

DR88-14: Woodard Children College Trust  
requests Special Use Permit for a K.G.E.  
Substation on the north side of 29th St.  
North approx. 1800' east of Tyler Road  
on property zoned "R-1".

Posted 1-5-88  
of *KX*

# ACTION

DATE

S/D COMMITTEE

M.A.P.C. Approved sub to conditions 1/19/89  
~~W.C.C.~~ / B. CO. C. Approved on resubmittal 2/15/89

*Closed*

DATA SHEET

MAP #: 4951 C

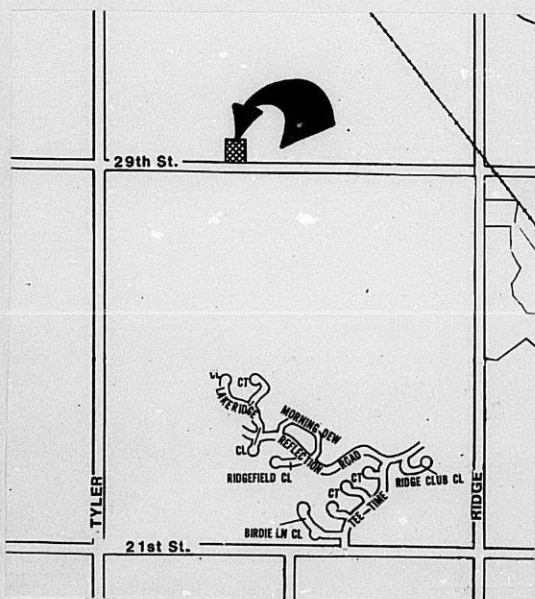
Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 DR- 88-14  
 DP- \_\_\_\_\_  
 Amend # \_\_\_\_\_  
 Case Filed: 12/23/88  
 Associated Case: \_\_\_\_\_  
 CPO Council Area: \_\_\_\_\_  
 CPO Meeting Date: \_\_\_\_\_  
 MAPC Hearing Date: 1/19/89

APPLICATION DATA:

1. GENERAL LOCATION: On the north side of 29th Street North approximately 1800 feet east of Tyler Road
2. FROM \_\_\_\_\_ to \_\_\_\_\_
3. Proposed Use: Special Use Permit for a K.G.&E. Substation
4. DP Name: \_\_\_\_\_
5. Applicant: Kansas Gas and Electric Company c/o Harley Albin  
 Address: P.O. Box 208, Wichita, Kansas 67201 Phone: 261-6388
6. Applicant: Woodard Children College Trust c/o Charles Woodard  
 Address: 4450 North Maize Road, Wichita, KS. 67101 Phone: 722-4312
7. Agent: P.E.C., P.A. c/o Gary Wiley  
 Address: 1440 East English, Wichita, Kansas 67211 Phone: 262-2691

AREA DATA:

1. Acres: 2.3 ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: N "R-1" S "R-1" E "R-1" W "R-1"
3. Land Use: North \_\_\_\_\_ South \_\_\_\_\_  
 East \_\_\_\_\_ West \_\_\_\_\_



LOS ANGELES-CHICAGO-LOGAN, OH  
 McNERSON, TX-LACUST GROVE, GA  
 U.S.A.

S  
 No. 2-53C  
 HASTINGS, MN  
 No. 2-53C

Provided copy of published  
resolution to Kirby for  
posting

Feal 10/23/89

Evidently this was not  
cut out of paper

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: May 16, 1989

TO: Ron Worley, County Zoning Administrator

FROM: Forrest Nagley, Senior Planner *Forrest L. Nagley*

SUBJECT: Forwarding of Resolution for DR 88-14. Special Use Permit for a K.G. and E. Substation on the north side of 21st Street North, approx. 1,800 feet east of Tyler Road.

On May 11, 1989, the plat of Northwest Substation Addition was recorded. This plat was a requirement of the above - captioned Special Use Permit case. Attached is a copy of the case's resolution which will be published within the next few days. We forwarded to your office, with a memorandum dated February 16, 1989, two copies of the landscape plan required for development of the substation.

FLN:pu

R# 41-1989

RESOLUTION

May 18, 1989

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR A KG&E ELECTRICAL SUBSTATION IN THE "R-1" SUBURBAN RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 17.C of the Zoning Regulations, a special use permit for a KG&E Substation on property zoned "R-1" Suburban Residential District is hereby granted on land legally described as follows:

CASE NO. DR 88-14

A tract of land in the SW Quarter of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows:

Commencing at the southeast corner of the SW Quarter, Section 33, Township 26 South, Range 1 West; thence bearing S89°23'58"W along the south line of said SW Quarter, a distance of 582.81 feet to the point of beginning; thence bearing N0°36'02"W perpendicular to said south line, a distance of 395.00 feet; thence bearing S89°23'58"W parallel to said south section line, a distance of 250.57 feet; thence bearing S0°36'02"E perpendicular to said south section line, a distance of 395.00 feet to the south line of said SW Quarter; thence N89°23'58"E along the south line of said SW Quarter, a distance of 250.57 feet to the point of beginning. Generally located on the north side of 29th Street North approximately 1,800 feet east of Tyler Road.

Northwest Substation Addn.  
5/11/89 Recorded.

CONDITIONS OF APPROVAL:

1. Platting of subject property prior to the construction of the substation and within one year from the date of approval by the Board of County Commissioners or the case shall be denied and closed. Subject plat shall provide for a 25-foot front yard building setback from the north line of right-of-way for 29th Street North.
2. A minimum 7-foot protective fence shall be constructed around the substation and shall not be located within the 25-foot front setback.
3. The 25-foot front yard setback shall be planted with trees, grass and shrubs in accordance with a landscape plan submitted to and approved by the Planning Department.
4. All lights shall be shielded to reflect or direct light away from adjacent properties.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use permit shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 15th day of February, 1989.

Paul W. Hancock, Chairman  
Paul W. Hancock

Bernard A. Hentzer, Chairman pro tem  
Bernard A. Hentzer

David Bayouth, Commissioner  
David Bayouth

Billy Q. McCray, Commissioner  
Billy Q. McCray

Mark Schroeder, Commissioner  
Mark Schroeder

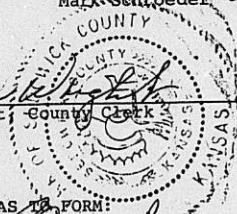
ATTEST:

Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Robert R. Arnold, County Counselor



SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
456 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4561

February 24, 1989

Gary Wiley, P.E.C.  
1440 East English  
Wichita, Kansas 67211

Re: DR 88-14 - Special Use Permit for a KG&E Substation located on the north side of 29th St. N. in an area approximately 1/2-mile east of Tyler Road.

Dear Gary:

On 2/15/89, the Board of County Commissioners approved the above-referenced Special Use Permit change subject to platting the property within one year or the case be considered denied and closed. The Special Use Resolution will not be published until the plat has been recorded with the Register of Deeds. You will have until 2/15/90 to record a plat of this property.

This will be our only letter advising you of your platting deadline. If you have not recorded the plat by 2/15/90, the Special Use Permit case file will be marked denied and closed. If you have any questions about this Special Use Permit request or required plat, please call our office at 268-4421.

Sincerely,

*Forrest L. Nagley*  
Forrest L. Nagley  
Senior Planner

FILE COPY

cc: K.G.& E., c/o Harley Albin, P.O. Box 208, Wichita, Kansas 67201  
Woodard Children College Trust, 4450 N. Maize Rd., Wichita, Kansas 67101.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

February 16, 1989

**TO:** Ron Worley, County Zoning Administrator  
**FROM:** Forrest Nagley, Senior Planner, Current Plans  
**SUBJECT:** Forwarding of approved landscape plan for DR 88-12 - K.G.&E. Substation on the north side of 29th Street North, east of Tyler Road.

Attached for your use are two copies of the approved landscape plan for the above-referenced case. This case was approved by the Board of County Commissioners on February 15, 1989.

FLN:blw  
Attachments

*Forrest C. Nagley*

FILE COPY

Planning Agenda

Item # \_\_\_\_\_

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

SPECIAL USE PERMIT REQUEST

DR 88-14 - SPECIAL USE PERMIT FOR A KG&E SUBSTATION ON PROPERTY ZONED  
"R-1" SUBURBAN RESIDENTIAL DISTRICT, LOCATED ON THE NORTH SIDE OF 29TH  
ST. NORTH IN AN AREA APPROXIMATELY 1/2-MILE EAST OF TYLER ROAD.

The MAPC recommends that the application be approved, subject to conditions (see minutes for full motion).

BROWN moved, GARDNER seconded, and it carried unanimously.

ACTION:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the special use permit, subject to the recommended conditions; adopt a resolution authorizing the special use permit; or
2. Adopt findings and deny the application.

-----  
DATA AND MINUTES

MAPC Hearing Date: 1/19/89

BCoC Hearing Date: 2/15/89

COMMISSION DISTRICT #3

ADJACENT ZONING AND LAND USE:

NORTH	"R-1"	Undeveloped/agricultural
SOUTH	"R-1"	Undeveloped/agricultural
EAST	"R-1"	Undeveloped/agricultural
WEST	"R-1"	Undeveloped/agricultural

Applicants: KG&E, c/o Harley Albin, Box 208, Wichita, KS, 67201  
Woodard Children College Trust, c/o Charles Woodard,  
4450 N. Maize Rd., Wichita, KS, 67101

Protestors: None.  
-----

R E S O L U T I O N

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR A KG&E ELECTRICAL SUBSTATION IN THE "R-1" SUBURBAN RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 17.C of the Zoning Regulations, a special use permit for a KG&E Substation on property zoned "R-1" Suburban Residential District is hereby granted on land legally described as follows:

CASE NO. DR 88-14

A tract of land in the SW Quarter of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows:

Commencing at the southeast corner of the SW Quarter, Section 33, Township 26 South, Range 1 West; thence bearing S89°23'58"W along the south line of said SW Quarter, a distance of 582.81 feet to the point of beginning; thence bearing N0°36'02"W perpendicular to said south line, a distance of 395.00 feet; thence bearing S89°23'58"W parallel to said south section line, a distance of 250.57 feet; thence bearing S0°36'02"E perpendicular to said south section line, a distance of 395.00 feet to the south line of said SW Quarter; thence N89°23'58"E along the south line of said SW Quarter, a distance of 250.57 feet to the point of beginning. Generally located on the north side of 29th Street North approximately 1,800 feet east of Tyler Road.

CONDITIONS OF APPROVAL:

1. Platting of subject property prior to the construction of the substation and within one year from the date of approval by the Board of County Commissioners or the case shall be denied and closed. Subject plat shall provide for a 25-foot front yard building setback from the north line of right-of-way for 29th Street North.
2. A minimum 7-foot protective fence shall be constructed around the substation and shall not be located within the 25-foot front setback.
3. The 25-foot front yard setback shall be planted with trees, grass and shrubs in accordance with a landscape plan submitted to and approved by the Planning Department.
4. All lights shall be shielded to reflect or direct light away from adjacent properties.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use permit shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 15th day of February, 1989.

\_\_\_\_\_, Chairman  
Paul W. Hancock

\_\_\_\_\_, Chairman pro tem  
Bernard A. Hentzen

\_\_\_\_\_, Commissioner  
David Bayouth

\_\_\_\_\_, Commissioner  
Billy Q. McCray

\_\_\_\_\_, Commissioner  
Mark Schroeder

ATTEST:

\_\_\_\_\_  
Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert R. Arnold, County Counselor

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1868  
(316) 258-4561

January 20, 1989

Gary Wiley  
P.E.C., P.A.  
1440 E. English  
Wichita, KS 67211

Re: DR 88-14 - Special Use Permit for a KG&E Substation on property zoned "R-1" Suburban Residential, located on the north side of 29th St. N. in an area approximately 1/2-mi. east of Tyler Road.

Dear Gary:

At its regular meeting on January 19, 1989, the Metropolitan Area Planning Commission considered the above-captioned special use permit request. The action of the Planning Commission was to recommend that this special use permit be approved subject to the following conditions:

1. Platting of subject property prior to the construction of the substation and within one year from the date of approval by the Board of County Commissioners or the case shall be denied and closed. Subject plat shall provide for a 25-foot front yard building setback from the north line of right-of-way for 29th Street North.
2. A minimum 7-foot protective fence shall be constructed around the substation and shall not be located within the 25-foot front setback.
3. The 25-foot front yard setback shall be planted with trees, grass and shrubs in accordance with a landscape plan submitted to and approved by the Planning Department.
4. All lights shall be shielded to reflect or direct light away from adjacent properties.

Please submit four copies of the landscape plan for our approval by February 1, 1989, so that subject case can be scheduled for consideration by the Board of County Commissioners at their regular meeting on Wednesday, February 14, 1989. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 N. Main, Wichita, Kansas, beginning at 9:00 a.m.


FILE COPY

FILE COPY

Gary Wiley - DR 88-14  
Page 2

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

Sincerely yours,



Jack H. Galbraith  
Chief Planner

JHG:jcm

cc: KG&E, c/o Harley Albin, P. O. Box 208, Wichita, KS, 67201  
Woodard Children College Trust, c/o Charles Woodard, 4450 N.  
Maize Rd., Wichita, KS, 67101  
Ron Worley, County Zoning Administrator

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6  
January 19, 1989

STAFF REPORT

CASE NUMBER: DR 88-14

OWNER/APPLICANT/AGENT: Woodard Children College Trust  
(owner/applicant)  
K G & E (contract purchaser)  
P.E.C., P.A. (agent)

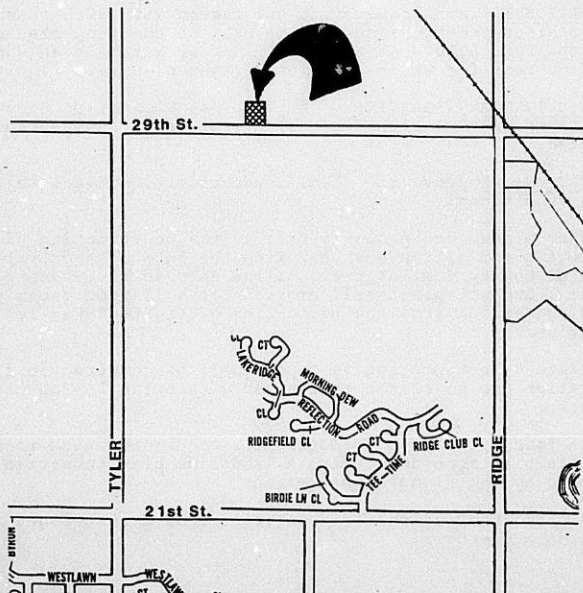
REQUEST: Special Use Permit for a K G & E Substation

CURRENT ZONING: "R-1" Suburban Residential

SITE SIZE: 2.5 acres (approximately 395 ft. x 250 ft.)

LOCATION: On the north side of 29th Street North in an area approximately 1/2-mile east of Tyler Road.

PROPOSED USE: To construct an electric substation under the existing Evans-Hoover 138 KV Transmission Line.



**BACKGROUND:** The applicant is requesting a Special Use Permit for a K G & E electrical substation under Section 13-F of Sedgwick County's Zoning Resolution. The application area involves a 2.5-acre unplatted tract located on the north side of 29th Street North in an area approximately ¼-mile east of Tyler Road. The applicant has submitted a site plan with the application that indicates fencing of the proposed site along with two driveways to 29th Street North. Perimeter fencing will consist of a 6-foot chainlink fence with 3 strands of barbed wire. The bulk of the application area is encumbered with a 150-foot-wide K G & E transmission line easement. Although most electric substation requests in the urban areas have been required to have solid fencing and landscaped front yards, staff is concurring in the use of the proposed chainlink fence and recommending minimum landscaping, due to the absence of residential uses in this general area.

**CASE HISTORY:** None.

**ADJACENT ZONING AND LAND USE:**

NORTH	"R-1"	Undeveloped/agricultural
SOUTH	"R-1"	Undeveloped/agricultural
EAST	"R-1"	Undeveloped/agricultural
WEST	"R-1"	Undeveloped/agricultural

**PUBLIC SERVICES:** This property is not served with either municipal water or sanitary sewer. The site is outside the projected growth area for the year 2000. Adjacent 29th Street North is an unpaved section line road for which additional right-of-way is required.

**CONFORMANCE TO PLANS/POLICIES:** The Land Use Element of Sedgwick County's Comprehensive Plan depicts agricultural land use for this general area.

**RECOMMENDATION:** Approve the special use permit, subject to the following conditions:

1. Platting of subject property prior to the construction of the substation and within one year from the date of approval by the Board of County Commissioners or the case shall be denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the north line of right-of-way for 29th Street North.
2. A minimum 8-foot protective fence shall be constructed around the substation and shall not be located within the 35-foot front setback.
3. The 35-foot front yard setback shall be planted with trees, grass and shrubs in accordance with a landscape plan submitted to and approved by the Planning Department.
4. All lights shall be shielded to reflect or direct light away from adjacent properties.

NO.	DATE	REVISION	BY	CHK	APVD

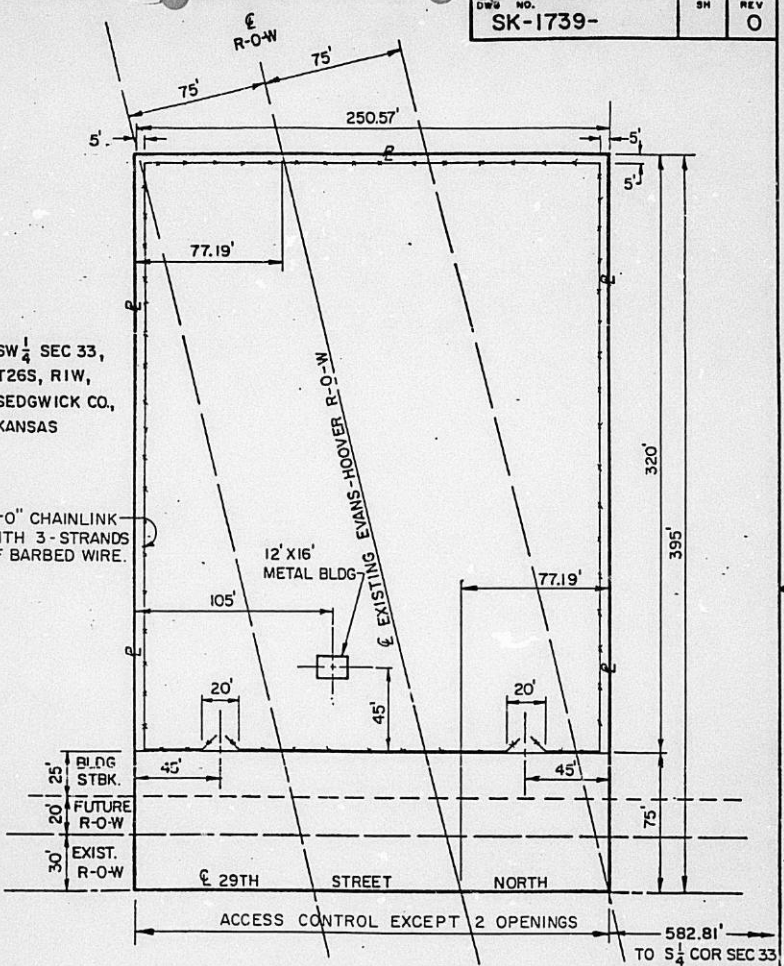
DWG NO. SK-1739- SH REV O

SW 1/4 SEC 33,  
T26S, R1W,  
SEDGWICK CO.,  
KANSAS

6'-0" CHAINLINK  
WITH 3-STRANDS  
OF BARBED WIRE.

12' X 16'  
METAL BLDG

EXISTING EVANS-HOOVER R-O-W



		<b>KANSAS GAS AND ELECTRIC COMPANY</b> ENGINEERING DEPT WICHITA, KANSAS	
<b>NORTHWEST SUBSTATION</b> PROPERTY PLAT			
DRAWN BY WWB / JBC	DATE 12-16-88	CHECKED BY KF	SCALE 1" = 60'
APPROVED <i>[Signature]</i>	DWG NO. SK-1739-	SH OF	REV O

PROPERTY OWNER NOTICES

CASE NO. DR 88-14

DATE OF MAILOUT: 1/5/88

5

Property Owners

3

Applicant(s) and Agent

3

Ron Worley, Jim Weber, and Kim Dewey

5

Jack, Louise, Bob and Karen, Forrest

1

File Copy

---

17

TOTAL

*applicants &  
agent sent  
staff report  
1/15/89  
RW*

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

January 5, 1989

NOTICE OF PUBLIC HEARING

CASE NO: DR 88-14.  
LOCATION: On the north side of 29th Street North approximately  
1800 feet east of Tyler Road.  
ADDRESS: N/A.  
REQUEST: Special Use Permit for a K.G. & E. Substation on  
Property Zoned the "R-1" Suburban Residential District.

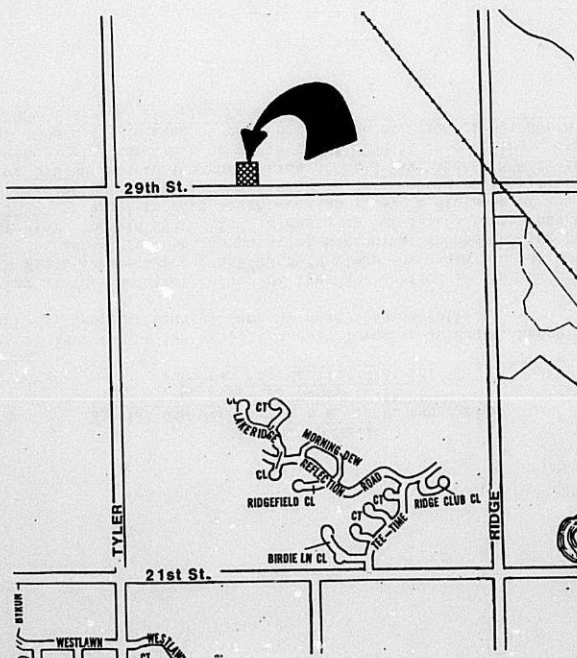
A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

JANUARY 19, 1989

The meeting will begin at 1:30 p.m., in the City Council Chambers, First Floor, City Hall, 455 North Main, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information about this case, please call the Planning Department office at 268-4421.



LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

**CASE NO. DR 88-14**  
**Special Use Permit for a K.G. & E. Substation**  
**on Property Zoned "R-1"**  
**Suburban Residential District**

A tract of land in the SW $\frac{1}{4}$  of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows:

Commencing at the southeast corner of the SW $\frac{1}{4}$ , Section 33, Township 26 South, Range 1 West; thence bearing S89°23'58"W along the south line of said SW $\frac{1}{4}$ , a distance of 582.81 feet to the point of beginning; thence bearing N0°36'02"W perpendicular to said south line, a distance of 395.00 feet; thence bearing S89°23'58"W parallel to said south section line, a distance of 250.57 feet; thence bearing S0°36'02"E perpendicular to said south section line, a distance of 395.00 feet to the south line of said SW $\frac{1}{4}$ ; thence N89°23'58"E along the south line of said SW $\frac{1}{4}$ , a distance of 250.57 feet to the point of beginning. Generally located on the north side of 29th Street North approximately 1800 feet east of Tyler Road.

Most Restrictive



Least Restrictive

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

\*\*\* Mobile home parks and trailer camps are not permitted.

**CASE NO. DR 88-14**  
**Special Use Permit for a K.G.& E. Substation**  
**on Property Zoned "R-1"**  
**Suburban Residential District**

A tract of land in the SW $\frac{1}{4}$  of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows:

Commencing at the southeast corner of the SW $\frac{1}{4}$ , Section 33, Township 26 South, Range 1 West; thence bearing S89 $^{\circ}$ 23'58"W along the south line of said SW $\frac{1}{4}$ , a distance of 582.81 feet to the point of beginning; thence bearing N0 $^{\circ}$ 36'02"W perpendicular to said south line, a distance of 395.00 feet; thence bearing S89 $^{\circ}$ 23'58"W parallel to said south section line, a distance of 250.57 feet; thence bearing S0 $^{\circ}$ 36'02"E perpendicular to said south section line, a distance of 395.00 feet to the south line of said SW $\frac{1}{4}$ ; thence N89 $^{\circ}$ 23'58"E along the south line of said SW $\frac{1}{4}$ , a distance of 250.57 feet to the point of beginning. Generally located on the north side of 29th Street North approximately 1800 feet east of Tyler Road.

4

CASE NO. DK 88-14  
Special Use Permit for a K.G. & E. Substation  
on Property Zoned "R-1"  
Suburban Residential District

A tract of land in the SW $\frac{1}{4}$  of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows:

Commencing at the southeast corner of the SW $\frac{1}{4}$ , Section 33, Township 26 South, Range 1 West; thence bearing S89 $^{\circ}$ 23'58"W along the south line of said SW $\frac{1}{4}$ , a distance of 582.81 feet to the point of beginning; thence bearing N0 $^{\circ}$ 36'02"W perpendicular to said south line, a distance of 395.00 feet; thence bearing S89 $^{\circ}$ 23'58"W parallel to said south section line, a distance of 250.57 feet; thence bearing S0 $^{\circ}$ 36'02"E perpendicular to said south section line, a distance of 395.00 feet to the south line of said SW $\frac{1}{4}$ ; thence N89 $^{\circ}$ 23'58"E along the south line of said SW $\frac{1}{4}$ , a distance of 250.57 feet to the point of beginning. Generally located on the north side of 29th Street North approximately 1800 feet east of Tyler Road.

APPLICATION FOR SPECIAL PERMIT

DR 88-14

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

This is an application for a Special Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. The names of the owners of all property included in this application must be listed as applicants. Contract purchasers, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

A. APPLICANT Contract Purchaser - Kansas  
Gas & Electric Company - Harley Albin  
 ADDRESS Box 208 Zip Code 67201 PHONE 261-6388  
 AGENT P.E.C., P.A. - Gary Wiley

ADDRESS 1440 E. English Zip Code 67211 PHONE 262-2691

*OWNER* } B. APPLICANT Woodard Children College Trust c/o Charles Woodard  
 ADDRESS 4450 N. Maize Rd., Maize, KS Zip Code 67101 PHONE 722-4312  
 AGENT P.E.C., P.A. - Gary Wiley

ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

C. APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants).

2. A. The applicant proposes to establish a Site for a KG&E Substation  
 \_\_\_\_\_ (use)

on property legally described as Lot(s) \_\_\_\_\_

Block(s) \_\_\_\_\_

of the \_\_\_\_\_ Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

See Attached

- B. There are 2.3 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

*located in County / NO C.P.O.*

Map No. 4751C Zoning (N) R-1 (S) R-1 (E) R-1 (W) R-1 MAPC 1-19-89

T9-212-2

*Notification Hs. by 1/5/89*

Revised 1/85

3. This property is located at (address) N/A.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the \_\_\_\_\_ corner of \_\_\_\_\_ and \_\_\_\_\_, OR

B. On the North side of 29th Street North (Ave.) Street between \_\_\_\_\_ (Ave.) Street and \_\_\_\_\_ (Ave.) Street.  
Approximately 1800 feet East of Tyler Road

4. The property included in this application is zoned R-1 (ZONING DISTRICT CLASSIFICATION).

5. We request this special permit for the following reasons:  
To construct a Substation under the existing Evans-Hoover 138 KV Transmission Line.

6. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY OR COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

Kansas Gas & Electric Co.  
APPLICANT'S SIGNATURE \_\_\_\_\_

BY Gary Wiley  
AUTHORIZED AGENT (IF ANY)  
Gary Wiley

Woodard Children  
College Trust  
APPLICANT'S SIGNATURE \_\_\_\_\_

BY Gary Wiley  
AUTHORIZED AGENT (IF ANY)  
Gary Wiley

APPLICANT'S SIGNATURE \_\_\_\_\_

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 12/23/88  
(AM, PM) on \_\_\_\_\_ (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ #150.00.

Fen Name  
S.P. Title

STATE OF KANSAS

SS

COUNTY OF SEDGWICK

I, James R. Beckett, a registered land surveyor in said state and county, do hereby certify that I have caused to be surveyed the following described tract of land.

LEGAL DESCRIPTION

A tract of land in the southwest 1/4 of Section 33, T26S, R1W of the 6th P.M. described as follows:

Commencing at the southeast corner of the southwest 1/4 section 33, T26S, R1W;

thence bearing S 89°23'58" W along the south line of said southwest 1/4, a distance of 582.81 feet to the point of beginning;

thence bearing N 0°36'02" W perpendicular to said south line, a distance of 395.00 feet;

thence bearing S 89°23'58" W parallel to said south section line, a distance of 250.57 feet;

thence bearing S 0°36'02" E perpendicular to said south section line, a distance of 395.00 feet to the south line of said southwest 1/4.

thence N 89°23'58" E along the south line of said southwest 1/4, a distance of 250.57 feet to the point of beginning;

Encompassing 2.272 acres more or less.

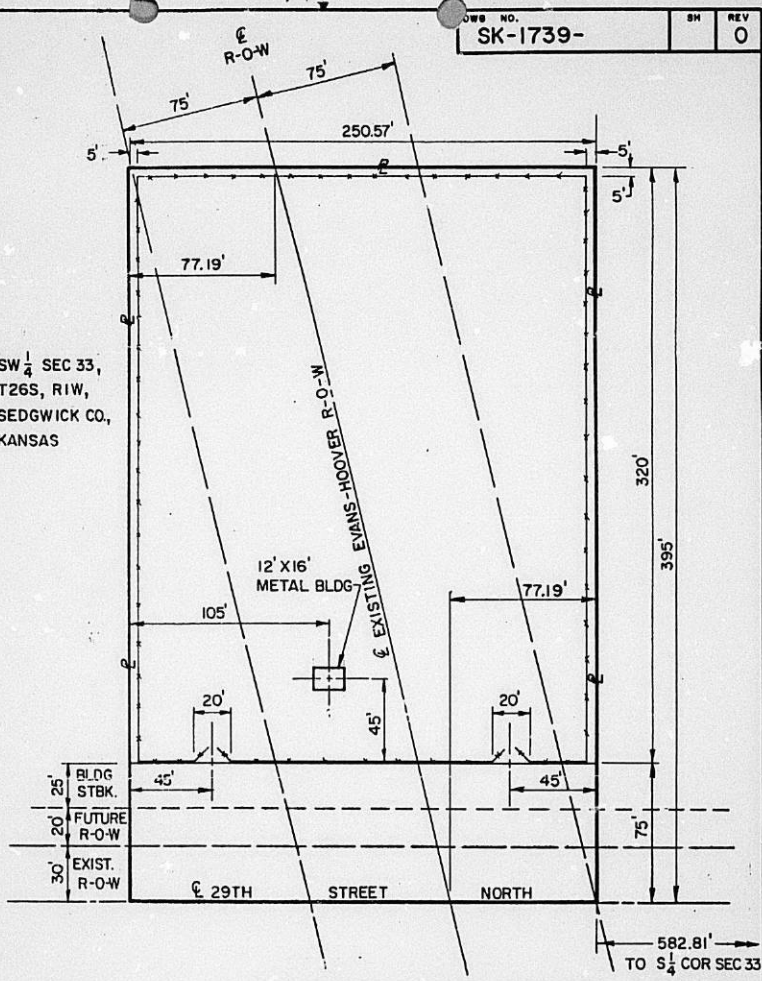
12-15-88  
Date of Survey

  
James R. Beckett, R.L.S. #832



NO.	DATE	REVISION	BY	CHK	APVD

SW 1/4 SEC 33,  
T26S, R1W,  
SEDGWICK CO.,  
KANSAS



DWS NO. SK-1739- SH REV 0



		<b>KANSAS GAS AND ELECTRIC COMPANY</b> ENGINEERING DEPT WICHITA, KANSAS	
<b>NORTHWEST SUBSTATION</b> <b>PROPERTY PLAT</b>			
DRAWN BY WWB/JBC	DATE 12-16-88	CHECKED BY RF/K	SCALE 1"=60'
APPROVED 	DWS NO. SK-1739-	SH 0	REV 0

## OWNERSHIP LIST

Property Description	Property Owner
Beginning at the Southwest Corner of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, and going E'ly on the South line 2636.1 feet to South Quarter Corner of the Section; thence turning left deflecting 89°40' and going N'ly on Half Section line a distance of 915 feet; thence turning left deflecting 89°46'39" and going W'ly a distance of 2640.3 feet to the West line of the Section; thence turning left and going S'ly a distance of 940.5 feet to the point of beginning.	<i>OWNER } dup</i> Woodard Children College Trust c/o Charles Woodard 4450 N. Maize Rd. Maize, KS 67101
A tract beginning 57 rods North of the Southwest corner of the Southwest Quarter of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; th. East 62 rods; th. North 17 rods; th. West 62 rods; th. South 17 rods to the point of beginning.	William L. Phillips Cindy L. Phillips 2818 Wedgewood Wichita, KS 67204
The Southwest Quarter of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, except beginning at the NW/c of the SW $\frac{1}{4}$ ; th. East 62 rods; th. South 103 rods; th. West 62 rods; th. North 103 rods to the point of beginning and except beginning at the Southwest Corner of Section 33, Township 26 South, Range 1 West and going E'ly on the South line 2636.1 feet to South Quarter Corner of the Section; thence turning left deflecting 89°40' and going N'ly on Half Section line a distance of 915 feet; thence turning left deflecting 89°46'39" and going W'ly a distance of 2640.3 feet to the West line of the Section; thence turning left and going S'ly a distance of 940.5 feet to the point of beginning.	Gail L. Woodard 4320 N. Maize Rd. Maize, KS 67101
The South 545.86 feet of the West 399 feet of the SE $\frac{1}{4}$ of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.	Lawrence L. Woodard Judith A. Woodard 7834 W. 29th St. North Wichita, KS 67205
The SE $\frac{1}{4}$ of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, except that part of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ lying North and East of Railroad right-of-way and except a tract in the SE $\frac{1}{4}$ described as beginning at the SE/c of Section 33, Township 26 South, Range 1 West and going N'ly on the East line of said section 2665.6 feet to the East Quarter Corner of said section; th. turning left deflecting 90°43' and going W'ly 1354.11 feet; th. turning left deflecting 89°17' and going S'ly 2664.4 feet to the South line of Section; th. turning left and going E'ly 1354.1 feet to the point of beginning and except the South 545.86 feet of the West 399 feet of the SE $\frac{1}{4}$ of Section 33, Township 26 South, Range 1 West.	<i>dup</i> Gail L. Woodard 4320 N. Maize Rd. Maize, KS 67101

<u>Property Description</u>	<u>Property Owner</u>
The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 4, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.	7 Reflection Ridge Inc. 2301 N. Ridge Wichita, KS 67205
The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.	8 Elgin M. Gupton and Odessa M. Gupton, Co-Trustees of Elgin M. Gupton Living Trust 2815 George Washington Blvd. Wichita, KS 67208

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described tract within a 1000 foot radius of:

A tract of land in the Southwest Quarter of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of Section 33, Township 26 South, Range 1 West; thence bearing S 89°23'58" W along the South line of said Southwest Quarter, a distance of 582.81 feet to the point of beginning; thence bearing N 0°36'02" W perpendicular to said South line a distance of 395.00 feet; thence bearing S 89°23'58" W parallel to said South section line, a distance of 250.57 feet; thence bearing S 0°36'02" E perpendicular to said South section line, a distance of 395.00 feet to the South line of said Southwest Quarter; thence N 89°23'58" E along the South line of said Southwest Quarter, a distance of 250.57 feet to the point of beginning.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 20th day of December, 1988, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

*Mary Cable*

Sr. Vice-President

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 19, 1989

6. Case No. DR 88-14 - Woodard Children College Trust requests Special Use Permit for a KG&E Substation on a tract of land in the SW1/4 of Section 33, Township 26 South, Range 1 West the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the southeast corner of the SW1/4, Section 33, Township 26 South, Range 1 West; thence bearing S89°23'58"W along the south line of said SW1/4, a distance of 582.81 feet to the point of beginning; thence bearing N0°36'02"W perpendicular to said south line, a distance of 395.00 feet; thence bearing S89°23'58"W parallel to said south section line, a distance of 250.57 feet; thence bearing S0°36'02"E perpendicular to said south section line, a distance of 395.00 feet to the south line of said SW1/4; thence N89°23'58"E along the south line of said SW1/4, a distance of 250.57 feet to the point of beginning. Generally located on the north side of 29th Street North approximately 1800 feet east of Tyler Road.

GALBRAITH pointed out land use, zoning and showed slides of the general area. He reviewed the following staff report:

BACKGROUND: The applicant is requesting a Special Use Permit for a K G & E electrical substation under Section 13-F of Sedgwick County's Zoning Resolution. The application area involves a 2.5-acre unplatted tract located on the north side of 29th Street North in an area approximately 1/2-mile east of Tyler Road. The applicant has submitted a site plan with the application that indicates fencing of the proposed site along with two driveways to 29th Street North. Perimeter fencing will consist of a 6-foot chainlink fence with 3 strands of barbed wire. The bulk of the application area is encumbered with a 150-foot-wide K G & E transmission line easement. Although most electric substation requests in the urban areas have been required to have solid fencing and landscaped front yards, staff is concurring in the use of the proposed chainlink fence and recommending minimum landscaping, due to the absence of residential uses in this general area.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	"R-1"	Undeveloped/agricultural
SOUTH	"R-1"	Undeveloped/agricultural
EAST	"R-1"	Undeveloped/agricultural
WEST	"R-1"	Undeveloped/agricultural

PUBLIC SERVICES: This property is not served with either municipal water or sanitary sewer. The site is outside the projected growth area for the year 2000. Adjacent 29th Street North is an unpaved section line road for which additional right-of-way is required.

CONFORMANCE TO PLANS/POLICIES: The Land Use Element of Sedgwick County's Comprehensive Plan depicts agricultural land use for this general area.

RECOMMENDATION: Approve the special use permit, subject to the following conditions:

1. Platting of subject property prior to the construction of the substation and within one year from the date of approval by the Board of County Commissioners or the case shall be denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the north line of right-of-way for 29th Street North.

2. A minimum 8-foot protective fence shall be constructed around the substation and shall not be located within the 35-foot front setback.
3. The 35-foot front yard setback shall be planted with trees, grass and shrubs in accordance with a landscape plan submitted to and approved by the Planning Department.
4. All lights shall be shielded to reflect or direct light away from adjacent properties.

DISCUSSION:

GALBRAITH stated that Gary Wiley, Professional Engineering Consultants, representing the applicants, advised that there were two or three items that he would like to have the Commission consider changing. Wiley said that when KG&E acquired this piece of land they thought that they only had to have a 25-foot front yard setback, and they only acquired to a depth that accommodated their substation facilities observing a 25-foot setback. He also said that their intended fence around the site is not 8 feet in height but is 6 feet in height with three strands of barbed wire on top which equals out to be about 7 feet. GALBRAITH said that staff does not have any objections with the 7-foot high fence because KG&E is interested in providing satisfactory fencing for security purposes. He said that this is outside the urbanized area where staff does not think that solid fencing materials are necessary, and relative to landscaping in the 25-foot setback, it can be minimal and perhaps could be just that hedgerow being retained. They probably will want two driveways to the site and this should be satisfactory in that area. Staff recommended approval of the case subject to conditions.

GARY WILEY, Professional Engineering Consultants, representing the applicants, was present.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

1. Platting of subject property prior to the construction of the substation and within one year from the date of approval by the Board of County Commissioners or the case shall be denied and closed. Subject plat shall provide for a 25-foot front yard building setback from the north line of right-of-way for 29th Street North.
2. A minimum 7-foot protective fence shall be constructed around the substation and shall not be located within the 25-foot front setback.
3. The 25-foot front yard setback shall be planted with trees, grass and shrubs in accordance with a landscape plan submitted to and approved by the Planning Department.
4. All lights shall be shielded to reflect or direct light away from adjacent properties.

1-19-89  
Page 3

Brown moved, Gardner seconded and it carried  
unanimously. Brinegar, Fairbanks and Miles were  
absent.

---

NY 00481

METROPOLITAN AREA PLANNING DEPARTMENT

DR 88-14

Description Application for Special Permit

Name P.E.C., P.A.

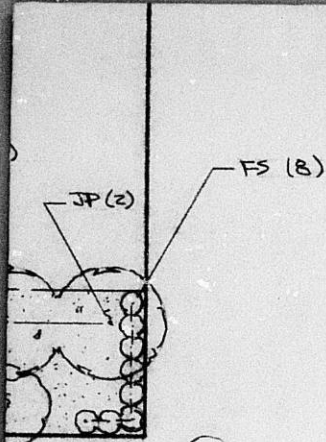
Address 1440 E. English 67211

Fund No. ~~(circle one) 755-40710-003 (fees) 755-40710-004~~  
~~(books, xerox) 755-40710-026 (microfilm)~~ 300210-9027

Amount \$150.00

Date 12/23/88 Due Date 12/23/88 By FCN

Form 00-000



RECEIVED

**OFFICE COPY**  
DO NOT REMOVE

SCALE 1" = 20'-0"

DR 88-14

Approved landscape plan as  
required by item #3 of Special  
Use Permit Resolution.

John H. Albrecht

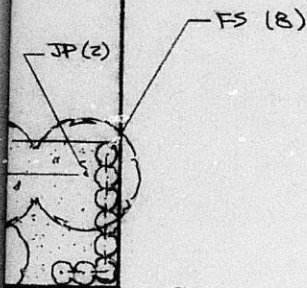
2/6/89

Copy 1 of 2

NORTHWEST SUBSTATION  
ADDITION  
SEDGWICK COUNTY, KANSAS

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.  
ENGINEERS  
WICHITA, KANSAS

Designed by	FC	Checked by	
Drawn by	WLC	Date	1-31-89
		Job No.	



**OFFICE COPY**  
DO NOT REMOVE

SCALE 1" = 20'-0"

DR 88-14

Approved landscape plan as  
required by item #3 of Special  
Use Permit Resolution.

J. H. [Signature] 2/6/89  
Copy 2 of 2

NORTHWEST SUBSTATION  
ADDITION

SEDGWICK COUNTY, KANSAS

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.  
ENGINEERS  
WICHITA, KANSAS

Designed by	FC	Checked by	
Drawn by	WLC	Date	1-31-89 Job No.