



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

Evergy Kansas South
818 S. Kansas Ave
Topeka, KS 66601

January 22, 2025

PEC, PA
303 S. Topeka
Wichita, KS 67202

RE: PUD2024-00025: Request to rezone to create the Northeast Substation Planned Unit Development PUD #136; Generally located on the east side of North Woodlawn Boulevard and within one-half mile south of East 21st Street North (1802 North Woodlawn Boulevard).

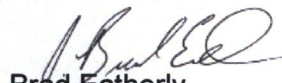
Dear Applicant,

On January 14, 2024, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request with the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language. The PUD language shall incorporate the requirement for landscaping per the Landscape Code.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #136 Northeast Substation Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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

Sincerely,


Brad Eatherly
Current Plans
Senior Planner

Copies to: Becky Tuttle, Council Member District II
Teresa Veazey, CSR, District II
Sue and Robin Tester 6808 E. Farmview St Wichita KS 67206
Lori Kanitz 6820 E. Farmview St. Wichita, KS 67206

PUD #136 Text

Northeast Substation

Planned Unit Development No. 136

GENERAL PROVISIONS:

1. TOTAL LAND AREA: 1,057,371 SF (24.27 ACRES)
2. PARKING SHALL NOT BE REQUIRED.
3. SETBACKS ARE AS INDICATED ON THE P.U.D. DRAWING.
4. ALL LIGHTING SHALL BE SHIELDED TO DIRECT LIGHT DISBURSEMENT IN A DOWNWARD DIRECTION AND AWAY FROM RESIDENTIAL AREAS.
5. A DRAINAGE PLAN SHALL BE SUBMITTED TO CITY ENGINEERING FOR APPROVAL. REQUIRED GUARANTEES FOR DRAINAGE SHALL BE PROVIDED AT THE TIME OF PLATTING.
6. AGGREGATE SURFACING SHALL BE ALLOWED INTERIOR OF SCREENING WALL.
7. PARCEL 1: PERIMETER SECURITY SHALL BE EITHER PRE-CAST CONCRETE PANELS, CAST-IN-PLACE CONCRETE FENCE, OTHER HIGH SECURITY SOLID FENCE. WALLS OR FENCE SHALL BE NO MORE THAN 10' (FEET) IN HEIGHT AND ARE ALLOWED TO BE PLACED WITHIN SETBACKS.
8. ACCESS OPENINGS SHALL BE GOVERNED BY THE PLAT
9. LANDSCAPING: LANDSCAPING SHALL BE PER THE WICHITA LANDSCAPE CODE.
10. AMENDMENTS, ADJUSTMENTS OR INTERPRETATIONS TO THE P.U.D. SHALL BE DONE IN ACCORDANCE WITH THE UNIFIED ZONING CODE.

11. THE TRANSFER OF TITLE OF ALL OR ANY PORTION OF LAND WITHIN THE PLANNED UNIT DEVELOPMENT (OR ANY AMENDMENTS THERETO) DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND AND BE BINDING UPON PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS.
12. THE DEVELOPMENT OF THIS PROPERTY SHALL PROCEED IN ACCORDANCE WITH THE DEVELOPMENT PLAN AS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION AND APPROVAL BY THE GOVERNING BODY, AND ANY SUBSTANTIAL DEVIATION OF THE PLAN, AS DETERMINED BY THE ZONING ADMINISTRATOR AND THE DIRECTOR OF PLANNING, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING CONSTRUCTION OF THE PROPOSED DEVELOPMENT.
13. ANY MAJOR CHANGES IN THIS DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION AND TO THE GOVERNING BODY FOR THEIR CONSIDERATION.
14. THE DESIGN LAYOUT SHOWN ON THE PLAN ILLUSTRATES THE GENERAL DEVELOPMENT CONCEPT. SLIGHT MODIFICATIONS TO THE LOCATION OF IMPROVEMENTS MAY BE PERMITTED PROVIDED THEY MEET ALL REQUIREMENTS OF THIS PLAN.

PROJECT DESCRIPTION

THE INTENT OF THIS PLANNED UNIT DEVELOPMENT IS TO ALLOW FOR THE EXPANSION OF THE SUBSTATION TO SUPPORT A RESILIENT AND RELIABLE ELECTRICAL GRID. THIS PROJECT WILL ALSO INCLUDE A PLAT OF THE PROPERTY.

PARCEL SUMMARY

PARCEL 1

ALLOWABLE USES: ELECTRIC SUBSTATION AND ASSOCIATED EQUIPMENT AS DEFINED AS "MAJOR UTILITY" IN WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE.

AREA: 1,057,371 SF (24.27 AC)

LEGAL DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP TWENTY-SEVEN (27) SOUTH, RANGE TWO (2) EAST, THE SAME BEING THE SOUTHWEST CORNER OF LOT TWO (2) IN THE NORTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP TWENTY-SEVEN (27) SOUTH, RANGE TWO (2) EAST, THENCE EAST ON THE SOUTH LINE OF LOT TWO (2) A DISTANCE OF ONE THOUSAND ONE HUNDRED SIXTY-TWO AND SEVENTY-FIVE HUNDREDTHS

(1,162.75) FEET MORE OR LESS TO THE EAST LINE OF SAID LOT TWO (2), THENCE NORTH ON THE EAST LINE OF SAID LOT TWO (2) A DISTANCE OF FIVE HUNDRED SIXTY-TWO (562) FEET, THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT TWO (2) TO THE WEST LINE OF SAID LOT TWO (2), THENCE SOUTH ON THE WEST LINE OF SAID LOT TWO (2) FIVE HUNDRED SIXTY-TWO (562) FEET MORE OR LESS TO THE POINT OF BEGINNING

EXCEPT BEGINNING 100 FEET NORTH AND 40 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS; THENCE NORTH PARALLEL AND ADJACENT TO THE EAST ROAD RIGHT OF WAY LINE OF WOODLAWN STREET, A DISTANCE OF 462 FEET; THENCE EAST ALONG THE SOUTH LINE OF HEBREW CONGREGATION ADDITION TO WICHITA, A DISTANCE OF 700 FEET; THENCE SOUTH A DISTANCE OF 462 FEET; THENCE WEST A DISTANCE OF 700 FEET TO THE POINT OF BEGINNING

TOGETHER WITH:

ALL OF THE SOUTH 562 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 2 EAST, SEDGWICK COUNTY, KANSAS, EXCEPT THAT PORTION THEREOF PRESENTLY OWNED BY KANSAS GAS AND ELECTRIC COMPANY, WHICH WAS ACQUIRED BY WARRANTY DEED DATED DECEMBER 20, 1948, AND FILED OF RECORD ON DECEMBER 30, 1948, IN BOOK 714, DEEDS, AT PAGE 315, ON THE OFFICE OF REGISTER OF DEEDS OF SEDGWICK COUNTY, KANSAS.



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

Every Kansas South
818 S. Kansas Ave
Topeka, KS 66601

December 13, 2024

PEC, PA
303 S. Topeka
Wichita, KS 67202

RE: PUD2024-00025: Request to rezone to create the Northeast Substation Planned Unit Development PUD #136; Generally located on the east side of North Woodlawn Boulevard and within one-half mile south of East 21st Street North (1802 North Woodlawn Boulevard).

Dear Applicant,

At its regular meeting on **December 12, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the PUD 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 December 26, 2024. 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 **December 26, 2024, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, January 14, 2025**, 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,

Brad Eatherly
Current Plans
Senior Planner

CC: Becky Tuttle, Council Member District II
Teresa Veazey, CSR, District II
Sue and Robin Tester 6808 E. Farmview St Wichita KS 67206
Lori Kanitz 6820 E. Farmview St. Wichita, KS 67206

MAPC Approved Text

**Northeast Substation
Planned Unit Development No. 136**

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OCA 150004

PUBLISHED AT WICHITA.GOV/LEGALNOTICES ON

January 24, 2025

ORDINANCE NO. 52-614

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. PUD2024-00025

Zone Change Request in the City from SF-5 Single-Family Residential District to Planned Unit Development (PUD) to create the Northeast Substation PUD #136, on property legally described as:

The South 562 feet of the Northwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT the West 1,162.75 feet thereof; AND That part of the Southwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, lying North of the Railroad right-of-way, EXCEPT the West 1,162.75 feet thereof.

AND

Beginning at the Southwest corner of the Northwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence East 1,162.75 feet more-or-less; thence North 562 feet; thence West 1,162.75 feet; thence South 562 feet to the point of beginning; AND That part of the West 1,162.75 feet of the Southwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, lying North of the Railroad right-of-way, EXCEPT beginning 100 feet North and 40 feet East of the Southwest corner of the Northwest Quarter; thence North 462 feet; thence East 700 feet; thence South 462 feet; thence West 700 feet to the point of beginning.

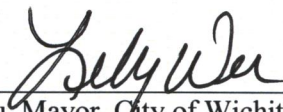
The Northeast Substation Planned Unit Development (PUD #136) shall be subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language. The PUD language shall incorporate the requirement for landscaping per the Landscape Code.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #136 Northeast Substation Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

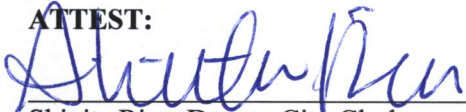
SECTION 2. That upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 21st day of January, 2025.



Lily Wu, Mayor, City of Wichita

ATTEST:


Shinita Rice, Deputy 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
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 Raleigh News & Observer
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 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	630102	Print Legal Ad-IPL02137790 - IPL0213779	Ord. 52-614	\$74.40	2	61L

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

srice@wichita.gov

**OCA 150004 PUBLISHED AT WICHITA.GOV/LEGALNOTICES
 ON JANUARY 24, 2025
 ORDINANCE NO. 52-614**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.
 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. PUD2024-00025

Zone Change Request in the City from SF-5 Single-Family Residential District to Planned Unit Development (PUD) to Create the Northeast Substation PUD #136, on property legally described as:

The South 562 feet of the Northwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th PM., Sedgwick County, Kansas, EXCEPT the West 1,162.75 feet thereof; AND That part of the Southwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th PM., Sedgwick County, Kansas, lying North of the Railroad right-of-way, EXCEPT the West 1,162.75 feet thereof. AND

Beginning at the Southwest corner of the Northwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th PM., Sedgwick County, Kansas; thence East 1,162.75 feet more-or-less; thence North 562 feet; thence West 1,162.75 feet; thence South 562 feet to the point of beginning; AND That part of the West 1,162.75 feet of the Southwest Quarter of Section 7, Township 27 South, Range 2 East of the 6th PM., Sedgwick County, Kansas, lying North of the Railroad right-of-way, EXCEPT beginning 100 feet North and 40 feet East of the Southwest corner of the Northwest Quarter; thence North 462 feet; thence East 700 feet; thence South 462 feet; thence West 700 feet to the point of beginning. The Northeast Substation Planned Unit Development (PUD #136) shall be subject to the following conditions:

- The PUD shall be developed in accordance with the approved PUD language. The PUD language shall incorporate the requirement for landscaping per the Landscape Code.
- The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #136 Northeast Substation Planned Unit Development) has special conditions for development on the property.
- A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.
 Adopted this 21st day of January, 2025.

Lily Wu, Mayor, City of Wichita

ATTEST:
 Shinita Rice, Deputy City Clerk
 (SEAL)

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

IPL0213779
 Jan 24 2025

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

1 insertion(s) published on:
 01/24/25

STATE OF KANSAS)
 SS
 County of Sedgwick)

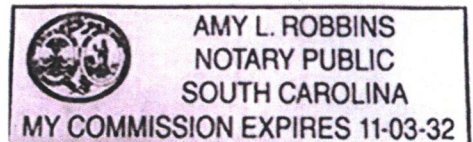
Mary Castro, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 01/24/2025 to 01/24/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 01/24/2025

Amy Robbins

Notary Public in and for the state of South Carolina,
 residing in Beaufort County



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



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
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 The Island Packet
 The Kansas City Star
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The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
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 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	612665	Print Legal Ad-IPL02045660 - IPL0204566	OFFICIAL HEARING NOTI	\$126.18	2	75 L

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on November 20, 2024
(One Time Only)
MAPC/BZA December 12, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, December 12, 2024, 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. Full notice can be found at www.wichita.gov/LegalNotices.

BZA2024-00075: Variance request in the City to reduce minimum building separation from three feet to one foot for raised beam hot tub on property zoned SF-5 Single-Family Residential, located one-third mile east of West Webb Road and one-half mile north of East 21st Street North (9023 E Woodspring Street).

BZA2024-00077: Variance request in the City to allow a temporary 2,120-square-foot wall graphic on the east elevation of a property zoned CBD Central Business District, generally located on the northeast corner of South Main Street and East English Street (100 East English).

CON2024-00242: Conditional Use to allow Daycare, General on property zoned SF-5 Single-Family Residential District to allow up to 100 children on site, generally located on the north side of East 15th Street North, between North Pershing Avenue and North Oliver Avenue (4640 East 15th Street North).

CUP2024-00030: CUP Amendment to CUP DP-45 to allow Entertainment Establishment in the City for events with entertainment and alcohol associated with a fitness club on Parcel 3B, generally located on the northwest corner of East Central Avenue and North Woodlawn Boulevard (6100 East Central Avenue).

CUP2024-00040: CUP Amendment in the City to CUP DP-194 to allow Entertainment Establishment on Parcel 2B for karaoke, generally located on the east side of North Penstemon Street, within 450 feet north of East 29th Street North (3030 North Penstemon).

CUP2024-00041: CUP Amendment Request in the City to CUP DP-278 to allow Entertainment Establishment in Parcel A, adjust parking requirements, maximum building coverage, and remove architectural controls for Parcels A and C, generally located on the southwest corner of West 29th Street North and North Maize Road.

PUD2024-00024: Zone change request in the City from GC General Commercial to Planned Unit Development #135 to create the Empower PUD for an Entertainment Establishment, generally located on the southwest corner of West 21st Street North and North Market Street (2157 North Market Street).

PUD2024-00025: Zone change request in the City from SF-5 Single-Family Residential to Planned Unit Development to create the Northeast Substation PUD #136 to expand existing electric substation, generally located on the east side of North Woodlawn Boulevard, within one-half mile south of East 21st Street North.

VAC2024-00051: Vacation request in the City to vacate the north 40 feet building setback along Wilshire Terrace on property zoned SF-5 Single-Family, located approximately 187 feet southeast of the intersection of South Bedford Terrace and East Wilshire Terrace (1046 South Bedford Terrace).

VAC2024-00052: Vacation request in the City to vacate platted access control on property zoned PUD Planned Unit Development #52, generally located on the south side of West MacArthur Boulevard, within 675 feet west of South Meridian Avenue (2611 West MacArthur).

VAC2024-00053: Vacation request in the City to vacate the south 20 feet of a platted utility easement on property zoned PUD Planned Unit Development #122, generally located east of North Hillside Avenue and north of Kansas Highway 254.

ZON2024-00052: Zone Change request in the City from SF-5 Single-Family Residential and TF-3 Two-Family Residential to MF-18 Multi-Family Residential, generally located on the west side of North Doris Street and within 120 feet north of West 2nd Street North (317 & 321 North Doris Street).

ZON2024-00054: Zone Change request in the City from SF-5 Single-Family Residential to MF-18 Multi-Family Residential; located on the northeast corner of North Hoover Street and West Robinson Street.

ZON2024-00055: Zone Change in the city from B Multi-Family to LI Limited Industrial, generally located on the west side of Santa Fe Avenue and within 250 feet south of East 13th Street North (1331 North Santa Fe Avenue).

ZON2024-00056: Zone change request in the City from NR Neighborhood Retail District with Protective Overlay #375 to LC Limited Commercial District, generally located on the east side of North Hillside Avenue, within 700 feet south of East Central Avenue.

IPL0204566
 Nov 20 2024

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

1 insertion(s) published on:

11/20/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposes 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 11/20/2024 to 11/20/2024.

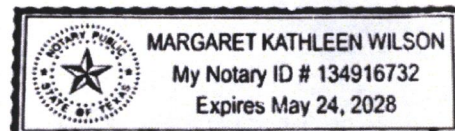
Mary Castro

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

DATED: 11/20/2024

Margaret K. Wilson

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!



AFFIDAVIT OF PUBLICATION

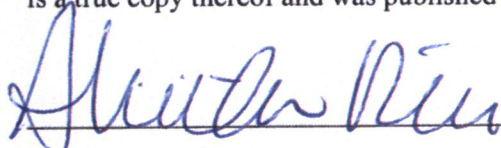
State of Kansas, Sedgwick County, ss:

Shinita Rice, Deputy City Clerk

Being first duly sworn, deposes and says:

That Tyler Schiffelbein, Communications Manager of the City of Wichita, Kansas has published the attached notice on the City of Wichita website, www.wichita.gov/LegalNotices, which website is designated as the official City News Outlet Publication Site for the City of Wichita, Kansas by Charter Ordinance No. 240 effective September 4, 2024.

That the attached Notice of Public Hearing / Ordinance No. 52-1014 / Resolution No. _____ is a true copy thereof and was published on such website beginning on the 24th day of January, 2025.

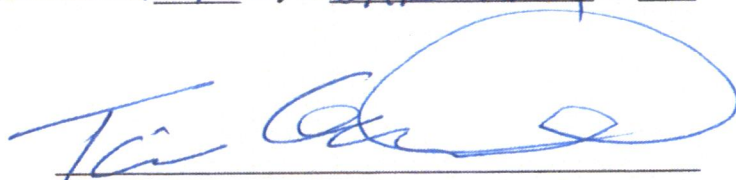
 _____

Signature

SUBSCRIBED AND SWORN to before me this 17 day of JANUARY, 2025



(seal)

 _____

Notary Public

City Clerk's Office

City Hall • 13th Floor • 455 N. Main • Wichita, Kansas 67202

316.268.4529

www.wichita.gov



STAFF REPORT
MAPC: December 12, 2024
DAB II: December 9, 2024

CASE NUMBER: PUD2024-00025 (City)

APPLICANT/AGENT: Every Kansas South (Applicant)/ Professional Engineering Consultants (Agent)

REQUEST: Rezone to create the Northeast Substation Planned Unit Development PUD #136.

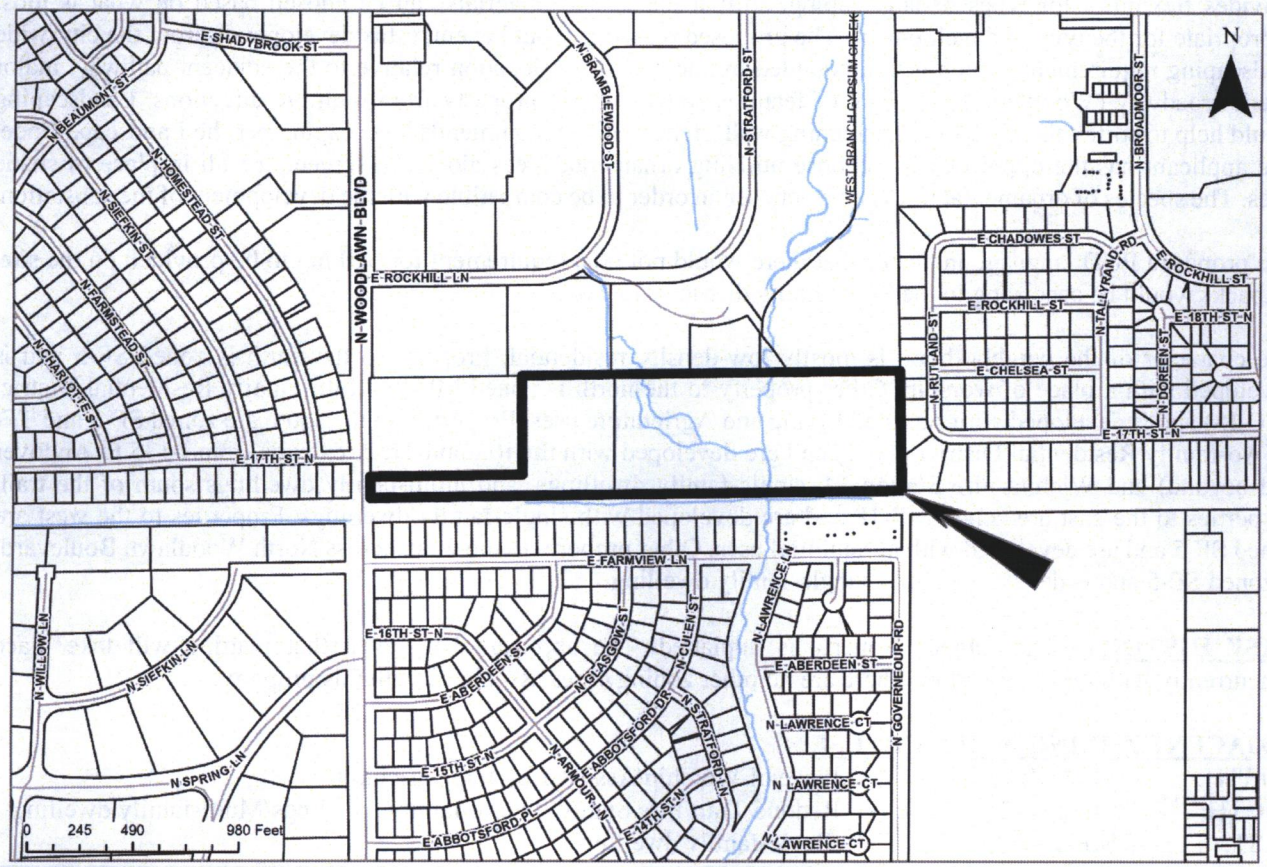
CURRENT ZONING: SF-5 Single-family Residential District

SITE SIZE: 24.3 acres

LOCATION: Generally located on the east side of North Woodlawn Boulevard and within one-half mile south of East 21st Street North (1802 North Woodlawn Boulevard).

PROPOSED USE: Substation.

RECOMMENDATION: Approve with conditions.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-family Residential District (SF-5) to PUD Planned Unit Development (PUD) to create the Northeast Substation Planned Unit Development (PUD #136). The subject site is 24.3 acres in size and is generally located on the east side of North Woodlawn Boulevard and within one-half mile south of East 21st Street North (1802 North Woodlawn Boulevard). The subject site is currently developed on one lot with an existing substation. Another lot to the east is undeveloped. Both lots are identified as Parcel 1 in the PUD. The applicant is proposing to expand the existing substation.

The applicant also intends to concurrently re-plat the site. Utility, Major is permitted by Conditional Use approval in SF-5 zoning district. The PUD allows uniform and custom provisions for the development. The proposed PUD's Parcel 1 allows for Utility, Major and associated equipment. The applicant has indicated in the proposed PUD language that landscaping not be required. This would require a Variance if a Conditional Use was applied for as opposed to a PUD. The PUD, if approved per the applicant's proposed language, would eliminate the need for a Conditional Use and a Variance.

The PUD is proposing that screening be performed by pre-cast concrete panels, cast-in-place concrete fence, or other high security solid fence or chain link fence and shall be no more than ten (10) feet in height and are allowed to be placed within setbacks. Section IV-B of the UZC states a maximum height limit of eight feet for screening walls within the building setback. A request for a taller wall would typically require a Variance in standard zoning districts. Section IV-B also prohibits the use of chain link as a screening material. Staff recommends the PUD text to be modified to remove the ability to use chain link fences.

The proposed PUD language indicates that there would not be a requirement for landscaping within PUD site. The proposed rezoning is not in conformance with spirit and intent of the Wichita Landscape Code. Wichita passed a landscape code (Title 28-Zoning: Chapter 28.06 of the Wichita City Code) in order to enhance the attractiveness of the city and improve the quality of life for its citizens and visitors. The code seeks to protect residential developments from surrounding uses, soften harsh expanses of pavement, and screen undesirable views. The Landscape Code provides flexibility for types of landscaping, so that plants and materials can be chosen based on what is most appropriate for the type of development. The proposed rezoning would exempt this development from the city-wide landscaping requirement, which is compounded by the prominent location relative to the adjacent pathway, major arterial roadway (Woodlawn), and lack of features screening this property from multiple directions. Landscaping would help to soften the view of the screening wall / fence. Staff recommends landscaping per the Landscape Code. The applicant has the opportunity to choose utilizing ornamental trees along the screening wall in place of shade trees. The species of ornamental trees can be chosen in order to be compatible with the development of the substation.

The proposed PUD language indicates that there would not be a requirement for parking to be provided on the site. Setbacks would be according to the SF-5 zoning district standards.

The character of the neighborhood is mostly low-density residential. Property to the north is zoned SF-5 and is developed with a place of worship. Other property to the north is zoned MF-18 Multi-Family Residential District (MF-18) and is developed with Assisted Living and Agriculture uses. Properties to the south are zoned SF-5 and TF-3 Two-family Residential District (TF-3) and are developed with the Redbud Trail (extends from I-135 to Andover and beyond) and Wichita Fire Station 14, single-family dwellings, and multi-family dwellings south of the trail. Properties to the east are zoned MF-18 and are developed with single-family dwellings. Properties to the west are zoned SF-5 and are developed with agricultural uses. Other property to the west, across North Woodlawn Boulevard, is zoned SF-5 and is developed with a single-family dwelling.

CASE HISTORY: The subject property is unplatted. The applicant has stated that platting will take place concurrently with this application. There are no other zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5/MF-18	Place of Worship/Assisted Living/Agriculture
SOUTH:	SF-5/TF-3	Redbud Trail/Fire Station/Single-family dwellings/Multi-family dwelling
EAST:	MF-18	Single-family dwellings

WEST: SF-5 Agriculture/Single-family dwelling

PUBLIC SERVICES: The subject site has access to North Woodlawn Boulevard, a paved four-lane arterial street, with sidewalks on both sides. Water and sewer services on site are already provided by the City of Wichita. Wichita Transit does not serve the subject site.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the *Community Investments Plan's* 2035 Wichita Future Growth Concept Map. The Map identifies the area to be appropriate for "Residential and Employment Mix" uses, which the *Plan* describes as follows: "Encompasses 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." While the description in the *Plan* does not specify on how civic uses should be integrated into development patterns, the intensity of the use of Utility, Major is appropriate in the area considering that there is an existing substation on the property.

The proposed rezoning is in conformance with the Land Use Compatibility Guidelines of the *Community Investments Plan*. One Under the heading "Development Pattern," Guideline 1.g recommends to, "Support expansion of existing uses to adjacent areas." The applicant is proposing to expand the electrical substation to adjacent lot.

The proposed rezoning is in conformance with the *Wichita: Places for People Plan*. The subject site is located within the Established Central Area. The proposed PUD is in conformance with Strategy 6, which encourages, "infill and redevelopment that is contextual to the environment in which it is occurring." The existing substation makes the proposed PUD contextual to its environment.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to provisions of the Northeast Substation Planned Unit Development PUD #136 as attached hereto, and subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language. The PUD language shall incorporate the requirement for landscaping per the Landscape Code.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #136 Northeast Substation Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. **The zoning, uses, and character of the neighborhood:** The character of the neighborhood is mostly low-density residential. Property to the north is zoned SF-5 and is developed with a place of worship. Other property to the north is zoned MF-18 Multi-Family Residential District (MF-18) and is developed with Assisted Living and Agriculture uses. Properties to the south are zoned SF-5 and TF-3 Two-family Residential District (TF-3) and are developed with the Redbud Trail and Wichita Firehouse 14, single-family dwellings, and multi-family dwellings south of the trail. Properties to the east are zoned MF-18 and are developed with single-family dwellings. Properties to the west are zoned SF-5 and are developed with agricultural uses. Other property to the west, across North Woodlawn Boulevard, is zoned SF-5 and is developed with a single-family dwelling.
2. **The suitability of the subject property for the uses to which it has been restricted:** The subject site is zoned SF-5 which allows Utility, Major as a Conditional Use. The site could be developed with uses permitted by-right in this zoning district.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate the requested zone change to have significant detrimental effects on nearby property if the proposed conditions of approval are met. A portion of the site is already used as a Utility, Major and the applicant is seeking to be able to expand the use. Staff recommended conditions regarding landscaping help achieve the intent of the Landscape Code to improve the visual impact of the proposed development.
4. Length of time the property has been vacant as currently zoned: The subject site is not vacant. The subject site has been developed with an electrical substation.
5. Relative gain to the public health, safety, and welfare, compared to the loss in value or the hardship imposed upon the applicant: Approval of the request would allow an expansion to the existing substation, which is generally considered a public gain. Denial of the request may result in the continued use of outdated utility infrastructure.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested rezoning is in partial conformance with the *Community Investments Plan* and is in conformance to the *Wichita: Places for People Plan*, as discussed in the staff report.
7. Impact of the proposed development on community facilities: The expansion of the existing substation will upgrade the existing utility infrastructure. The proposed use should not have any significant impact on municipal services, such as water, sewer, and stormwater.
8. Opposition or support of neighborhood residents: At the time of the publication of the staff report, staff has not received any comments from the public.

Attachments:

1. PUD #136 Text
2. PUD Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Photos

PUD #136 Text

Staff-recommended changes are in red.

**Northeast Substation
Planned Unit Development No. 136**

GENERAL PROVISIONS:

1. TOTAL LAND AREA: 1,057,371 SF (24.27 ACRES)
2. PARKING SHALL NOT BE REQUIRED.
3. SETBACKS ARE AS INDICATED ON THE P.U.D. DRAWING.
4. ALL LIGHTING SHALL BE SHIELDED TO DIRECT LIGHT DISBURSEMENT IN A DOWNWARD DIRECTION AND AWAY FROM RESIDENTIAL AREAS.
5. A DRAINAGE PLAN SHALL BE SUBMITTED TO CITY ENGINEERING FOR APPROVAL. REQUIRED GUARANTEES FOR DRAINAGE SHALL BE PROVIDED AT THE TIME OF PLATTING.
6. AGGREGATE SURFACING SHALL BE ALLOWED INTERIOR OF SCREENING WALL.
7. PARCEL 1: PERIMETER SECURITY SHALL BE EITHER PRE-CAST CONCRETE PANELS, CAST-IN-PLACE CONCRETE FENCE, OTHER HIGH SECURITY SOLID FENCE ~~OR CHAIN-LINK FENCE~~. WALLS OR FENCE SHALL BE NO MORE THAN 10' (FEET) IN HEIGHT AND ARE ALLOWED TO BE PLACED WITHIN SETBACKS.
8. ACCESS OPENINGS SHALL BE GOVERNED BY THE PLAT
9. LANDSCAPING: ~~THERE SHALL NOT BE A MINIMUM LANDSCAPING REQUIREMENT WITHIN THE LIMITS OF THE PUD.~~ LANDSCAPING SHALL BE PER THE WICHITA LANDSCAPE CODE.
10. AMENDMENTS, ADJUSTMENTS OR INTERPRETATIONS TO THE P.U.D. SHALL BE DONE IN ACCORDANCE WITH THE UNIFIED ZONING CODE.
11. THE TRANSFER OF TITLE OF ALL OR ANY PORTION OF LAND WITHIN THE PLANNED UNIT DEVELOPMENT (OR ANY AMENDMENTS THERETO) DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND AND BE BINDING UPON PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS.
12. THE DEVELOPMENT OF THIS PROPERTY SHALL PROCEED IN ACCORDANCE WITH THE DEVELOPMENT PLAN AS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION AND APPROVAL BY THE GOVERNING BODY, AND ANY SUBSTANTIAL DEVIATION OF THE PLAN, AS DETERMINED BY THE ZONING ADMINISTRATOR ~~OR AND~~ THE DIRECTOR OF PLANNING, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING CONSTRUCTION OF THE PROPOSED DEVELOPMENT.
13. ANY MAJOR CHANGES IN THIS DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION AND TO THE GOVERNING BODY FOR THEIR CONSIDERATION.
14. THE DESIGN LAYOUT SHOWN ON THE PLAN ILLUSTRATES THE GENERAL DEVELOPMENT

CONCEPT. SLIGHT MODIFICATIONS TO THE LOCATION OF IMPROVEMENTS MAY BE PERMITTED PROVIDED THEY MEET ALL REQUIREMENTS OF THIS PLAN.

PROJECT DESCRIPTION

THE INTENT OF THIS PLANNED UNIT DEVELOPMENT IS TO ALLOW FOR THE EXPANSION OF THE SUBSTATION TO SUPPORT A RESILIENT AND RELIABLE ELECTRICAL GRID. THIS PROJECT WILL ALSO INCLUDE A PLAT OF THE PROPERTY.

PARCEL SUMMARY

PARCEL 1

ALLOWABLE USES: ELECTRIC SUBSTATION AND ASSOCIATED EQUIPMENT AS DEFINED AS "MAJOR UTILITY" IN WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE.

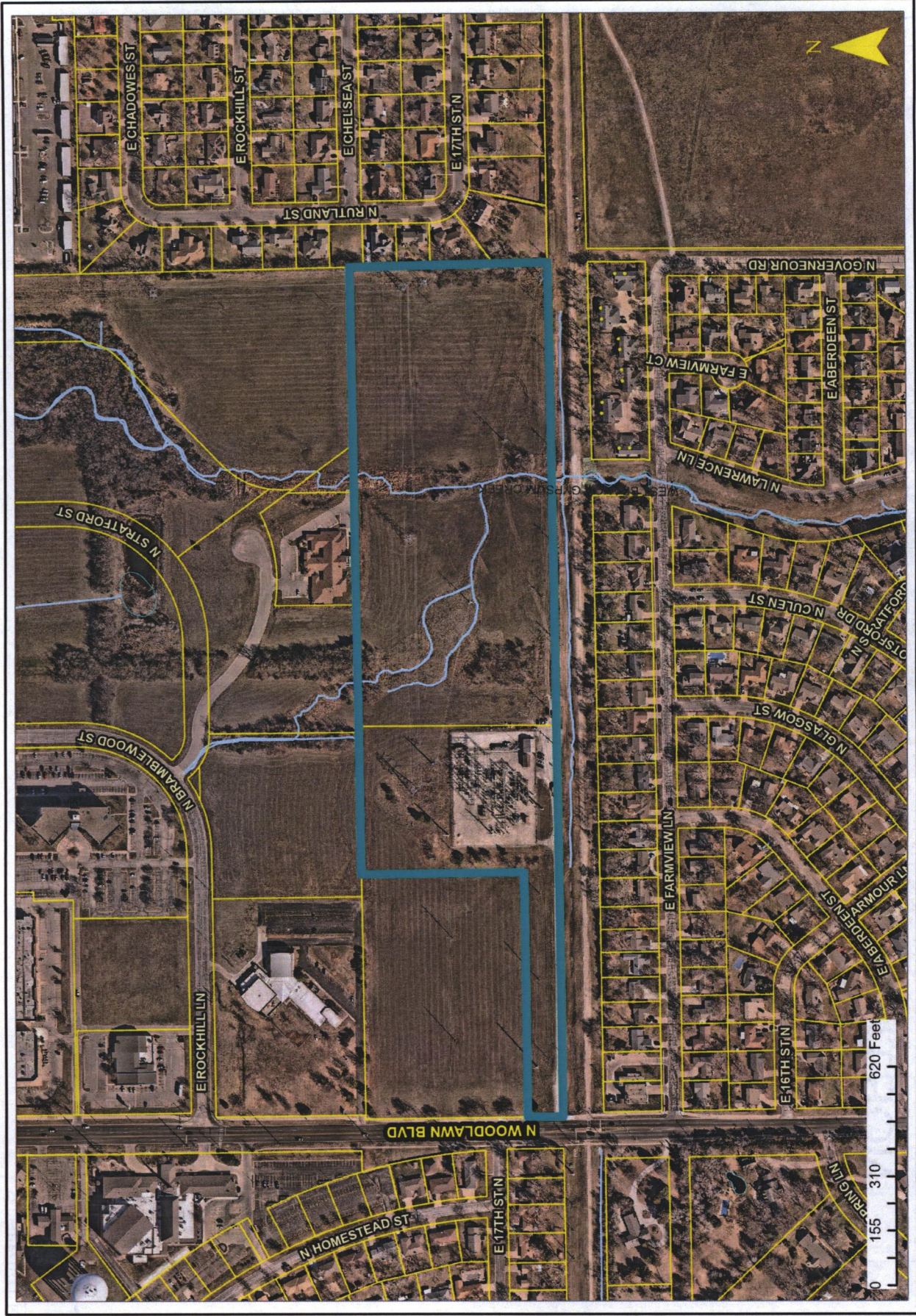
AREA: 1,057,371 SF (24.27 AC)

LEGAL DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP TWENTY-SEVEN (27) SOUTH, RANGE TWO (2) EAST, THE SAME BEING THE SOUTHWEST CORNER OF LOT TWO (2) IN THE NORTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP TWENTY-SEVEN (27) SOUTH, RANGE TWO (2) EAST, THENCE EAST ON THE SOUTH LINE OF LOT TWO (2) A DISTANCE OF ONE THOUSAND ONE HUNDRED SIXTY-TWO AND SEVENTY-FIVE HUNDREDTHS (1,162.75) FEET MORE OR LESS TO THE EAST LINE OF SAID LOT TWO (2), THENCE NORTH ON THE EAST LINE OF SAID LOT TWO (2) A DISTANCE OF FIVE HUNDRED SIXTY-TWO (562) FEET, THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID LOT TWO (2) TO THE WEST LINE OF SAID LOT TWO (2), THENCE SOUTH ON THE WEST LINE OF SAID LOT TWO (2) FIVE HUNDRED SIXTY-TWO (562) FEET MORE OR LESS TO THE POINT OF BEGINNING EXCEPT BEGINNING 100 FEET NORTH AND 40 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS; THENCE NORTH PARALLEL AND ADJACENT TO THE EAST ROAD RIGHT OF WAY LINE OF WOODLAWN STREET, A DISTANCE OF 462 FEET; THENCE EAST ALONG THE SOUTH LINE OF HEBREW CONGREGATION ADDITION TO WICHITA, A DISTANCE OF 700 FEET; THENCE SOUTH A DISTANCE OF 462 FEET; THENCE WEST A DISTANCE OF 700 FEET TO THE POINT OF BEGINNING

TOGETHER WITH:

ALL OF THE SOUTH 562 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 7, TOWNSHIP 27 SOUTH, RANGE 2 EAST, SEDGWICK COUNTY, KANSAS, EXCEPT THAT PORTION THEREOF PRESENTLY OWNED BY KANSAS GAS AND ELECTRIC COMPANY, WHICH WAS ACQUIRED BY WARRANTY DEED DATED DECEMBER 20, 1948, AND FILED OF RECORD ON DECEMBER 30, 1948, IN BOOK 714, DEEDS, AT PAGE 315, ON THE OFFICE OF REGISTER OF DEEDS OF SEDGWICK COUNTY, KANSAS.



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
- Other Urban Growth Areas 2014
- Other Urban Growth Areas 2014
- Rural Growth Areas 2014

LAND USE

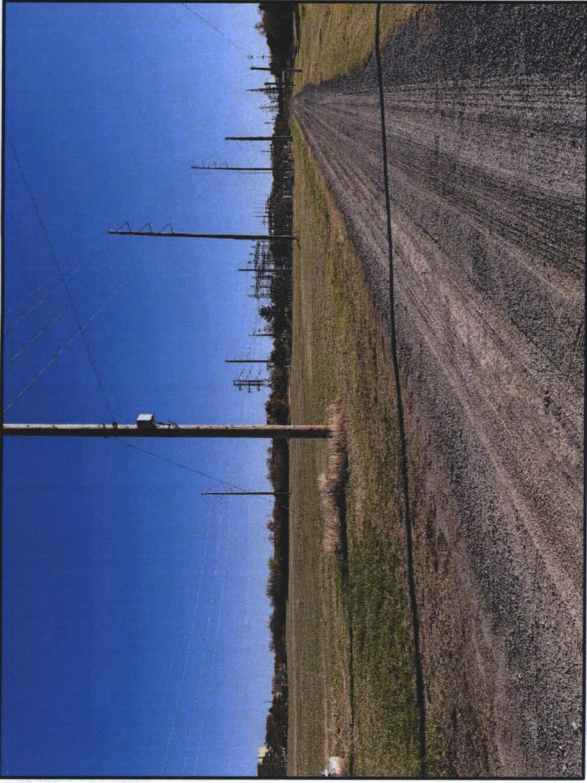
- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant
- Major Institutional
- Neighborhood & Area Plans
- Application Area



City of Wichita, Kansas
Metropolitan Area Planning Commission
2024-2025
1000 South Broadway, Suite 1000
Wichita, Kansas 67202
www.wichita.gov
www.maplanning.com



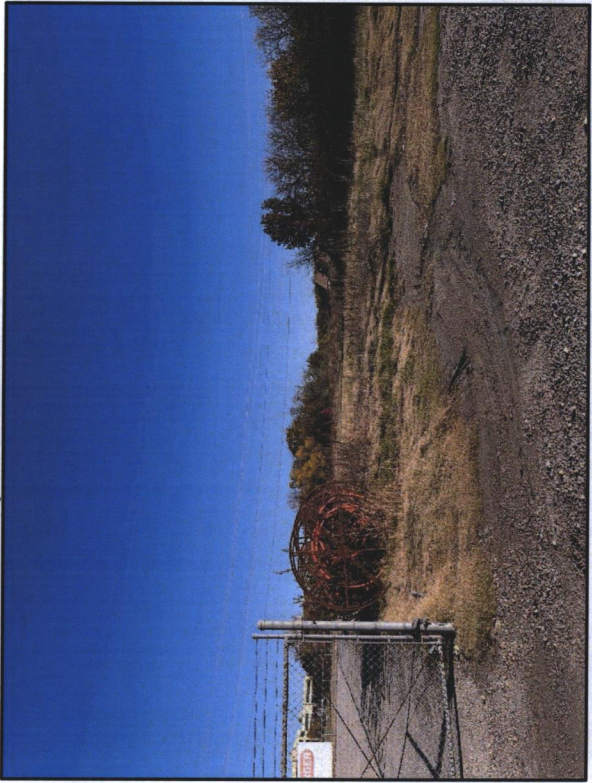
Looking east towards site



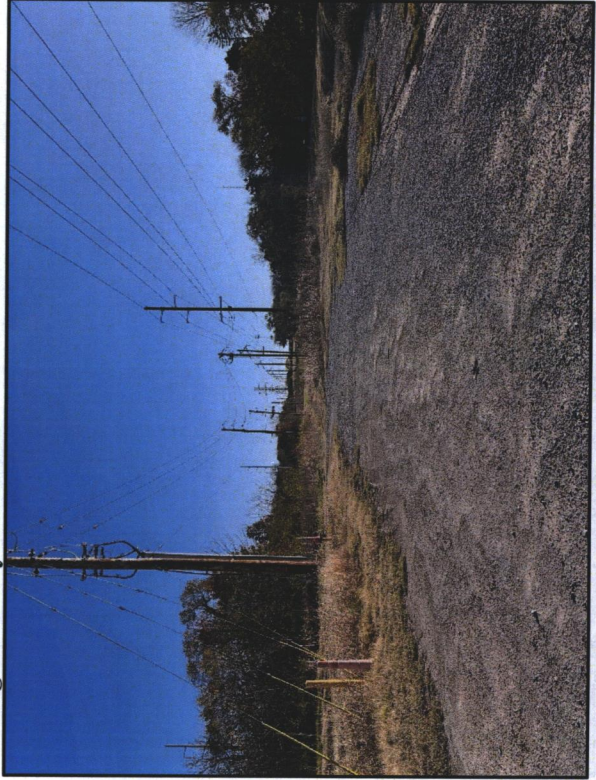
Looking north away from site



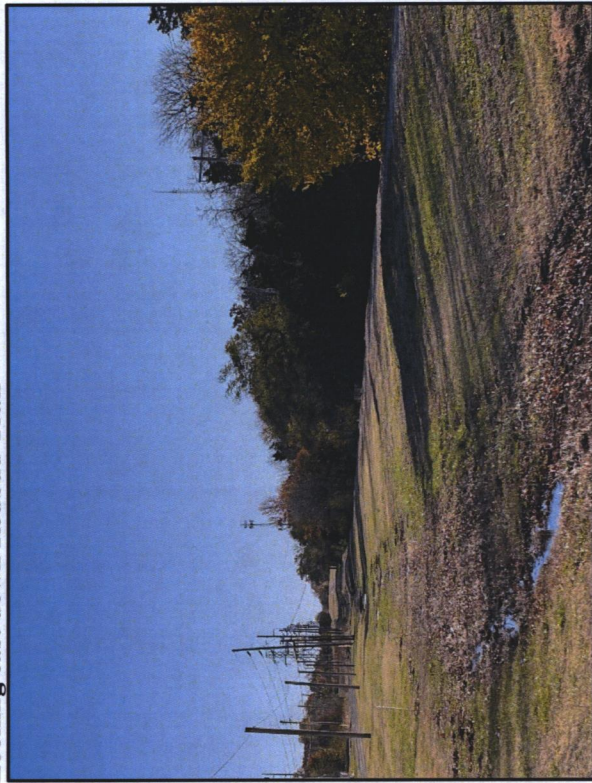
Looking northeast away from site



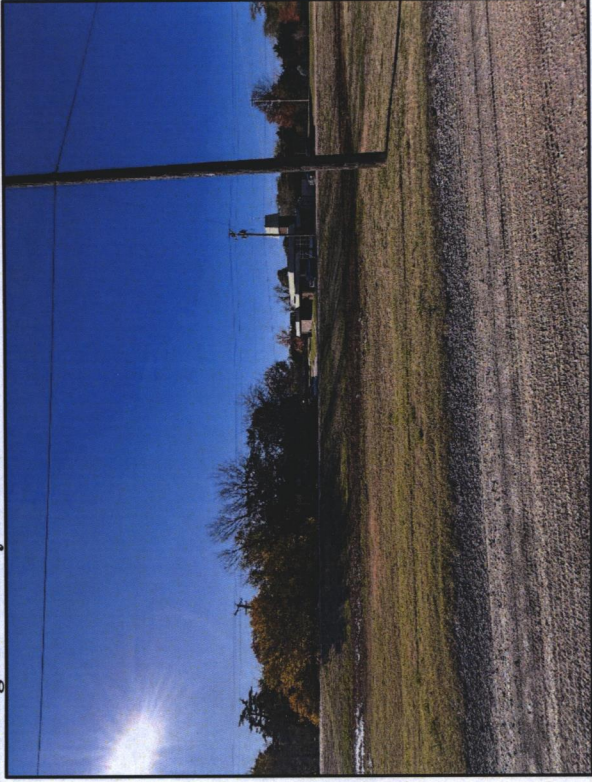
Looking east away from site



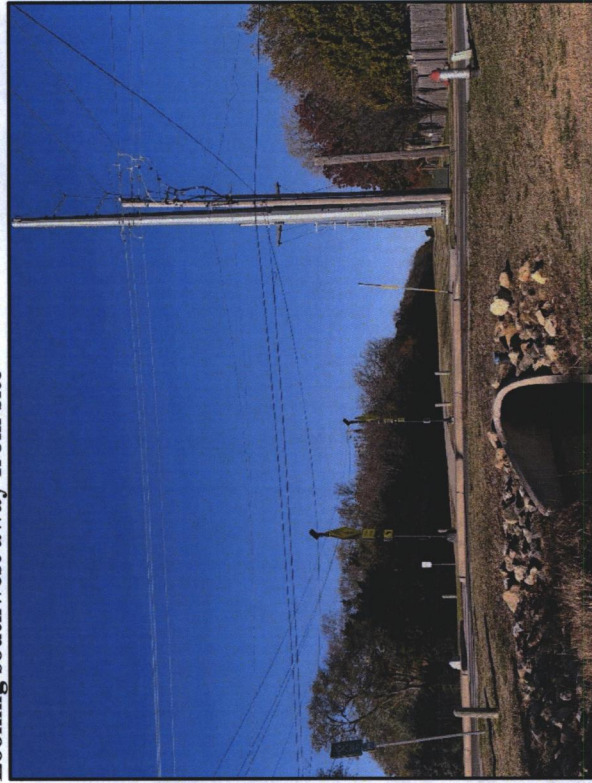
Looking east down Redbud Trail



Looking south away from site



Looking southwest away from site



Looking west away from site

