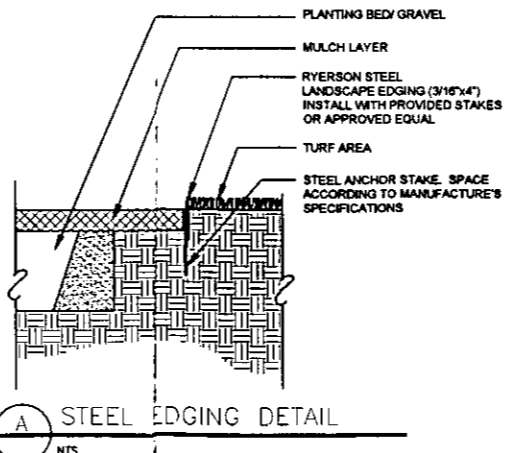
GENERAL NOTES

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.

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	
REQUIRED LANDSCAPED SITE YARD - Method 2 used	
METHOD 1	
HYDRAULIC AVE	208' X 15' = 4,020 SF
1-35 ROW	208' X 15' = 4,020 SF
	4,020 SF + 4,020 SF = 8,040 SF
METHOD 2	
537' (total linear feet of street frontage)	
57' (required perpendicular distance)	
454' (adj. street frontage number)	
1.44'	
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	



TREES		SHRUBS		MISC.	
Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	Juniperus x horizontalis 'Canaertii'	Pfizer Juniper	3' Col. d'Al	b&b
					b&b
					Male Only
					Full & Healthy

NOTE:
 SEED ALL DISTURBED AREAS WITH BUFFALO GRASS SEED MIX PER PLANTING SCHEDULE.

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

DRAWN BY: CAG - PEC DATE: 06/2017
 DESIGNED BY: CAG - PEC DATE: 05/2017
 APPROVED BY: _____ DATE: _____



TITLE: COLEMAN SUBSTATION SITE PLAN
 GROUP: _____

DWG. NO.: SK9168_PL01
 SHEET NO.: 1 OF 1
 REV.: 0



