



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

April 26, 2019

JRD, LLC  
Attn: Jay W. Russell  
P.O. Box 75337  
Wichita, KS 67275-0337

Baughman Company, P.A.  
Attn: Russ Ewy  
315 Ellis  
Wichita, KS 67211

**Re: CON2019-11: City Administrative Adjustment to modify the approved site plan for Conditional Use CON2018-15, located at the southwest corner of 55th Street South and Clifton Avenue.**

**Legal Description:**

**Key No. C-00715-00UP**

That part of Government Lot 1 in the NE  $\frac{1}{4}$  of Sec. 27, Twp. 28-S, R -1-E of the 6<sup>th</sup> P.M., Sedgwick County, Kansas lying east of the Big Arkansas River, except the north 200.00 feet thereof.

**Key No. C-00717-00UP**

The NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Sec. 26, Twp. 28-S, R-1-E of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, subject to road rights-of-way of record, TOGETHER with that part of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Sec. 26 described as follows: Beginning at the NW corner of the SW  $\frac{1}{4}$  of said NW  $\frac{1}{4}$ ; thence easterly along the north line of the SW  $\frac{1}{4}$  of said NW  $\frac{1}{4}$ , 568.00 feet; thence southerly parallel with the west line of said NW  $\frac{1}{4}$ , 58.5 feet, more or less, to the centerline of a ditch; thence following the centerline of said ditch to a point on the west line of said NW  $\frac{1}{4}$ , 140.00 feet, more or less, south of the NW corner of the SW  $\frac{1}{4}$  of said NW  $\frac{1}{4}$ ; thence northerly along the west line of said NW  $\frac{1}{4}$ , 140.00 feet, more or less, to the point of beginning.

**Key No. C-00721-00UP**

A tract in Government Lot 2 in the NE  $\frac{1}{4}$  of Sec. 27, Twp. 28-S, R-1-E of the 6<sup>th</sup> P.M., Sedgwick County Kansas described as beginning at the NE corner of said Government Lot 2; thence southerly, along the east line of said Government Lot 2, 140 feet to the centerline of a ditch; thence southwesterly, along the centerline of said ditch to the point of intersection of said centerline and the East bank of the Big Arkansas River, said point being 830 feet south of the north line of said Government Lot 2; thence northwesterly, along said east bank to a point on the north line of said Government Lot 2; thence east 1062 feet, more or less, to the point of beginning.

Dear Applicants:

We have reviewed your Zoning Adjustment request to revise the approved site plan to include expanded area for soil/sand extraction and remove rock crushing as permitted by CON2018-15 on SF-5 Single-Family Residential Zoned property.

We find that the adjustment to the site plan as proposed meets the four conditions required by Sec. V-I.6 of the Code as set out below:

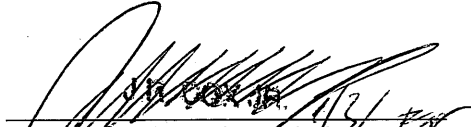
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed Administrative Adjustment to CON2018-00015 will not impact the pedestrian and vehicular safety of the area. The site is approved for an excavation use within the areas requested on this new site plan, and should not impose any greater impact on the area than is already permitted. The use of the subject property solely as a borrow area for soil extraction should be considered a reduction in land use intensity.
- 2) Impact on existing uses in surrounding areas: The remaining provisions of the Conditional Use will continue to offer protection to area residents, and the additional excavation area will not create additional impacts greater than what is currently permitted.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned SF-5 Single-Family Residential and SF-20 Single-Family Residential zoning that is mostly undeveloped. The requirements of CON2018-15 were approved to protect a residential development located north of the subject property, with the understanding this site will be available for residential development in the future. In the event it is developed, these excavation areas can become part of the stormwater detention pond system at a greater depth than is being proposed.
- 4) Effect on public health, safety or welfare: The public's safety, health and welfare should not be impacted.

Our signatures below indicate that an Administrative Adjustment to approve the request to revise the approved site plan to include expanded area for soil/sand extraction and remove rock crushing as permitted by CON2018-15 on SF-5 Single-Family Residential Zoned property is hereby granted for the aforementioned property subject to the following conditions:

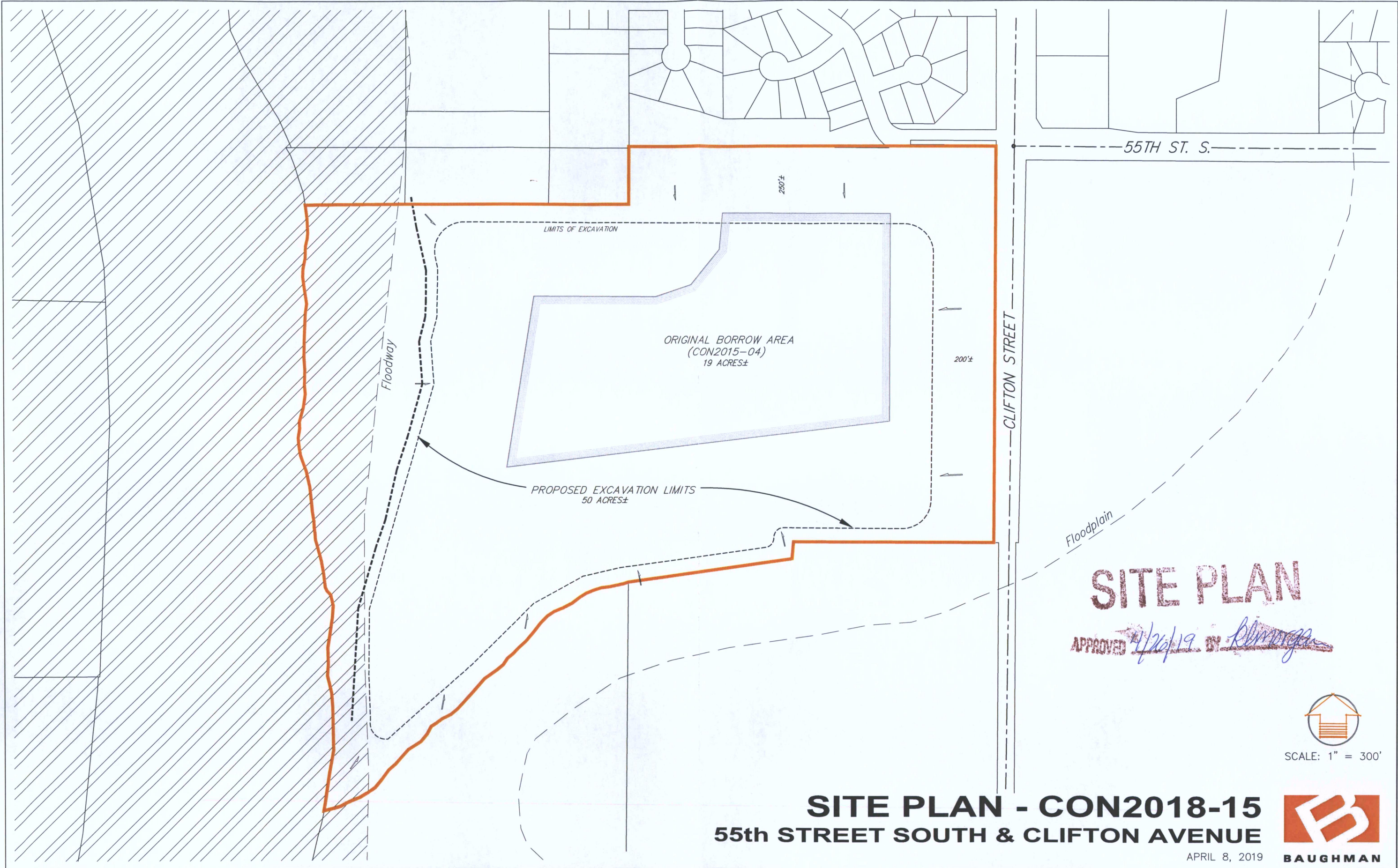
- 1) The site shall be developed in general conformance with the approved site plan.
- 2) If the Zoning Administrator finds that there is a violation of any of the conditions of the Administrative Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.

  
Dale Miller, Director  
Metropolitan Area Planning Department

  
Scott Knebel, Zoning Administrator  
Metropolitan Area Planning Department

cc: MABCD  
James Clendenin, WCC District III  
Maddy Campbell, CRS District III



**SITE PLAN**  
 APPROVED 4/26/19 BY *[Signature]*



SCALE: 1" = 300'

**SITE PLAN - CON2018-15**  
**55th STREET SOUTH & CLIFTON AVENUE**



APRIL 8, 2019

**BAUGHMAN**

CON 2019-00011