



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

September 16, 2005

Donna Pearson McClish
McClish & Associates International Inc.
2730 E. 33rd Street North
Wichita, KS 67217

**RE: DR2005-19 – Request to amend the Official Oil and Gas Well District Map.
(District I)**

Dear Ladies and Gentlemen:

At its regular meeting on September 13, 2005, the Wichita City Council considered the above-captioned request. The action of the City Council was that the ordinance amending the Official Oil and Gas Well District Map as recommended by the Metropolitan Area Planning Department be placed on first reading and the necessary signatures authorized.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Donna Goltry, A.I.C.P.

Principal Planner
Current Plans Division

DJG/rms

Cc: Bud Hentzen, B & R Land Co., LLC, 3711 N. Hillside, Wichita, KS 67219
Carl Brewer, WCC I, Mail Stop 1-13
Kurt Schroeder, OCI, Mail Stop 1-72
Randy Sparkman, OCI, Mail Stop 1-72
Paul Hays, OCI, Mail Stop 1-72
J. R. Cox, OCI, Mail Stop 1-72



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AN ORDINANCE APPROVING CERTAIN AMENDMENTS TO THE OFFICIAL OIL AND GAS WELL DISTRICT MAP OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 25.04.020 OF THE CODE OF THE CITY OF WICHITA, KANSAS, 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 Official Oil and Gas Well District Map pursuant to Section 25.04.020 of the Code of the City of Wichita, Kansas, as amended, is changed as follows:

Case No. DR2005-00019

Request for Proposed Amendment to the Official Oil and Gas Well Map pursuant to Chapter 25.04 Oil and Gas Wells on property shown on Exhibit "A" and described as:

The East 330 feet of the South 660 feet of the Southwest Quarter of the Northeast Quarter of Section 34, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except the South 50 feet for road,

AND

Lots 1-5 and Reserve "A" of Hentzen Addition, Wichita, Sedgwick County, Kansas.

SECTION 2. That upon the taking effect of this ordinance, the above changes shall be entered and shown on the "Official Oil and Gas Well District Map" previously adopted by reference, and said official map is hereby reincorporated as a part of the Code of the City of Wichita, Kansas, 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 AT WICHITA, KANSAS, _____

Carlos Mayans - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

A comprehensive evaluation of these changes and the appropriateness for altering the map would be a possible future activity for the Advance Plans Committee of MAPC. This particular amendment focused on the appropriateness of the request forwarded by the applicant for CON2005-00023 as well as another nearby property owner. Additional tracts in the vicinity were not included since those property owners had not sought designation. Staff felt inclusion of the other potential areas should await comprehensive evaluation that included all affected property owners in the discussion.

Analysis: At the MAPC meeting held August 11, 2005, MAPC voted (10-0-1) to approve subject to staff recommendation. The property owners for the areas proposed for inclusion in the map were present at the meeting.

Financial Considerations: None.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions: Adopt the ordinance amending the Official Oil and Gas Well District Map as recommended by the Metropolitan Area Planning Department.

City of Wichita
City Council Meeting
September 13, 2005

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: DR2005-00019 – Request to amend the Official Oil and Gas Well District Map (District I)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendations: Approved 10-0-1.

MAPD Staff Recommendations: Approved.

DAB Recommendations: Not applicable.

Background: DR81-17 established the Official Oil and Gas Well District Map (approved April 4, 1982 by MAPC and May 8, 1982 by the Board of City Commissioners). According to MAPC minutes, little drilling activity had taken place in Wichita since the 1950s until a request surfaced in the early 1980s and an ad hoc committee evaluated proper procedures for drilling in the city. MAPC felt oil drilling was incompatible with residential and light commercial uses; industrial zoning seemed to be the main criterion for being designated for allowing drilling of oil and gas wells.

The Official Oil and Gas Well District Map has not been updated since 1982. A few inquiries have surfaced, but none has progressed to the point of seeking a Conditional Use for oil and gas drilling until the case (CON2005-00023) heard at MAPC on July 14, 2005. The subject tract of CON2005-00023 is surrounded by land already included within the drilling district boundaries except to the north, but was not included in the 1982 map since the property was unincorporated at the time. It has been an area of drilling in the past. Four producing wells and three dry holes are shown north of K-96 and west of the Pearson tract on the map produced by KBP (Kansas Blueprint, well information dated January 8, 2001). The CON2005-00023 site could be considered an infill of an existing area designated as appropriate for drilling.

A comprehensive review of the 1982 Official Oil and Gas Well District Map would identify the following types of potential changes:

1. More land zoned "LI" Limited Industrial and "GI" General Industrial have been added to the City of Wichita through annexation and rezoning. These areas may be appropriate for inclusion within the Official Oil and Gas Well District Map.
2. Some land previously included has been rezoned to residential or lower intensity commercial districts not intended for drilling activity. A good example is the land in Willowbend that is now zoned "SF-5" Single-family Residential and developed with single-family residences and a golf course. This was property zoned "LI" at the time of the adoption of the Official Oil and Gas Well District Map in 1982.