



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

John W. & Lola Struthers Heritage Trust  
Attn: Wes Struthers  
7741 S. 119<sup>th</sup> Street West  
Clearwater, KS 67026

January 9, 2025

Grand Mesa Operating Company  
1700 N Waterfront Pkwy. B600  
Wichita, KS 67206

**RE: CON2024-00258** – Conditional Use request in the County to allow Oil and Gas Drilling on property zoned RR Rural Residential District, generally located on the southeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> Street West.

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** of the request, subject to the following conditions:

1. The Conditional Use permits Oil and Gas Drilling that is developed and operated in substantial compliance with the approved site plan and any associated documents, licenses or permits detailing drilling and completion activities used to obtain Conditional Use approval.
2. Prior to commencing Oil and Gas Drilling activities, the applicant shall obtain all applicable permits, licenses and/or inspections from Sedgwick County, the State of Kansas or the federal government, including but not limited to, MABCD, Sedgwick County Environmental Resources, Sedgwick County Fire Department, Sedgwick County Public Works, the Kansas Department of Health and Environment and the Kansas Corporation Commission. Prior to moving equipment into Sedgwick County, the applicant shall obtain any applicable permits required to move or transport oversized equipment on Sedgwick County public right-of-way.
3. Prior to commencing drilling activities, the applicant shall post an approved surety bond in an amount agreed to by Sedgwick County that can be called upon by Sedgwick County or the township in the event the County or the township is required to repair or replace any roads, bridges, traffic control devices, drainage structures, or other public infrastructure caused by the applicant.
4. Any equipment or appurtenances that will remain on the subject tract for more than thirty days once the well is completed or abandoned shall be set back from the center line of West 71<sup>th</sup> Street South and South 135<sup>th</sup> Street West at least 85 feet per UZC Section III-E.1.e.(3).
5. Prior to commencing Oil and Gas Drilling activities, the applicant shall meet with Sedgwick County

Fire Department officials to establish a system of building and equipment identification.

6. Prior to commencing Oil and Gas Drilling activities, the applicant shall provide a stormwater drainage plan to, and receive approval from, Sedgwick County Environmental Resources. The stormwater drainage plan will describe how stormwater runoff from the application area will be managed.
7. Oil and Gas Drilling shall begin within one year of final approval. Extensions of time may be requested via an administrative adjustment. If Oil and Gas Drilling has not begun within one year of final approval, and no extensions have been requested and approved, the Conditional Use shall be null and void.
8. Any major changes to the scale of the use or major alterations to the approved site plan shall require an amendment to the Conditional Use for consideration by the Metropolitan Area Planning Commission.
9. If the Zoning Administrator finds that there is a violation of any of the provisions or conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

No valid protests were submitted against this application. Therefore, the MAPC decision is final.

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,



Philip Zeyenbergen, AICP  
Current Plans  
Division Manager

CC: Sarah Lopez, Board of County Commissioners District 2  
MABCD



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

John W. & Lola Struthers Heritage Trust  
Attn: Wes Struthers  
7741 S. 119<sup>th</sup> Street West  
Clearwater, KS 67026

December 13, 2024

Grand Mesa Operating Company  
1700 N Waterfront Pkwy. B600  
Wichita, KS 67206

**RE: CON2024-00258** – Conditional Use request in the County to allow Oil and Gas Drilling on property zoned RR Rural Residential District, generally located on the southeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> Street West.

Dear applicant,

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1. The Conditional Use permits Oil and Gas Drilling that is developed and operated in substantial compliance with the approved site plan and any associated documents, licenses or permits detailing drilling and completion activities used to obtain Conditional Use approval.
2. Prior to commencing Oil and Gas Drilling activities, the applicant shall obtain all applicable permits, licenses and/or inspections from Sedgwick County, the State of Kansas or the federal government, including but not limited to, MABCD, Sedgwick County Environmental Resources, Sedgwick County Fire Department, Sedgwick County Public Works, the Kansas Department of Health and Environment and the Kansas Corporation Commission. Prior to moving equipment into Sedgwick County, the applicant shall obtain any applicable permits required to move or transport oversized equipment on Sedgwick County public right-of-way.
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8. Any major changes to the scale of the use or major alterations to the approved site plan shall require an amendment to the Conditional Use for consideration by the Metropolitan Area Planning Commission.
9. If the Zoning Administrator finds that there is a violation of any of the provisions or conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

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 **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 1,000 feet of the property for which the application was filed, and must be submitted to the County Clerk by **December 26, 2024**, at 5:00 p.m.

If the application is not protested, the MAPC decision becomes final. If the application is protested, the application will be forwarded onto the Sedgwick County Board of County Commissioners for final action. If necessary, the BOCC would consider this case on **Wednesday, January 22, 2025**, beginning at 9:00 a.m. Meetings take place at 100 North Broadway, Lower Atrium, 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 316-268-4421.

Sincerely,



Philip Zevenbergen, AICP  
Current Plans  
Division Manager

CC: Sarah Lopez, Board of County Commissioners District 2  
MABCD  
Mike Woods, 7570 W 21<sup>st</sup> Street North, Wichita, KS 67205  
Brad Bowman, 13212 W. 79<sup>th</sup> Street South, Clearwater, KS 67026  
Phil Wise, 6701 S. 119<sup>th</sup> Street West, Clearwater, KS 67026

**CONDITIONAL USE RESOLUTION NO. CON2024-00258**

**WHEREAS**, John W. & Lola Struthers Heritage Trust, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for Oil and Gas Drilling in RR Rural Residential District zoning, located on the southeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> Street West, legally described as:

Northwest Quarter of Section 1, Township 29 South, Range 2 West of the 6<sup>th</sup> P.M. EXCEPT Beginning at the Southwest corner; thence East 50.04 feet; thence North 2529.19 feet; thence Northeasterly 256.74 feet to a point 60 feet South of the North line of said Northwest Quarter; thence East 80 feet; thence North 60 feet to a point on the North line of said Northwest Quarter; thence West 372 feet to the Northwest corner of said Northwest Quarter; thence South to the Point of Beginning.

**WHEREAS**, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

**WHEREAS**, the MAPC did, at the meeting of December 12, 2024, consider said application; and

**WHEREAS**, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use for Oil and Gas Drilling in RR Rural Residential District zoning, located on the southeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> Street West, legally described as:

Northwest Quarter of Section 1, Township 29 South, Range 2 West of the 6<sup>th</sup> P.M. EXCEPT Beginning at the Southwest corner; thence East 50.04 feet; thence North 2529.19 feet; thence Northeasterly 256.74 feet to a point 60 feet South of the North line of said Northwest Quarter; thence East 80 feet; thence North 60 feet to a point on the North line of said Northwest Quarter; thence West 372 feet to the Northwest corner of said Northwest Quarter; thence South to the Point of Beginning.

Approved subject to the following conditions:


1. The Conditional Use permits Oil and Gas Drilling that is developed and operated in substantial compliance with the approved site plan and any associated documents, licenses or permits detailing drilling and completion activities used to obtain Conditional Use approval.
2. Prior to commencing Oil and Gas Drilling activities, the applicant shall obtain all applicable permits, licenses and/or inspections from Sedgwick County, the State of Kansas or the federal government, including but not limited to, MABCD, Sedgwick County Environmental Resources, Sedgwick County Fire Department, Sedgwick County Public Works, the Kansas Department of Health and Environment and the Kansas Corporation Commission. Prior to moving equipment into Sedgwick County, the applicant shall obtain any applicable permits required to move or transport oversized equipment on Sedgwick County public right-of-way.
3. Prior to commencing drilling activities, the applicant shall post an approved surety bond in an amount agreed to by Sedgwick County that can be called upon by Sedgwick County or the township in the event the County or the township is required to repair or replace any roads, bridges, traffic control devices, drainage structures, or other public infrastructure caused by the applicant.


4. Any equipment or appurtenances that will remain on the subject tract for more than thirty days once the well is completed or abandoned shall be set back from the center line of West 71<sup>th</sup> Street South and South 135<sup>th</sup> Street West at least 85 feet per UZC Section III-E.1.e.(3).
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Adopted this 9<sup>th</sup> Day of January, 2025.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:

  
\_\_\_\_\_  
Bryan Frye, Chairman

  
\_\_\_\_\_  
Scott Wadle, Secretary

# 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.

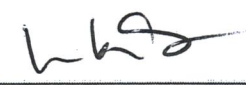
Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County 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 21st day of November, 2024, with subsequent publications being made on the following dates:

\_\_\_\_\_, 2024                      \_\_\_\_\_, 2024  
\_\_\_\_\_, 2024                      \_\_\_\_\_, 2024  
\_\_\_\_\_, 2024                      \_\_\_\_\_, 2024



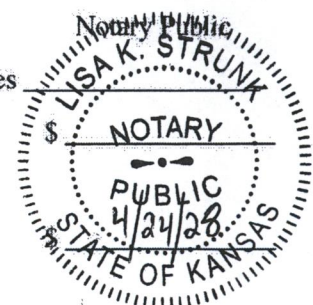
Subscribed and sworn to before me this 21st day of November, 2024.



My commission expires

Additional copies

Printer's fee



## Sedgwick Co. public notice

(Published In The Ark Valley News Nov. 21, 2024.)

### MAPC 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.**

**CON2024-00249:** Conditional Use request in the County to allow an Accessory Apartment on property zoned RR Rural Residential, generally located south of West 39th Street South and east of South 391st Street West (4400 South 391st Street West). (Cheney Area of Influence)

**CON2024-00256:** Conditional Use in the County for a Single-Use RV Campground on property zoned RR Rural Residential; located approximately 680 feet east of the intersection of East 60th Street South and South 143rd Street East (14600 East 60th Street South).

**CON2024-00258:** Conditional Use in the County to allow Oil and Gas Drilling on property zoned RR Rural Residential District, generally located on the southeast corner of West 71st Street South and South 135th Street West.

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.

#### Options to participate:

1) **Attend In-Person** at the **Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.** Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268 4464) by 5:00 PM, 3 days prior to the meeting.

2) **Submit Comments Ahead of Time** regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – 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. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. **Written Comments** should be submitted by 5:00 PM the day before the meeting. **Video and Audio Comments** (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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

3) **If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.**

#### Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: <https://www.wichita.gov/Planning>.

WITNESS MY HAND on November 21, 2024  
**Scott Wadle, Secretary**  
Wichita Sedgwick County  
Metropolitan Area Planning Commission

APPROVED 1/9/15 BY *[Signature]* COW 24-257

# SITE PLAN



**Struthers 1-1 Proposed Site Plan**

NW. 1/4, Section 1, T29S, R2W  
Sedgwick County, Kansas

For:  
John W. & Lola Struthers Heritage Trust

By:  
Garet Dinkel  
Grand Mesa Operating Company  
1700 N Waterfront Parkway  
Wichita, Kansas 67206  
(316)-265-3000

**Legend**

- Wellbore
- Well Pad
- Tank Battery Pad
- Unimproved Temporary Ingress
- County Roads
- Parcel Boundary
- 25' Setback



**STAFF REPORT**  
MAPC: December 12, 2024

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**CASE NUMBER:** CON2024-000258 (County)

**APPLICANT/OWNER:** John W. & Lola Struthers Heritage Trust (Applicant) / Grand Mesa Operating Company (Agent)

**REQUEST:** Conditional Use to permit Oil and Gas Drilling

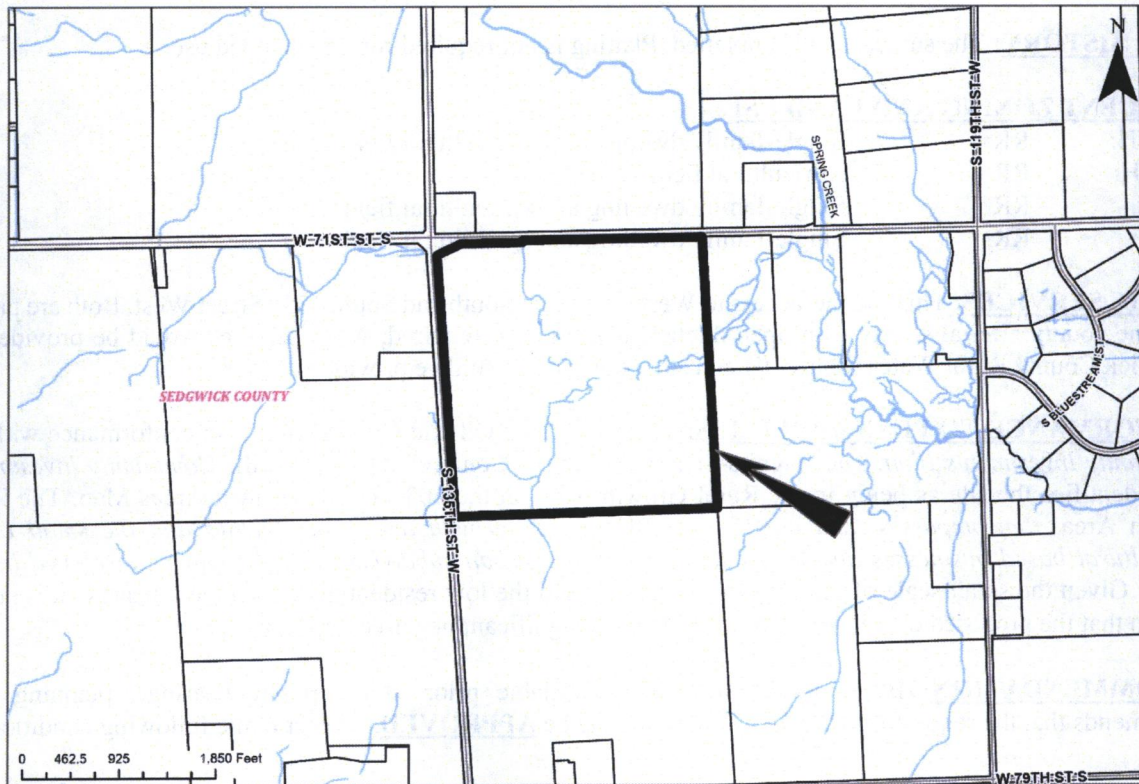
**CURRENT ZONING:** RR Rural Residential District

**SITE SIZE:** Parent Parcel: 152.23 acres / Lease Site: 3 Acres

**LOCATION:** Generally located on the southeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> Street West.

**PROPOSED USE:** Oil and Gas Drilling for one well.

**RECOMMENDATION:** Approval with conditions.



**BACKGROUND:** The applicant is requesting a Conditional Use to permit Oil and Gas Drilling on a portion of their property. The applicant owns a 152-acre parcel on the southeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> Street West and has leased three acres in the northwest corner of their land to Grand Mesa Operating Company for oil and gas exploration purposes. The subject site is currently being utilized for agricultural purposes.

The application area is zoned RR Rural Residential District (RR) which generally permits by-right agricultural activities, larger lot residential uses and a limited set of nonresidential uses. Per the Wichita-Sedgwick County Unified Zoning Code (UZC), Oil and Gas Drilling in the RR District requires Conditional Use approval.

As mentioned before, the lease area is a three-acre portion in the northwest corner of the subject site. The attached site plan indicates a proposed 300-foot by 220-foot pad where one well would be drilled. The site plan also proposes a 60-foot by 100-foot pad for a storage tank(s). Both pads are proposed to be accessed from a private drive that would utilize an existing field access point off of South 135<sup>th</sup> Street West, approximately 1,000 feet south of the intersection with West 71<sup>st</sup> Street South. The pad for the storage tanks would be situated along the west side of the subject site. Section III-E.1.e.(3) of the UZC requires structures to maintain a minimum 85-foot setback from the centerline of the section line roads. Any placement of storage tanks must adhere to this setback. The site plan does not show the proposed location of the actual storage tanks. Possible revisions to the site plan may need to be completed based on this setback regulation.

Section IV-B of the UZC requires solid screening for all uses other than Single-Family or Duplex when the uses are abutting or across the street from residential zoning districts. Therefore, the applicant will be required to screen the proposed use with a minimum of a six-to-eight-foot screening fence.

All land surrounding the subject tract is zoned RR, with the predominant land use being agriculture. There are two dwellings within a 1,000-foot radius of the three-acre lease area. One dwelling is located north of the lease area, on the northeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> West. The other is located southwest of the least area, on the west side of South 135<sup>th</sup> Street West, within one-quarter mile south of West 71<sup>st</sup> Street South.

**CASE HISTORY:** The subject site is unplatted. Platting is not required for the intended use.

**ADJACENT ZONING AND LAND USE:**

NORTH:	RR	Single-family dwelling and agricultural field
SOUTH:	RR	Agricultural field
EAST:	RR	Single-family dwelling and agricultural field
WEST:	RR	Single-family dwelling and agricultural field

**PUBLIC SERVICES:** This site has access to West 71<sup>th</sup> Street South and South 135<sup>th</sup> Street West. Both are paved, two-lane county arterial streets with open ditches. If needed or required, water services would be provided by Sedgwick County Rural Water District #4 and sewer services would be provided on-site.

**CONFORMANCE TO PLANS/POLICIES:** The request for Oil and Gas Drilling is in conformance with the *Community Investments Plan*. The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as being in the Rural Growth Area on the 2035 Urban Growth Areas Map. The Rural Growth Areas “encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural based businesses and larger lot residential exurban subdivisions likely will be developed in this area.” Given the small scale of the proposed operation and the low residential development nearby, it is staff’s opinion that the proposed operation is not likely to have significant negative impacts.

**RECOMMENDATION:** Based upon information available prior to the public hearings, planning staff recommends that the request for the Oil and Gas Drilling be **APPROVED**, subject to the following conditions:

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2. Prior to commencing Oil and Gas Drilling activities, the applicant shall obtain all applicable permits, licenses and/or inspections from Sedgwick County, the State of Kansas or the federal government, including but not limited to, MABCD, Sedgwick County Environmental Resources, Sedgwick County Fire Department, Sedgwick County Public Works, the Kansas Department of Health and Environment and the Kansas Corporation Commission. Prior to moving equipment into Sedgwick County, the applicant shall obtain any applicable permits required to move or transport oversized equipment on Sedgwick County public right-of-way.
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This recommendation is based on the following findings:

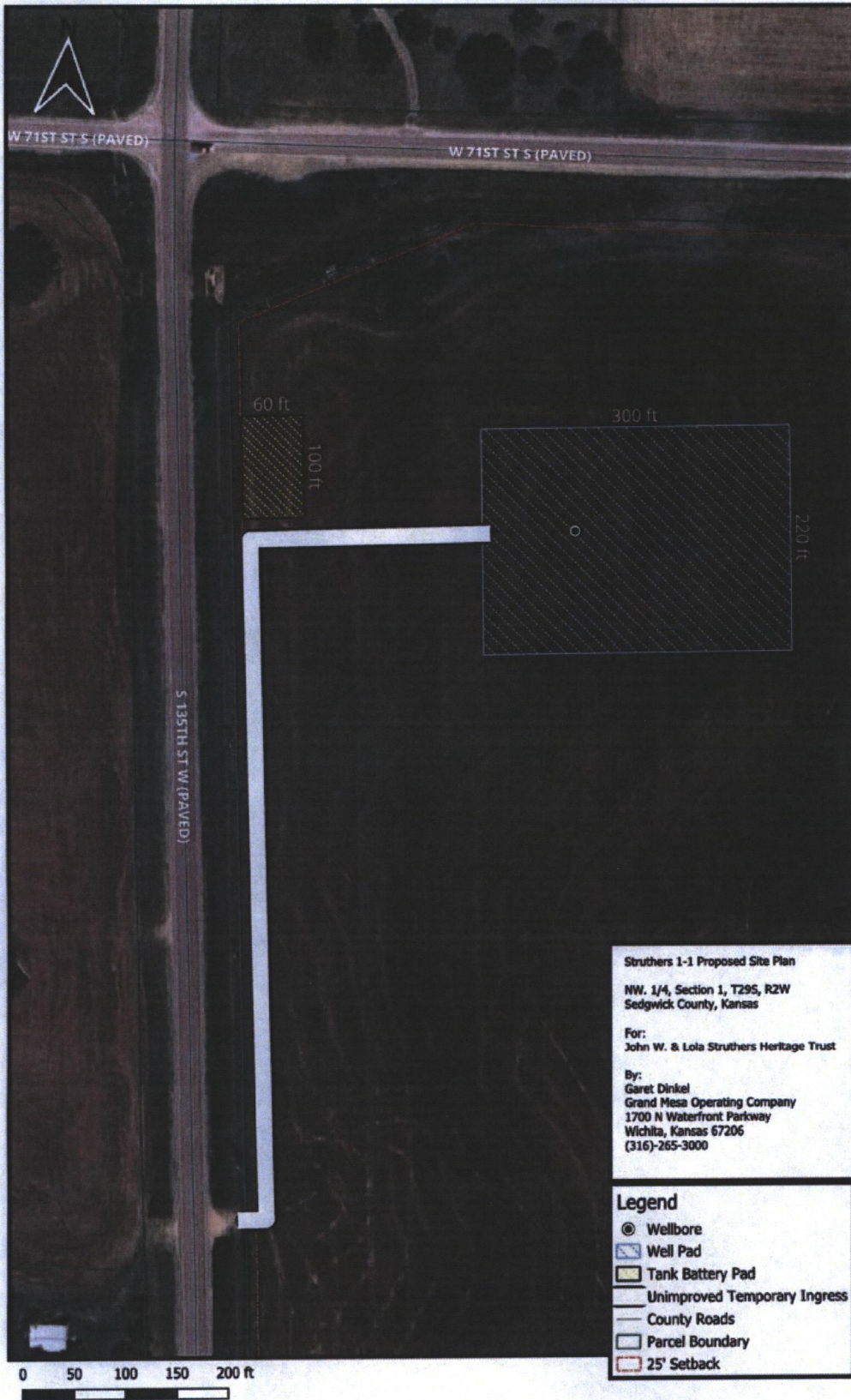
1. **The zoning, uses and character of the neighborhood:** All land surrounding the subject tract is zoned RR, with the predominant land use being agriculture. There are two dwellings within a 1,000-foot radius of the three-acre lease area. One dwelling is located north of the lease area, on the northeast corner of West 71<sup>st</sup> Street South and South 135<sup>th</sup> West. The other is located southwest of the lease area, on the west side of South 135<sup>th</sup> Street West, within one-quarter mile south of West 71<sup>st</sup> Street South.
2. **The suitability of the subject property for the uses to which it has been restricted:** The subject site is currently zoned RR Rural Residential District, which is suitable for agricultural activities, larger lot residential uses and a limited set of nonresidential uses by right. The site has been used for crop production and could continue to be farmed. Oil and Gas Drilling could be appropriate by Conditional Use approval. The requested use is unique in that it may only be an applicable use depending on the presence of natural resources.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** If approved, initially there will be increased levels of traffic. There will be vehicles transporting oversized and heavy equipment not necessarily present on a typical day in the larger area. Temporarily, there will be increased numbers of workers and subcontractors preparing the site, drilling and completing the well and establishing permanent production equipment. Potential effects include odor, noise and increased lighting. All of the regulations, permit processes and conditions of approval are designed to minimize negative impacts.
4. **Length of time subject property has remained vacant as zoned:** The subject property historically has been used for agricultural production.
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** It is not anticipated that the requested Conditional Use will have an effect on the public health, safety, or welfare. Denial of the application may result in an economic loss in the use of the mineral rights of the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The request for Oil and Gas Drilling is in conformance with the *Community Investments Plan*, as discussed in this staff report.
7. **Impact of the proposed development on community facilities:** The conditions of approval of this Conditional Use and other regulations should minimize impacts on community facilities. Traffic will increase temporarily. Demand for other County services such as inspections and fire prevention may temporarily increase, but when the well is completed demand for those services will diminish.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff did not receive any comments from the public regarding the requested Conditional Use.

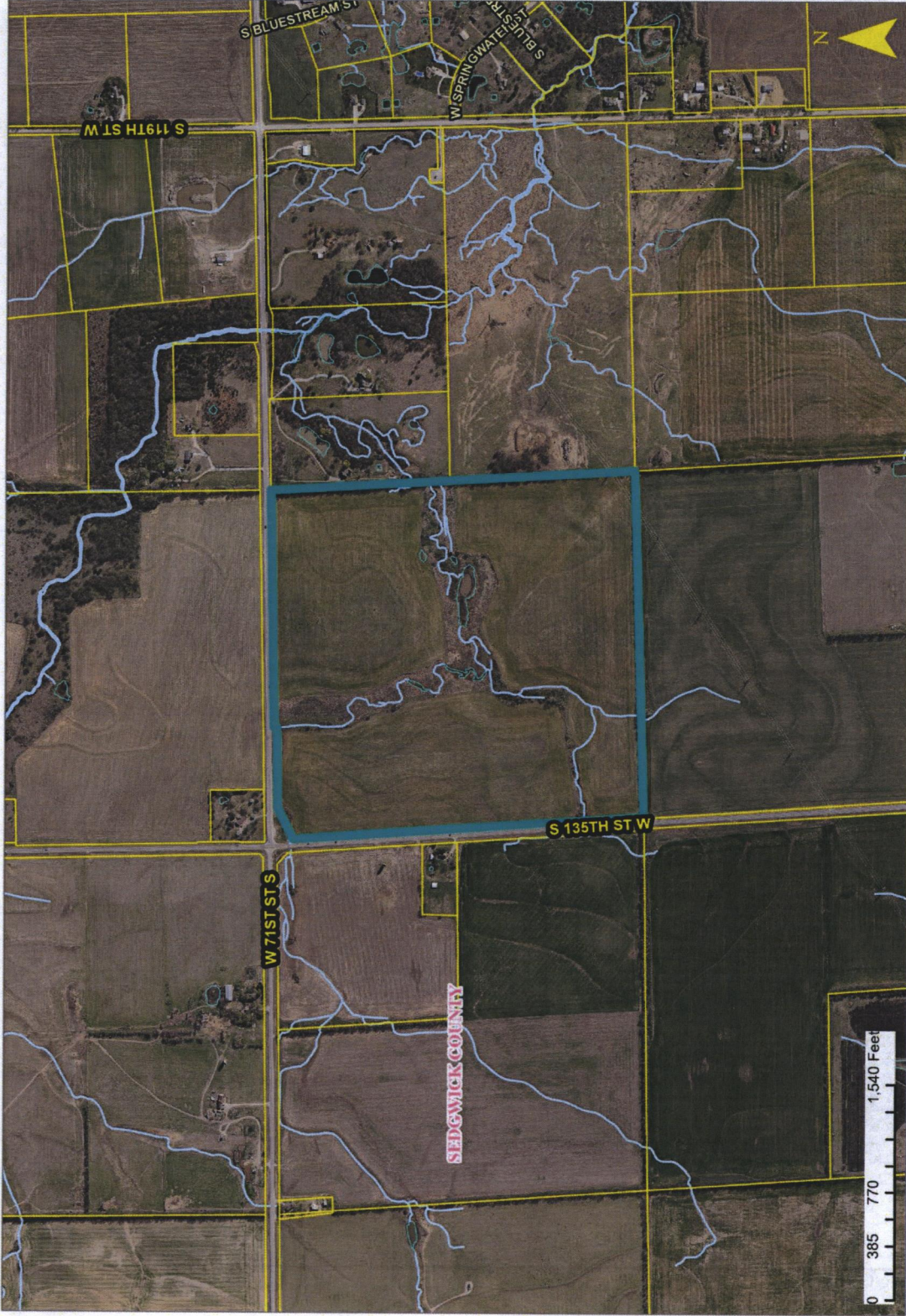
Attachments:

1. Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos

**Site Plan**



**Aerial Map**







Looking east at site



Looking west at property southwest of site



Looking east at property north of site



Looking west away from site

