Wichita-Sedgwick County Metropolitan Area Planning Department

October 24, 2022

Meadow Lake Beach Corporation
Attn: Richard Niedens
4313 N. 119th Street West
Maize, KS 67101

Baughman Company, P.A.
Attn: Philip Meyer, L.A.
315 Ellis Street
Wichita, KS 67211

RE: ZON2022-00036: Zone change request in the County from SF-20 to SF-5 for the development of single-family homes; generally located one-quarter mile north of the intersection of East 55th Street South and South Clifton Avenue.

Dear Applicant;

At its regular meeting on **September 14, 2022**, the Board of County Commissioners considered the above captioned request. The action of the BOCC was to recommend **APPROVAL** of the request.

This is a reminder that the zoning notification signs should now be removed from the property.
If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

Christina Rieth

Christina Rieth
Current Plans, Associate Planner

Copies to: MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

August 5, 2022

Meadow Lake Beach Corporation
Attn: Richard Niedens
4313 N. 119th Street West
Maize, KS 67101

Baughman Company, P.A.
Attn: Philip Meyer, L.A.
315 Ellis Street
Wichita, KS 67211

RE: ZON2022-00036: Zone change request in the County from SF-20 to SF-5 for the development of single-family homes; generally located one-quarter mile north of the intersection of East 55th Street South and South Clifton Avenue.

Dear Applicant;

At its regular meeting on **August 4, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request.

Property owners opposed to the application may file with the County 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 **August 18, 2022**. 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 1,000 feet of the property for which the application was filed and must be submitted to the County Clerk by **August 18, 2022 at 5:00 p.m.**

Please note that the County Clerk's office has a new address. It is now located at **100 N. Broadway, Ste 620, Wichita, KS 67202.**

This is a reminder that the zoning notification signs should now be removed from the property.
If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

Christina Rieth

Christina Rieth
Current Plans, Associate Planner

Copies to: MABCD

(150004) Published in The Ark Valley News on Sept. 22, 2022

RESOLUTION NO. 144-2022

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS 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 V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON2022-00036

Zone change request in the County from SF-20 to SF-5 for the development of single-family homes

Legally described as:
Zone Change from SF-20 to SF-5 (14.90 Acres):

All of Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, Block A, TOGETHER with all of Lots 25, 26, 27, and 28, Block B, TOGETHER with a portion of Lots 6 and 53 in said Block A, TOGETHER with a portion of Lots 24, 29, 33 and 34 in said Block B, all as platted and dedicated in Meadowlake Beach Addition, Wichita, Sedgwick County, Kansas; TOGETHER with a portion Maywood lying within said Block A, and a portion of Maywood Court lying within said Block A, and a portion of Maywood Court lying within Block B, and all of Maywood Court lying within said Block A all more particularly described as commencing at the northeast corner of Reserve "G" in said Meadowlake Beach Addition; thence S00°00'06"E coincident with the east line of said Reserve "G", 104.91 feet to the northeast corner of Lot 27 in said Block A and for a point of beginning; thence continue S00°00'06"E coincident with the east line of Lots 27, 26, 25, 10, 9, 8, 7 and 6 in said Block A, 698.27 feet to a point 11.11 feet south of the northeast corner of Lot 6 in said Block A; thence N89°59'20"W, 1729,94 feet to a point 35.09 feet northwest of the southernmost, southwest corner of Lot 53 in said Block A, 31.46 feet to the westernmost, southwest corner of Lot 53 in said Block A; thence N00°00'06"W coincident with the west line of Lot 53 in said Block A, 1334.34 feet to the northwest corner of Lot 53 in said Block A; thence N89°59'54"E coincident with the north line of Lots 53, 52, 51, 50, 49, 48, 47, 46 and 45 in said Block A, 588.76 feet to the northeast corner of Lot 45 in said Block A; thence N59°59'37"E coincident with the northwest line of Lots 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, 29, and 28 in said Block A, 1084.39 feet to a deflection point in the north line of Lot 28 in said Block A; thence N89°59'54"E coincident with the north line of Lots 28 and 25 in said Block A, 224.31 feet to the point of beginning.

SECTION II. That upon the taking effect of this Resolution, the notation of such zoning change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director 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 by the Governing Body and publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER	Aye
SARAH LOPEZ	Aye
DAVID T. DENNIS	Aye
LACEY D. CRUSE	Aye
JAMES M. HOWELL	Aye

Dated this 14th day of September, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID T. DENNIS, Chairman
Commissioner, Third District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor

PETER F. MEITZNER
Commissioner, First District

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

Public notice

(Published in The Ark Valley News Sept. 22, 2022.)

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Commissioners present and voting were:

PETER F. MEITZNER — Aye
SARAH LOPEZ — Aye
DAVID T. DENNIS — Aye
LACEY D. CRUSE — Aye
JAMES M. HOWELL — Aye

Dated this 14th day of September 2022.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID T. DENNIS, Chairman
Commissioner, Third District

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APPROVED AS TO FORM

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Commissioner, First District

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Assistant County Counselor

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 22nd day of September, 2022, with subsequent publications being made on the following dates:

_____, 2022 _____, 2022

_____, 2022 _____, 2022

_____, 2022 _____, 2022

Chris Strunk

Subscribed and sworn to before me this 22nd day of September, 2022.

Notary Public

My commission expires

Additional copies

Printer's fee

LISA K. SMITH
NOTARY PUBLIC
COMMISSION EXPIRES
4/24/24
State of Kansas

Public notice

(Published in The Ark Valley News July 14, 2022.)

MAPC August 4, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, August 4, 2022, no earlier than 1:30 p.m.,** the Wichita Sedgwick County Metropolitan Area Planning Commission (Planning Commission) will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Wichita City Hall Building – 1st Floor Council Chambers – 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the Wichita Sedgwick County Metropolitan Area Planning Department at (316) 268 4421.

ZON2022-00036: Zone change request in the County from SF-20 to SF-5 for the development of single-family homes; generally located one-quarter mile north of the intersection of East 55th Street South and South Clifton Avenue.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. As provided in Section V of the Wichita Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov
Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: **Scott Wadle**
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/651544141

You can also dial in using your phone.
United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 651 544 141
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2##651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: https://global.gotomeeting.com/install/651544141

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268 4464) by 5pm, 3 days prior to the meeting.

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

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That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 14th day of July, 2022. with subsequent publications being made on the following dates:

_____, 2022 _____, 2022

_____, 2022 _____, 2022

_____, 2022 _____, 2022

Chris Strunk

Subscribed and sworn to before me this 14th day of July, 2022.

Lisa K. Strunk

Notary Public

My commission expires 4/24/24.

Additional copies $_____

Printer's fee $_____

LISA K. STRUNK NOTARY PUBLIC COMMISSION EXPIRES 4/24/24 State of Kansas

AGENDA ITEM NO. 4.5

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

MAPC: August 4, 2022

CASE NUMBER: ZON2022-00036 (County)

APPLICANT/AGENT: Meadow Lake Beach Corporation/Richard Niedens (Applicant)
Baughman Company (Agent)

REQUEST: SF-5 Single-Family Residential

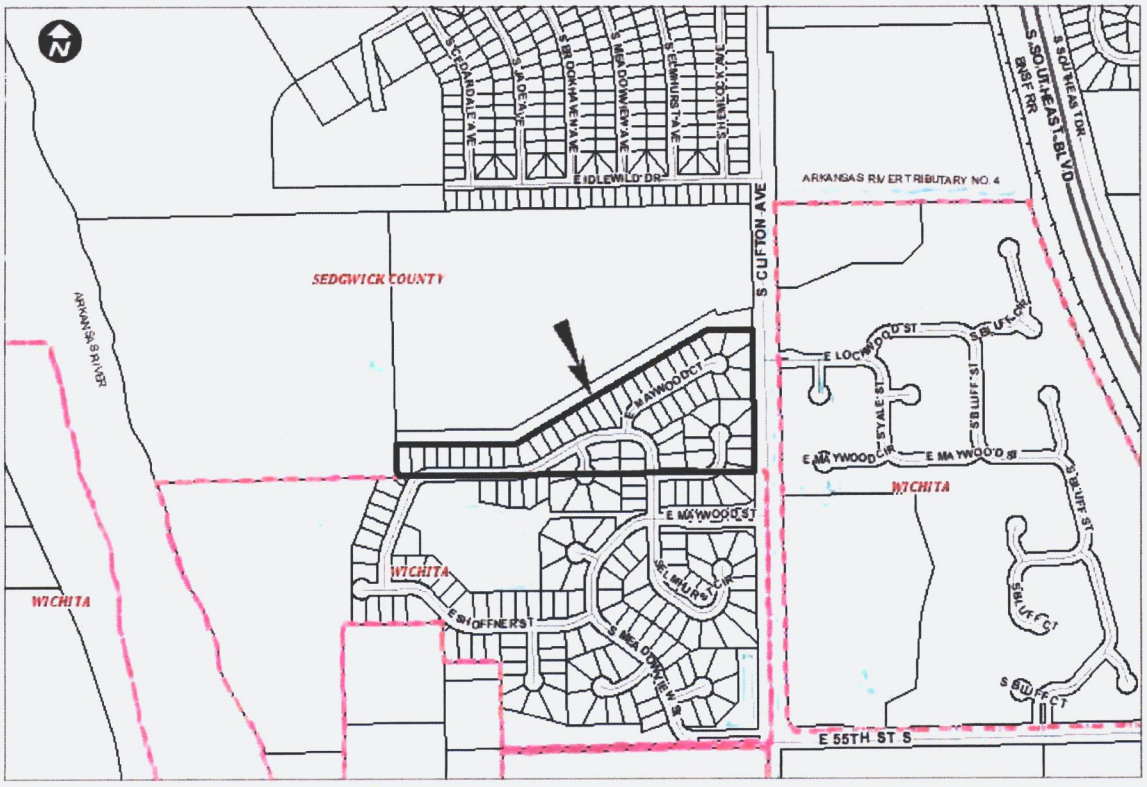
CURRENT ZONING: SF-20 Single-Family Residential

SITE SIZE: 14.90 acres

LOCATION: Generally located one-quarter mile north of the intersection of East 55th Street South and South Clifton Avenue

PROPOSED USE: Single-family residential dwellings

RECOMMENDATION: Approve



BACKGROUND: The applicant is requesting a zone change from SF-20 Single-Family Residential to SF-5 Single-Family Residential on property located on the west side of South Clifton Avenue, within one-quarter mile north of the intersection of East 55th Street South and South Clifton Avenue. The subject site is 14.90 acres in total. As discussed in further detail in the Case History below, this property formerly was zoned SF-5 Single-Family Residential, but the zoning reverted back to SF-20 Single-Family Residential when a wrongful annexation was nullified by the 18th Judicial District Court. The applicant is requesting to reestablish SF-5 zoning for single-family residential development on smaller lot sizes than SF-20 permits.

The attached site plan illustrates a preliminary layout of the development. The property is in unincorporated Sedgwick County. The applicant seeks to develop single-family residential dwellings on the subject property.

Property to the north is zoned SF-20 Single-Family Residential within unincorporated Sedgwick County and is developed with a mobile home park. Properties immediately abutting to the south are zoned SF-5 Single-Family Residential and were recently deannexed by the City of Wichita. The applicant owns this land and petitioned the City for deannexation to reestablish continuity within the Meadowlake Beach Addition for future development. Properties farther to the south are zoned SF-5 Single-Family Residential within the City of Wichita and are developed with single-family residential dwellings. Property to the east is zoned IP Industrial Park and is undeveloped within the City of Wichita. Property to the west is zoned SF-20 Single-Family Residential within unincorporated Sedgwick County and is developed with a farming and ranch operation.

CASE HISTORY:

- In 1967, a Conditional Use (CU-96) was approved to allow a mobile home park on the subject property. A mobile home park was developed north of the property, but the subject property remained undeveloped.
- In 2006, the property was wrongly annexed into the City of Wichita and concurrent with the annexation the zoning was changed to SF-5 Single-Family Residential. It was wrongly annexed because the property is within the Oaklawn Improvement District and K.S.A. 12-520(c) prohibits a city from annexing property with an improvement district.
- On April 10, 2007, the Meadowlake Beach Addition was created, which includes 5.43 acres south of the subject site.
- In 2016, the 18th Judicial District Court ruled on the wrongful annexation of the subject site, nullifying the annexation and the zoning reverted to SF-20 Single-Family Residential.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-20	Mobile home park (Unincorporated Sedgwick County)
SOUTH:	SF-5	Single-family residential dwellings (Unincorporated Sedgwick County)
EAST:	IP	Undeveloped (City of Wichita)
WEST:	SF-20	Farming/ranch operation (Unincorporated Sedgwick County)

PUBLIC SERVICES: South Clifton Avenue is a two-lane, paved arterial street with no sidewalks. Municipal services will have to be extended prior to development. Wichita Transit does not serve this area.

CONFORMANCE TO PLANS/POLICIES: The requested zoning is in conformance with *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site to be within the Wichita 2035 growth area, and it is designated for Residential development. The Comprehensive Plan defines "Residential" as "*Encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).*" Single-family detached homes are thus appropriate for this area.

The requested zoning is also in conformance with the *South Wichita/Haysville Area Plan*. One of the Goals

identified in the Plan is to "promote the development and revitalization of the housing and neighborhoods within the Planning Area." The construction of single-family homes in the area aligns with the Housing Goal.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request.

This recommendation is based on the following findings:

The zoning, uses and character of the neighborhood: Property to the north is zoned SF-20 Single-Family Residential within unincorporated Sedgwick County and is developed with a mobile home park. Properties farther to the south are zoned SF-5 Single-Family Residential within the City of Wichita and are developed with single-family residential dwellings. Property to the east is zoned IP Industrial Park and is undeveloped within the City of Wichita. Property to the west is zoned SF-20 Single-Family Residential within unincorporated Sedgwick County and is developed with a farming and ranch operation.

The suitability of the subject property for the uses to which it has been restricted: The property is suitable for the current SF-20 Single-Family Residential, which supports single-family residential development with a minimum lot size of approximately one-half acre in addition to agricultural uses.

Extent to which removal of the restrictions will detrimentally affect nearby property: The request to rezone would reestablish SF-5 zoning to the site and enable single-family residential development within the Meadow Beach Addition as originally intended. SF-5 zoning is not uncommon in the area even for properties in unincorporated Sedgwick County to the north in the Oaklawn Improvement District. The Planning Department does not anticipate that rezoning of the property will have significant detrimental effects on nearby property.

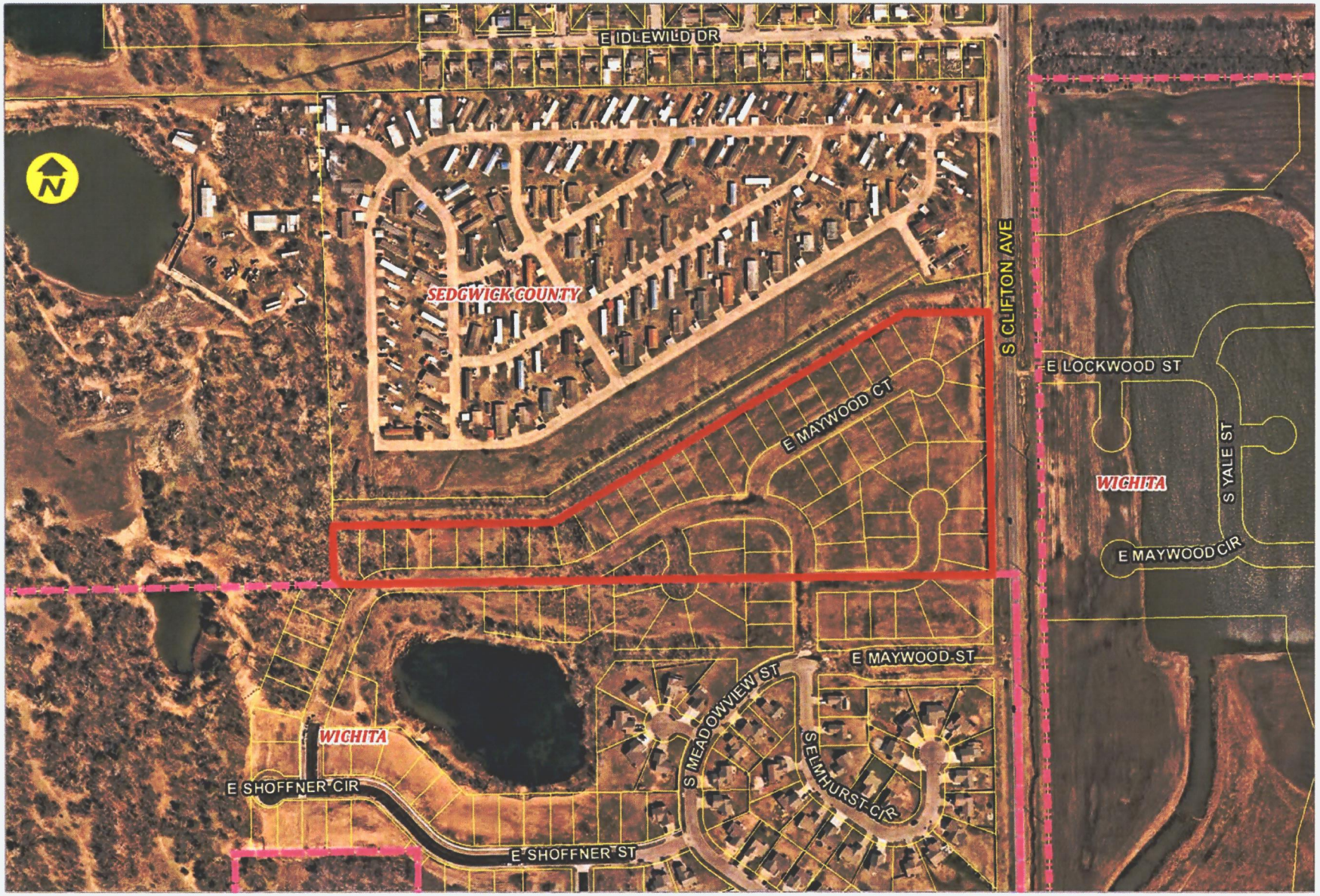
Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval would permit residential development in an area that is considered likely to develop by the year 2035. Denial would represent a loss of economic opportunity for the applicant.

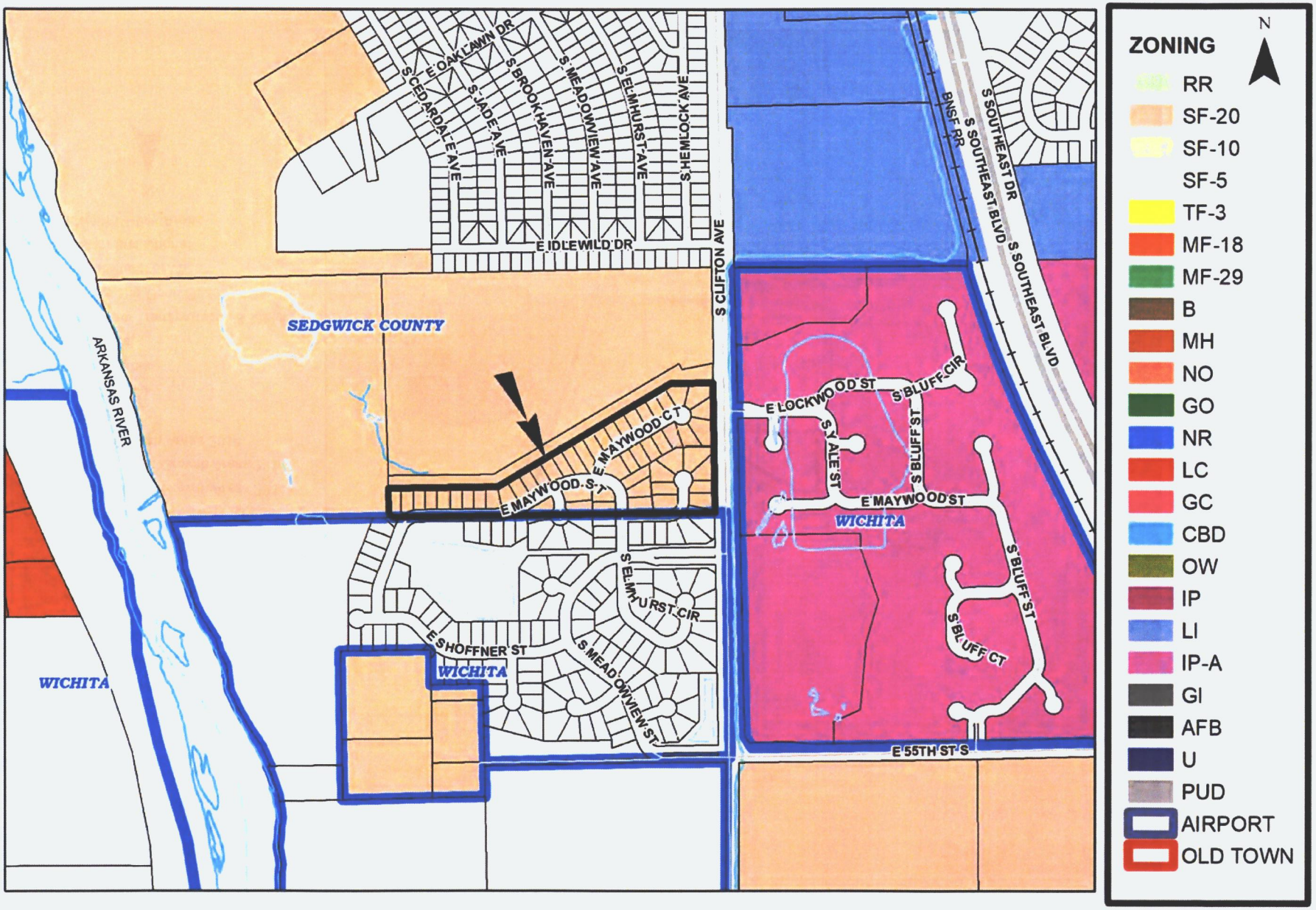
Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested zoning would continue to allow the property to be in conformance with the *Community Investments Plan* and the *South Wichita/Haysville Area Plan*, as discussed in the staff report.

Impact of the proposed development on community facilities: Development of the property with the requested zoning will bring additional traffic to the area. It will also require investment in the extension of municipal services.

Attachments:

- Aerial Map
- Zoning Map
- Land Use
- Site Plan/Zoning Exhibit
- Photos


E IDLEWILD DR
SEDGWICK COUNTY
S CLIFTON AVE
E LOCKWOOD ST
E MAYWOOD CT
S YALE ST
WICHITA
E MAYWOOD CIR
E MAYWOOD ST
S MEADOWVIEW ST
SELMHURST CIR
WICHITA
E SHOFFNER CIR
E SHOFFNER ST


ZONING
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SF-10
SF-5
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MF-18
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AIRPORT
OLD TOWN
E OAKLAWN DR
S CEDARDALE AVE
S JADE AVE
S BROOKHAVEN AVE
S MEADOWVIEW AVE
S ELMHURST AVE
S HEMLOCK AVE
E IDLEWILD DR
S CLIFTON AVE
BNSF RR
S SOUTHEAST DR
S SOUTHEAST BLVD
SEDGWICK COUNTY
ARKANSAS RIVER
E MAYWOOD CT
E MAYWOOD ST
E LOCKWOOD ST
S BLUFF CIR
S YALE ST
S BLUFF ST
WICHITA
S ELMHURST CIR
E SHOFFNER ST
S MEADOWVIEW ST
S BLUFF CT
E 55TH ST S

2035 Wichita Future Growth Concept Map



EXHIBIT

MEADOWLAKE BEACH ADDITION

WICHITA, SEDGWICK COUNTY, KANSAS

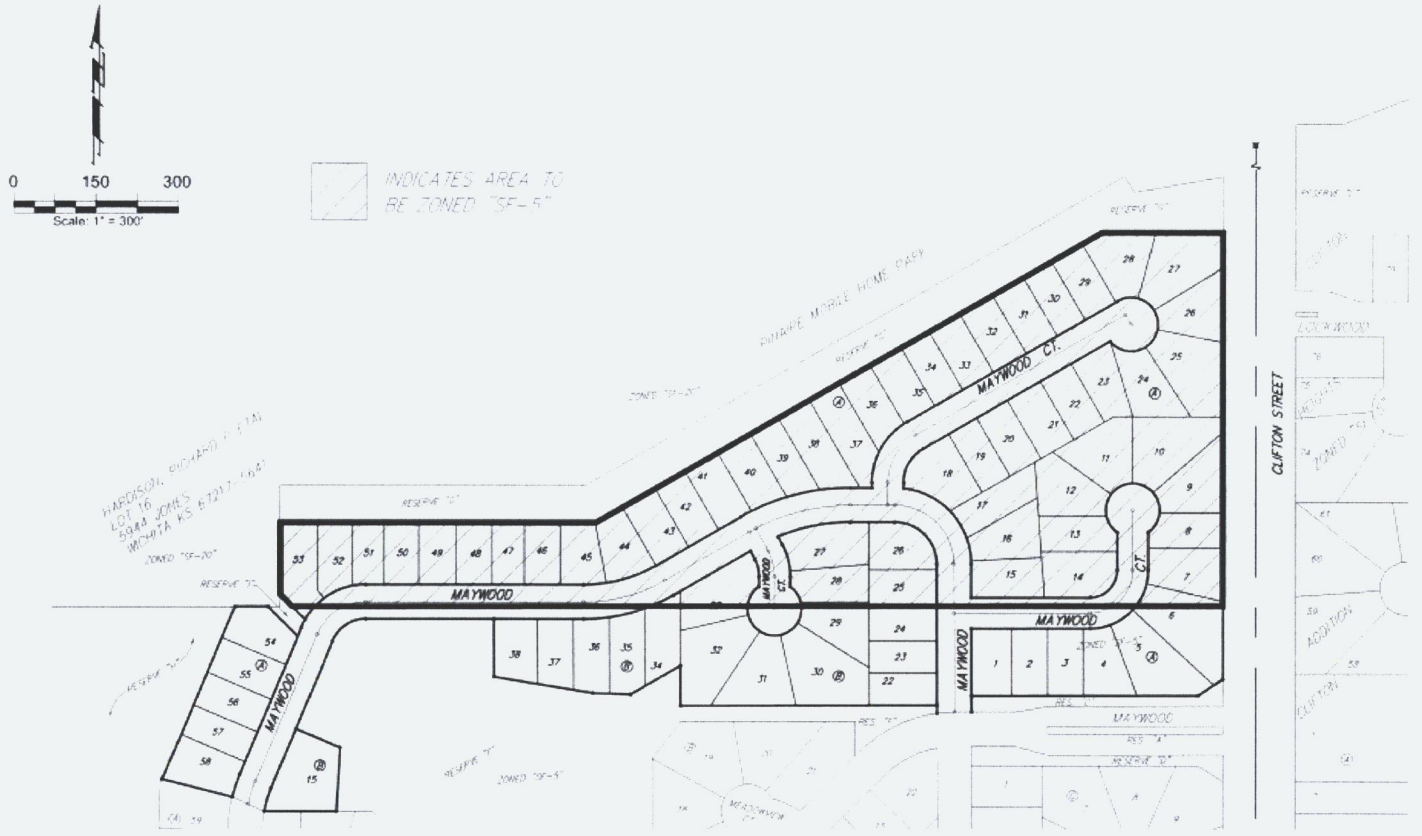


EXHIBIT
MEADOWLAKE BEACH ADDITION
June 30, 2022

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

E:\Projects\Meadowlake Beach 2nd Addition_Plat\Drawings\Meadowlake Beach 2nd_Zoning Exhibit.dwg

Looking east towards site



Looking north towards site



Looking south away from site

