



INTEROFFICE

MEMORANDUM

TO: Christopher Carrier, Public Works Director
CC: Jim Armour, City Engineer
FROM: Scott Lindebak, Civil Engineer *SL*
Leslie Hicks, Right-of-way Utility Coordinator
SUBJECT: Midian Temple – Hoskinson Addition Property Summary
DATE: October 26, 2007

The parcels of land platted as Midian Temple – Hoskinson Addition is presently zoned SF-5 with a Conditional Use that permits community organizations. The east 4.44 acre parcel is seventy-five feet wide by one-half mile that is lakeside with Spinnaker Coves Addition. Midian's largest parcel bound between Country Acres 4th Addition and said 4.44 acres parcel is 20.24 acres.

The Midian Shriners most recently purchased the parcels on January 13, 2005 from Dick Hoskinson for \$362,383.00. The Shriners obtained a conditional use in May 2004 and then platted the parcel in late 2004. Prior to completing a fund raising campaign to build a new facility, a decision was made to remain at the present downtown location.

Currently the land is undergoing an effort to obtain a CUP, which allows single family (SF), patio, zero lot line, duplex, triplex, or quadplex homes. On October 4, 2007 the request was denied by MAPC. The applicant requested a six-month deferral; it is possible the applicant will be able to work in conjunction with the property owner to the south with a resulting plan more reflective of the two neighborhoods bordering the subject property.

The subject property has consistently been mired in controversy for many years. The developer's plans for this parcel have been contrary to neighborhood desires to enjoy and maintain the open view and wildlife afforded by the undeveloped land. Country Acres, to the west, are particularly concerned about the proximity of development to their houses and the impact on the two Park parcels. The north Park parcel is 0.85 acres and the south Park parcel is 3.45 acres. Spinnaker Cove, to the east, wishes to maintain tight control of the lake for safety and amenity purposes. In the past, the Park Board and former Park Director had expressed the desire to connect the two Park parcels with a bike/pedestrian path for the benefit and maintenance of not only the two parcels but also as part of a larger plan. The larger plan would provide a bike/pedestrian trail that would link Central Ave. to the Sedgwick County Park by paralleling the Big Slough North drainage system. At this point, it is not known whether the Park Department is still favorable to this concept as part of an acceptable and desirable Master Plan. Preliminary surveys from the current Parks, Recreation and Open Space (PROS)

planning process shows very high support for new bike paths and there connectivity to one another.

MAPD has been supportive of some proposed development of the land with appropriate conditions.

Portions of both Midian Temple properties are located in a FEMA floodway, 100-year and 500-year floodplain. Development would be limited to those areas outside of the FEMA floodway, however there has been requests for FEMA models by local consultants to restudy the this flooding source. A new study may be in an attempt to create more developable land by reducing the current FEMA floodway limits.

Property timeline:

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| February 5, 1982 | Ritchie Enterprises sold land to Hoskinson, reported to be 78 acres (no price known). |
| February 1989 | Hoskinson grants a warranty deed for a very small portion of the 78 Acres. No land size or price noted. |
| January 1995 | Land, not platted as Spinnaker Acres, sold for reported \$850,000. Spinnaker Acres consists of 63 acres. |
| October 18, 2000 | VAC2000-00041
Hoskinson requests to vacate public dedication of area A and area C in Country Acres (both parcels had been dedicated for Park, Rec & Drainage) |
| November 6, 2000 | DAB V votes to support Park Boards Decision to deny vacation. |
| January 23, 2001 | Vacation request denied. |
| March 19, 2001 | An amendment to the Declaration of Covenants, Conditions & Restrictions of Spinnaker Coves states that the owners of the land adjacent to the lake that is not Spinnaker Coves, shall be entitled to use the lake. |
| November 2, 2001 | Remaining land consists of 25 acres, zoned Residential 6-7 acres are not buildable due to transmission line, and another 2-3 acres is lake/lake frontage. Property was "pre-platted" with 77 lots planned both this includes land owned by City.
Property marketed for \$700,000. Property is appraised for \$350,000 |
| January 5, 2004 | DAB V approves CON 2003-48 (allows community organizations) |
| January 8, 2004 | MAPC defers for 8 weeks. |

March 8, 2004	Park Board approves to accept 30' easement for a bike path connecting to area A and C.
March 11, 2004	MAPC defers case.
April 8, 2004	MAPC approves with condition of a 30' access easement (note: Spinnaker Coves offers to buy lake frontage, 4 acres for \$56,000).
May 4, 2004	Council passes CON 2003-48 (note: Council member Martz disagrees with easement)
July 4, 2004	Park Board affirms desire to obtain 30' easement.
???	MAPC approves plat without public easement.
October 12, 2004	Council approves plat without easement.
October 18, 2004	Park Board votes to grant driveway easement across north park parcel in exchange for a connection easement between park parcels.
January 13, 2005	Midian Shrine completes purchase for \$362,383.
July 12, 2006	Southbound acres on Central (south of Spinnaker Coves) \$7,000 to Hoskinson (fee title buys responsibility) this was the culmination of a proposed land surveys begin phases as early as December 1997.
October 1, 2007	DAB V motion denied 8-0 (1 abstaining)
September 1, 2007	25 acres, SF-5 w/conditional use to allow
October 2007	MAPC denied the request, applicant asked for a 6 month deferral to allow time to work with property owners to the south (would result in opportunities for a decreased density and perhaps access)