



Newton Area Planning Commission Agenda
Monday, May 4, 2026 at 6:00 PM
Commission Chambers

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|--|---------|
| A. AGENDA | |
| 1. Consider approval of the January 5, 2026 meeting minutes. 01.05.2026 Planning Commission Meeting Minutes | 2 - 5 |
| 2. Election of Officers. Planning Commission - Election of Chair, Vice- Chair and Secretary | 6 - 7 |
| 3. Approve the 2026-2027 schedule of meetings. Planning Commission - 2026-2027 Schedule of Meetings | 8 - 9 |
| 4. Consider a zoning amendment for 320 S Pine. Zoning Amendment - 320 S Pine | 10 - 27 |
| 5. Old Business. | |
| 6. New Business | |
| 7. Adjournment | |

**Newton Area Planning Commission Meeting Minutes
January 5, 2026**

Members Present: Chairman M. Kelsey (6-0), Vice Chair A. Newell (6-0), D Goodnite (4-2), G. Hanson (6-0), and T. Buller (5-1).

Members Absent: J. Sommerfeld (1-5), and C. Harris (3-3).

(Note: Attendance-recording period runs from 5-1-2025 to 4-30-2026)

Staff Present: Rebecca Likiardopoulos, and Aubrey Wallace.

AGENDA

1. Consider approval of the December 1, 2025 meeting minutes.

Chairman Mike Kelsey asked for any comments or changes to the minutes. There was none.

Motion: Commissioner Hanson moved and Commissioner Goodnite seconded to approve the minutes. Motion carried. Yes# 5 Against# 0.

2. Consider a preliminary plat for The Fairways Addition.

This plat is consistent with the first preliminary plat with minor adjustments to property lines and easements. As per the City's subdivision regulations, the preliminary plat was re-submitted to the appropriate City staff and area utility companies for review, along with the request that they forward proposed changes and comments. With only one change that was not within the Fairways Addition. The preliminary plat now comes before the Newton Area Planning Commission for consideration. If the Commission is satisfied that the requirements of all applicable subdivision regulations have been, or will be, met by the developer you may approve the preliminary plat, including any required and requested changes.

Chairman Kelsey abstained from this item. Vicechair Newell asked if the applicant was here to speak. Lance Onstott, with Professional Engineering Consultants (PEC) representing the applicant, noted that they worked with city staff to revise the preliminary plat, including; reduced the number of lots from 70 to 61 lots so that they can have the 75 foot minimum, and clean up of the easements and everything has stayed the same.

Motion: Commissioner Goodnite moved and Commissioner Hanson seconded to approve the preliminary plat for The Fairways Addition. Motion carried with Vicechair

Newell and Commissioners Goodnite, Hanson and Buller voting Yes, no one voting against and Chairman Kelsey abstaining. Yes# 4 Against# 0 Abstaining# 1.

3. Consider a final plat for The Fairways.

As per the City's subdivision regulations, the final plat was submitted to the appropriate City staff and area utility companies for review, along with the request that they forward proposed changes and comments. Those changes and Planning Commission requests will be communicated to Professional Engineering Consultants .

Remaining Items:

- Request to change Station Circle to Station Street as shown on the final plat
- Need signed drainage report (signed checklist) before City Commission meeting
- Need signed and approved petition package documents (including letters of credit) before City Commission meeting.

The final plat now comes before the Newton Area Planning Commission for consideration. If the Commission is satisfied that the requirements of all applicable subdivision regulations have been, or will be, met by the developer you may approve the final plat, including any required and requested changes.

Chairman Kelsey abstained from this item. Vice Chair Newell asked if the applicant's representative wanted to speak again. Onstott noted that the applicant will change the street name as requested, the drainage report has been submitted and reviewed by the city engineer and they will get the infrastructure funding report submitted before the city commission meeting.

Motion: Commissioner Buller moved and Commissioner Goodnite seconded to approve the final plat for the Fairways Addition contingent on the remaining items be fulfilled. Motion carried with Vicechair Newell and Commissioners Goodnite, Hanson and Buller voting Yes, no one voting against and Chairman Kelsey abstaining. Yes# 4 Against# 0 Abstaining# 1

4. Consider a final plat for Newton Prestress 2nd Addition.

As per the City's subdivision regulations, the final plat was submitted to the appropriate City staff and area utility companies for review, along with the request that they forward proposed changes and comments. Those changes and Planning Commission requests will be communicated to Kaw Valley Engineering.

Remaining Items:

Submittal Date - (12.18.2025) - UC

2

Newton Area Planning Commission
Meeting Minutes
January 5, 2025

- Extend easement for waterline (as shown on UC plan)
- Water service to the site shall be financed via petition and connected to the existing City of Newton water main at the intersection of 24th street and Anderson Road
- Will need to see a plan for turn radius with the largest fire truck
- Will need to evaluate hydrant placement
- Building layout needs to match preliminary plat

Submittal Date - (12.18.2025) - DRNG

- Building layout needs to match preliminary plat
- Waterline easement needs to match UC comment

Chairman Kelsey if the commission had any questions or comments. There were none.

Motion: Vice Chair Newell moved and Commissioner Buller seconded to approve the final plat for Newton Prestress 2nd Addition. Motion carried.

Yes# 5 Against# 0

5. Comprehensive Plan update.

Likiardopoulos mentioned the results from the surveys done so far are in the packets and upcoming events for citizens to give input, both of which are available online. Kelsey asked what the schedule was for completion. Likiardopoulos replied that it is a year from initiation, and the final recommendation would be at the end of May. Newell asked who had all seen the results. Likiardopoulos answered that they are public.

6. Safe Streets for All (SS4A) update.

Likiardopoulos noted that in September of 2024 the city signed a grant agreement with KDOT for the planning of the road safety audits, intersection analysis, corridor analysis at various locations throughout the city, based on the Kansas drive to 0 crash summary. This grant was important to make all the streets safer with the primary goal of not having any fatality accidents. Likiardopoulos noted that there will be more community engagement, accomplished through stakeholder sessions, open houses, website, and surveys. Kelsey noted that while accident history is a primary thing to be looked at, but input from the community is really important because there are unsafe situations out there that the accident history does not back up.

7. Old Business.

There was no old business.

8. New Business.

There was no new business.

9. Adjournment.

There being no further business, Chairman Kelsey called the meeting adjourned at 6:13 p.m.

Aubrey Wallace



TO: Planning Commission
FROM: Justin Erickson
DATE: May 4, 2026
SUBJECT: Planning Commission - Election of Chair, Vice- Chair and Secretary

PURPOSE:

Background:

In accordance with the Bylaws, Article II- Officers, Elections, and Duties; Section 1:

Section I. Officers. The Officers of the Planning Commission shall consist of a Chair, Vice-Chair and Secretary. The Chair and Vice-Chair shall be members of the Planning Commission who are elected to such offices by the Planning Commission in the manner prescribed in Section 2 of this Article. The Secretary, and designees of the Secretary, shall be such staff person or representative of the City of Newton who has been designated by the City Manager of the City of Newton to perform the functions of the Secretary. If no such person has been so designated, then the Planning Commission shall elect a Secretary who need not be a member of the Planning Commission.

Section 2. Elections. The election of officers shall be conducted by the Planning Commission at the first regular Planning Commission meeting after the thirtieth day of April in each year. Election shall be made by a majority vote of the membership of the Planning Commission. Each officer shall take office immediately upon such person's election and shall serve for one year or until his or her successor has been elected. Officers may serve for more than one term, and may serve consecutive terms; provided, however, that neither the Chair nor the Vice-Chair shall serve for more than two consecutive terms.

Section 3. Duties of the Chair and Vice-Chair. The Chair shall preside at all meetings of the Planning Commission. The Vice-Chair shall exercise the duties of the Chair in the absence of the Chair. In the absence of both the Chair and the Vice-Chair, the Secretary shall preside for the purpose of the selection of a temporary Chair, and the Secretary shall forthwith relinquish the chair after selection of a temporary Chair, who shall then exercise the duties of the Chair. The Chair shall represent the Planning Commission at all meetings with other groups unless another member is designated to perform that function.

Section 4. Duties of the Secretary. The Secretary shall perform the following duties:

- (a) To oversee the preparation and distribution of agendas for each Planning Commission meeting.
- (b) To prepare the minutes of each Planning Commission meeting and submit them to the Planning Commission for approval.
- (c) To sign all minutes and other official papers and documents to indicate that they have been approved by the Planning Commission.
- (d) To maintain an official file or record book of the minutes as approved, and to provide the Governing Body of the City of Newton with copies on a continuing basis.
- (e) To attest to resolutions and certificates adopting the Comprehensive Plan and amendments thereto, and to maintain an official file of Comprehensive Plan documents and accompanying adoption materials and ordinances.
- (f) To distribute to each Planning Commission member all current materials relating to the Comprehensive Plan and to the zoning and subdivision regulations, and to distribute three sets of each of the zoning and subdivision regulations, including amendments thereto, to the City Clerk of the City of Newton as the official City copies.
- (g) To prepare written reports and recommendations of the Planning Commission to the Governing Body of the City of Newton.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION:

I would request that the Planning Commission re-elect **Mike Kelsey** as Chair for a one-year term, noting that his Commission term remains active until April 30, 2028; to [re-appoint Arlan Newell / elect a replacement] as Vice Chair; and to designate **Aubrey Wallace** as Secretary for 2026-2027 membership year.



TO: Planning Commission
FROM: Justin Erickson
DATE: May 4, 2026
SUBJECT: Planning Commission - 2026-2027 Schedule of Meetings

PURPOSE:

Background:

In accordance with the Bylaws, Article III- Meetings, Section 1, and Regular Meetings:

At the first meeting of the Commission following the thirtieth day of April in each year, the Commission shall determine such regular schedule of meetings for the following year as the Commission shall deem to be advisable.

The proposed 2026-2027 meeting schedule remains the same as previous years with the Application Deadline listed as the first Tuesday of each month prior to the meeting date the applicant wishes to be heard. The proposed schedule also shows the Meeting/Public Hearing Date listed as the first Monday of every month at 6:00 p.m.

**Meeting Dates and Application Deadlines
 Plat, Zoning Amendment, Planned Unit Development (PUD), & Variance**

| <u>Application Deadline</u> | <u>Meeting/Public Hearing</u> |
|-----------------------------|-------------------------------|
| April 7, 2026 | May 4, 2026 |
| May 5, 2026 | June 1, 2026 |
| June 2, 2026 | July 6, 2026 |
| July 7, 2026 | August 3, 2026 |
| August 4, 2026 | September 14, 2026 |
| September 1, 2026 | October 5, 2026 |
| October 6, 2026 | November 2, 2026 |
| November 3, 2026 | December 7, 2026 |
| December 1, 2026 | January 4, 2027 |

January 5, 2027 _____ February 1, 2027
February 2, 2027 _____ March 1, 2027
March 2, 2027 _____ April 5, 2027
April 6, 2027 _____ May 3, 2027

*Application Deadline- all applications and required materials, including certified property ownership lists and preliminary plats, must be received by the Planning Department **no later than 5:00 p.m. CST** at the 3rd floor reception desk, City Hall, 201 East Sixth Street, PO Box 426, Newton, Kansas 67114.

*Meeting/Public Hearing- all applications will be considered by the Newton Planning Commission during a regular meeting. For those applications that require a public hearing, the public hearing will be conducted during the regular meeting.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION:

Approve the 2026-2027 Schedule of Meetings.



TO: Planning Commission
FROM: Chris Towle
DATE: May 4, 2026
SUBJECT: Zoning Amendment - 320 S Pine

PURPOSE:

Attached for your consideration is an application for a zoning district amendment submitted to the Newton Area Planning Commission. The applicants Ryan and Christie Mayhew request that the property located at 320 S. Pine Street in Newton northwest of the intersection of South Pine Street and Southeast 4th Street in Newton be rezoned from a P-O (Professional Office District) zoning classification to R-1 (Single Family Dwelling District) City of Newton zoning classification. Should you recommend the rezoning, City Commission will consider this at their May 26th meeting.

The property is legally described as:

Beginning at a point Sixty (60) feet East and Sixty (60) feet North of the Southeast Corner of Block Seven (7), in Steele's Addition to the City of Newton, Harvey County, Kansas; thence North Seventy (70) Feet; thence East 150 feet; thence South Seventy (70) feet; thence West 150 feet to the point of beginning, being in the Northeast Quarter(NE/4) of the Northeast Quarter (NE/4) of Section Twenty (20), Township Twenty-three (23) South, Range One (1) East of the 6th P.M., Harvey County, Kansas

Additional Information:

A map showing the surrounding properties zoning designations is included following this report as Attachment D.

The action to be taken by the Planning Commission following conclusion of the public hearing will take the form of a recommendation to the Newton City Commission, who have final authority to act upon the request.

The criteria by which an application for a zoning amendment must be judged are set forth in the

zoning ordinances at Article 1, Section 1.10-4, subsection D.1. Findings must be made on each of the five following points. It is not necessary for Commissioners to find that all factors lead to the same conclusion, or even that a majority of factors indicate one way or another. It is possible one or more factors may be deemed so significant that they outweigh all others. Following each standard are the comments and observations of staff.

Criteria:

(a) Whether the change in classification would be consistent with the intent and purpose of these Regulations, with the City's adopted Comprehensive Plan (ReNewton), and other adopted City policies, plans, programs, ordinances, rules and regulations.

STAFF COMMENTS: When considering a change of zoning classification for any piece of property, it is necessary to consider whether every use that would be permitted under the requested classification would be appropriate for that property and the surrounding area, and not just focus on the use that the applicant indicates is intended or is presently being employed. This is because there is no way to prevent the applicant or any future owner of the property from using the site for any of the other uses permitted under the requested classification. In other words, the use of a property may not be restricted to the particular use contemplated, or in existence when the request is made, but may include any use allowed within that zoning classification.

Please see the map included as Attachment D for a graphic representation of the zoning of the surrounding properties.

(b) Whether every use that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property located in the immediate vicinity; and whether the subject property is suitable for the uses to which it has been restricted.

STAFF COMMENTS: R-1 zoning provides for specific activities including, but not limited to:

PP=Primary Permitted

PA=Primary Accessory

SU=Special Use Permit

| | R-1 | P-O |
|-------------------------|-----|-----|
| RESIDENTIAL | | |
| Single-family dwellings | PP | PP |
| Townhome dwellings | | PP |

| | R-1 | P-O |
|--|-----|-----|
| Two-family dwellings | | PP |
| Multi-family dwellings | | PP |
| Residential-design manufactured homes (see district regulations) | PP | |
| CIVIC AND COMMERCIAL | | |
| Accessory Apartment | SU | |
| Accessory Dwelling Unit | SU | |
| Accessory parking and loading areas subject to Article XI | PA | |
| Accessory signs subject to Article XII | PA | |
| Agricultural uses in floodplain | SU | |
| Any public building erected on land used by any department of the City, county, state, or federal government | SU | PP |
| Bed-and-Breakfast Facility | SU | |
| Buildings and Uses customarily incidental to a permitted use | | PA |
| Cemeteries | SU | |
| Childcare centers | SU | PP |

| | R-1 | P-O |
|---|-----|-----|
| Chimneys, monuments, spires, church steeples, radio and television antennas may be erected to a height not to exceed sixty (60) feet. | PA | PP |
| Churches and other places of worship | PP | PP |
| Day Care Homes | PP | PP |
| Financial institutions | | PP |
| Government buildings. | | PP |
| Group Residential. | SU | SU |
| Historical sites and structures | PP | PP |
| Home occupations | PA | |
| Hospitals, sanitariums, rest homes, and nursing homes | SU | SU |
| Institutions of higher learning. | | PP |
| Libraries, schools, and museums | PP | PP |
| Medical and Dental diagnostic laboratories, with the exclusion of offices or facilities in which on-site health care treatment of patients is provided. | | PP |
| Medical offices or clinical facilities in which on-site health care treatment of patients is provided. | | SU |

| | R-1 | P-O |
|---|-----|-----|
| Office, Professional, Governmental, and Business, with the exclusion of offices in which on-site health care treatment of patients is provided. | | PP |
| Private recreational facilities such as golf courses, tennis and swimming clubs. | SU | |
| Public and private schools | | PP |
| Public or private parking lots providing such land lies within three hundred (300) feet of a commercial, professional office, or industrial district. | SU | PP |
| Public parks and playgrounds | PP | PP |
| Publishing, job printing, lithographing, etc., but not within 100 feet of any residential district. | | PP |
| Rights-of-way, appurtenances for public utilities and railroads | PP | PP |

| | R-1 | P-O |
|---|-----|-----|
| Social halls, meeting rooms, convention and catering facilities whether commercial or nonprofit. | | PP |
| Subordinate buildings and uses normally appurtenant to single-family residential uses, such as garages, tool sheds, swimming pools and other recreational structures and equipment. | PA | |
| Telephone exchanges. | | PP |

Any other business determined by the Zoning Administrator to be of the same general character as the above listed uses.

(c) Whether adequate sewer and water facilities, and all other needed public services, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified.

STAFF COMMENTS: All public utilities are existing adjacent to the site.

(d) Whether the proposed amendment would correct an error in the application of these Regulations.

STAFF COMMENTS: Staff is not aware of any errors in the application of the zoning regulations to be corrected through the requested zoning amendment.

(e) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such change or changing conditions; and whether the proposed amendment provides a disproportionately greater loss to the individual landowner(s) relative to the public gain.

STAFF COMMENTS: Staff is not aware of changing or changed conditions in the area and does

not believe the amendment would create a greater loss to individual landowners relative to the public gain.

Attachments:

- A. Zoning District Amendment Applications
- B. Property Ownership List
- C. Affidavit of Publication and Notification for Public Hearing
- D. Current Zoning Map
- E. Future Land Use Map – Comprehensive Plan (ReNewton)
- F. Photo

Recommendation:

The Planning Commission's decision to approve or deny the requested zoning will be forwarded in the form of a recommendation to the Newton City Commission for consideration. The recommendation will be at the May 26, 2026 City Commission meeting.

Attachment A - Application

**Newton Area Planning Commission
Zoning District Amendment Application**

Applicant(s) Name: Ryan & Christie Mayhew

Information Address: 320 S. Pine

Newton, KS 67114

Phone: 316-215-9023

Property Name: _____

Owner(s) Address: _____

[if different] _____


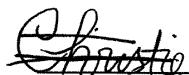
Phone: _____

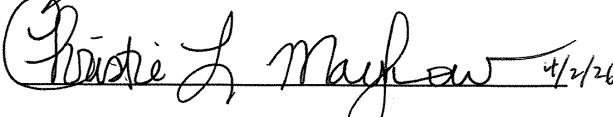
Street address of property: 320 S. Pine

Legal description of property: Beginning at a point Sixty (60) feet East and Sixty (60) feet North of the Southeast Corner of Block Seven (7), in Steele's Addition to the City of Newton, Harvey County, Kansas; thence North Seventy (70) Feet; thence East 150 feet; thence South Seventy (70) feet; thence west 150 feet to the point of beginning, being in the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of section Twenty (20), Township Twenty-three (23) South, Range One (1) East of the 6th P.M., Harvey County, Kansas
 Present zoning of subject property: P-0 Requested zoning: R-1

Included with the Application are the following:

- ◆ A certified list of the names and addresses of the owners of record of the subject property, and of all properties located within a designated distance from the subject property. The designated distance depends upon the location of the property lines. The distance as to any portion of the boundary that is either within or adjacent to the existing city limits is 200 feet. The distance as to any boundary line that is adjacent to the city limits is 1,000 feet. This has to be certified by a licensed abstractor.
- ◆ A filing fee of \$300.00. Checks must be made payable to City of Newton.
- ◆ [Optional] A narrative describing the reasons for the request including any potential problems or issues that might be raised by the request, and setting forth the applicant's reasons why the request should be granted.

| | | | |
|---|---------------|--|-------|
|  | <u>4/2/26</u> |  | _____ |
| Signature(s) of Applicant(s) | Date | Signature(s) of Owner(s) | Date |

 4/2/26

Signature of owner, if other than applicant, is required for consent to the application.

**Ryan & Christie Mayhew
320 S. Pine
Re-zoning Narrative**

We desire to rezone our property to R-1 to better match its use as residential property and to match the vast majority of the property surrounding ours. However, our primary reason for the request is to be able to apply for a Special Use Permit to construct a 2-story garage with living quarters on the second floor that will provide living quarters for our adult daughter.

Full Legal Description:

Beginning at a point Sixty (60) feet East and Sixty (60) feet North of the Southeast Corner of Block Seven (7), in Steele's Addition to the City of Newton, Harvey County, Kansas; thence North Seventy (70) Feet; thence East 150 feet; thence South Seventy (70) feet; thence West 150 feet to the point of beginning, being in the Northeast Quarter(NE/4) of the Northeast Quarter(NE/4) of Section Twenty (20), Township Twenty-three (23) South, Rance One (1) East of the 6th P.M., Harvey County, Kansas



OWNERSHIP LIST

| PROPERTY DESCRIPTION | | PROPERTY OWNER |
|---|------------|---|
| BEG 60N INTER E LI PINE ST & N LI SE 4TH ST, N70, E150, S70, W150 TO POB Subject Property | 20-23S-01E | Ryan J. Mayhew and Christie L. Mayhew 320 S Pine St Newton, KS 67114 |
| BEG 130N OF INTER OF N LI OF SE4TH ST & E LI OF PINE ST, E150, N60, W150, S60 TO POB BEG 170N OF INTER OF N LI SE 4TH ST & W LI MUSE ST, N100, W146, S66, E2, S34, E TO POB BEG 120N OF INTER OF N LI SE4TH ST & W LI OF MUSE, N50, W144, S50, E TO POB | " | Medford Property Management LLC 4822 SW West Hills Dr Topeka, KS, 66606 |
| BEG 190N OF INTER SEC OF N LI SE 4TH ST & E LI PINE, N210(S), E207.13, N62.77, E116.5, S185(S), W146, S66, E2, S15(S), W TO POB | " | New Creation Fellowship Church, Inc 221 Muse St Newton, KS 67114 |
| BEG 65N OF INTER OF W LI MUSE & N LI SE 4TH ST, W144, N55, E144, S TO POB | " | Brittany Reagan Birch 323 Muse St Newton, KS 67114 |
| BEG 89W OF INTER OF W LI MUSE & N LI SE 4TH ST, W55, N65, E70, S38, W15, S27 TO POB | " | JoAnn Ragon a/k/a JoAnn Dent 416 SE 4th St Newton, KS 67114 |
| BEG INTER E LI PINE ST & N LI SE 4TH ST, N60, E150, S60, W150 TO POB | " | Evan Koch and Abigail Koch 400 SE 4th St Newton, KS 67114 |
| S20, T23, R01E, BEG INTER W LI MUSE & N LI SE 4TH ST, W89, N27, E15, N38, E74, S65 TO POB | " | Alan Sinn and Carron Hairabedian 329 Muse St Newton, KS 67114 |



Security 1st Title

| | | |
|--|-----------------------|--|
| Block 18, Lots 9,10 | Steeles 4th Add | Hochfeld LLC PO Box 176 Goessel, KS 67053 |
| Block 18, E/2 Lot 6, All Lots 7,8 | “ | Nicholas Ryan Aeschliman 415 SE 4th St Newton, KS 67114 |
| Block 18, E 16’ Lot 4, Lot 5, W/2 Lot 6 | “ | Beryl N. Laswell 409 SE 4th St Newton, KS 67114 |
| Block 18, Lot 3, W 17’ Lot 4 | “ | Heaven C. Holub and Jack W. Claerhout 405 SE 4th St Newton, KS 67114 |
| Block 18, N 122’ Lots 1 and 2 | “ | The Laurence D. Wiebe Living Trust and The Marilyn K. Wiebe Living Trust 9908 SE 12th St Whitewater, KS 67154 |
| Block 1, Lots 1,3, E 6.6’ Lot 5 | Dewey’s Addition | Joseph A. Zuck Jr and Jessica L. Zuck 325 SE 4th St Newton, KS 67114 |
| Block 1, W 25.6’ Lot 5, E 19.4’ Lot 7 | “ | Andrew W. Jackson and Amber L. Jackson 1601 N Anderson Ave Newton, KS 67114 |
| BEG SE COR BLK 7, N95, W180, S95, E TO POB | Steele’s 1st Addition | Frontier Village, LLC 236 N Yale Ave Wichita, KS 67208 |
| BEG 95N SE COR BLK 7, W180, N45, E180, S45 TO POB | “ | Gloria M. Arellano 321 S Pine St Newton, KS 67114 |
| BEG 140N SE COR BLK 7, W180, N50, E180, S50 TO POB | “ | David Graham 319 S. Pine St Newton, KS 67114 |



Security 1st Title

| | | |
|---|---|--|
| BEG 140S NE COR BLK 7, S50, W180, N50, E180 TO POB | “ | Beverly Kay Baumgartner and Joel Craig Ewy 13333 E 41st St S Derby, KS 67037 |
| BEG 80S NE COR BLK 7, S60, W180, N39, E34.37, N21, E145.63 TO POB | “ | Kailake Properties, LLC 12021 E 13th St N # STE200 Wichita, KS 67206 |
| BEG 40S NE COR BLK 7, S40, W95, N80, E5, S40, E90 TO POB | “ | Michelle D. Jansen 305 S Pine St Newton, KS 67114 |

We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described tracts and lots within a 200 foot radius (city limits) and 1,000 foot radius (county) of:

Beginning at a point Sixty (60) feet East and Sixty (60) feet North of the Southeast Corner of Block Seven (7), in Steele’s Addition to the City of Newton, Harvey County, Kansas; thence North Seventy (70) Feet; thence East 150 feet; thence South Seventy (70) feet; thence West 150 feet to the point of beginning, being in the Northeast Quarter(NE/4) of the Northeast Quarter(NE/4) of Section Twenty (20), Township Twenty-three (23) South, Rance One (1) East of the 6th P.M., Harvey County, Kansas

as shown by the last deed of record filed in the Office of the Register of Deeds, Harvey County, Kansas, on the 25th day of March, 2026, at 7:30 A.M.

SECURITY 1ST TITLE

By: 
LICENSED ABTRACTER

Order: 3184134
MZ

Title Insurance | Closings | 1031 Exchange | Contract Servicing

727 N. Waco, Ste. 300, Wichita, KS 67203

Attachment C - Affidavit of Publication and Notification for Public Hearing



Published in Newton Kansan
Apr 9, 2026

AFFIDAVIT OF PUBLICATION

State of Florida, County of Broward, ss:

I, Anjana Bhadoriya, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of The Newton Kansan, of Harvey County, State of Kansas, state that this newspaper is a qualified newspaper, published and of general circulation in said county, was published in regular edition of said paper, and that the notice of which the annexed is a copy was published on the following date(s).

Publication Dates:

- Apr 9, 2026

Advertising Fee: \$25.88

Anjana Bhadoriya

Agent

VERIFICATION

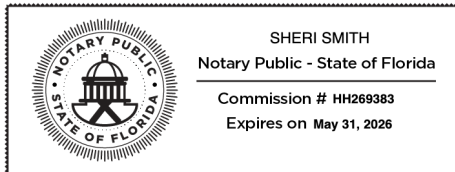
State of Florida
County of Broward

Signed or attested before me on this: 04/09/2026

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.



NOTICE OF HEARING

TO ALL PERSONS CONCERNED:

Notice is hereby given pursuant to K.S.A. 12-757 et seq. that application for Amendment of a Zoning District Classification have been filed with the City of Newton, Harvey County, Kansas, requesting the issuance of a zoning amendment of property generally located at 320 S. Pine in Newton, pursuant to Article I of the City of Newton Zoning Ordinances. The properties are legally described as:

Beginning at a point Sixty (60) feet East and Sixty (60) feet North of the Southeast Corner of Block Seven (7), in Steele's Addition to the City of Newton, Harvey County, Kansas; thence North Seventy (70) Feet; thence East 150 feet; thence South Seventy (70) feet; thence West 150 feet to the point of beginning, being in the Northeast Quarter(NE/4) of the Northeast Quarter(NE/4) of Section Twenty (20), Township Twenty-three (23) South, Range One (1) East of the 6th P.M., Harvey County, Kansas

The Applicant requests that the above-described property be rezoned from a P-O (Professional Office District) zoning classification to an R-1 (Single-Family Dwelling District) City of Newton zoning classification.

The Application will be presented to, and a public hearing held by, the Newton Area Planning Commission in the Newton City Commission chambers at City Hall, 201 E. 6th Street, Newton, Kansas on **Monday, May 4, 2026 at 6:00 p.m.**, or as soon thereafter as the matter may be heard. All persons interested may appear and be heard as to the application.

The Zoning Ordinances of the City of Newton require as a part of any zoning amendment process that a certified list be obtained of the owners of all property within the area to be zoned; of all property within the city limits located within 200 feet of the boundary of the area to be zoned; of all property within 1,000 feet of any portion of the boundary of the area to be zoned that is adjacent to or outside the city limits; and that each of those property owners be given notice of the proceedings by mail.

The action to be taken by the Newton Area Planning Commission will consist of a recommendation to the Newton City Commission. The Newton City Commission then has the authority to approve the recommendation in whole, in part, or to deny



the application. The item is scheduled to be on **Tuesday, May 26, 2026** City Commission meeting agenda.

Copies of the application and other related materials are available for inspection at the office of the Newton City Clerk at 201 East 6th Street, Newton, Kansas, during normal business hours. Copies of any materials may be obtained from the City Clerk upon payment of a copying charge. Please inquire of the City Clerk for further information.

/s/Christopher J. Towle
Christopher J. Towle
City Attorney
City of Newton, Kansas
4454320



201 East Sixth, P.O. Box 426
Newton, Kansas 67114-0426

April 6, 2026

NOTICE OF HEARING

To Owners of Nearby Properties:

Notice is hereby given pursuant to K.S.A. 12-757 *et seq.* that application for Amendment of a Zoning District Classification have been filed with the City of Newton, Harvey County, Kansas, requesting the issuance of a zoning amendment of property generally located at **320 S. Pine** in Newton, pursuant to Article I of the City of Newton Zoning Ordinances. The properties are legally described as:

Beginning at a point Sixty (60) feet East and Sixty (60) feet North of the Southeast Corner of Block Seven (7), in Steele's Addition to the City of Newton, Harvey County, Kansas; thence North Seventy (70) Feet; thence East 150 feet; thence South Seventy (70) feet; thence West 150 feet to the point of beginning, being in the Northeast Quarter(NE/4) of the Northeast Quarter(NE/4) of Section Twenty (20), Township Twenty-three (23) South, Range One (1) East of the 6th P.M., Harvey County, Kansas

The Applicants request that the above-described property be rezoned from a P-O (Professional Office District) zoning classification to an R-1 (Single-Family Dwelling District) City of Newton zoning classification.

The Applications will be presented to, and a public hearing held by, the Newton Area Planning Commission in the Newton City Commission chambers at City Hall, 201 E. 6th Street, Newton, Kansas on **Monday, May 4, 2026 at 6:00 p.m.**, or as soon thereafter as the matter may be heard. All persons interested may appear and be heard as to the application.

The Zoning Ordinances of the City of Newton require as a part of any zoning amendment process that a certified list be obtained of the owners of all property within the area to be zoned; of all property within the city limits located within 200 feet of the boundary of the area to be zoned; of all property within 1,000 feet of any portion of the boundary of the area to be zoned that is outside or adjacent the city limits; and that each of those property owners be given notice of the proceedings by mail. *This Notice is provided to you as an owner of one of these properties.*

The action to be taken by the Newton Area Planning Commission will consist of a recommendation to the Newton City Commission. The Newton City Commission then has the authority to approve the recommendation in whole, in part, or to deny the application. The item is scheduled to be on **Tuesday, May 26, 2026** City Commission meeting agenda.

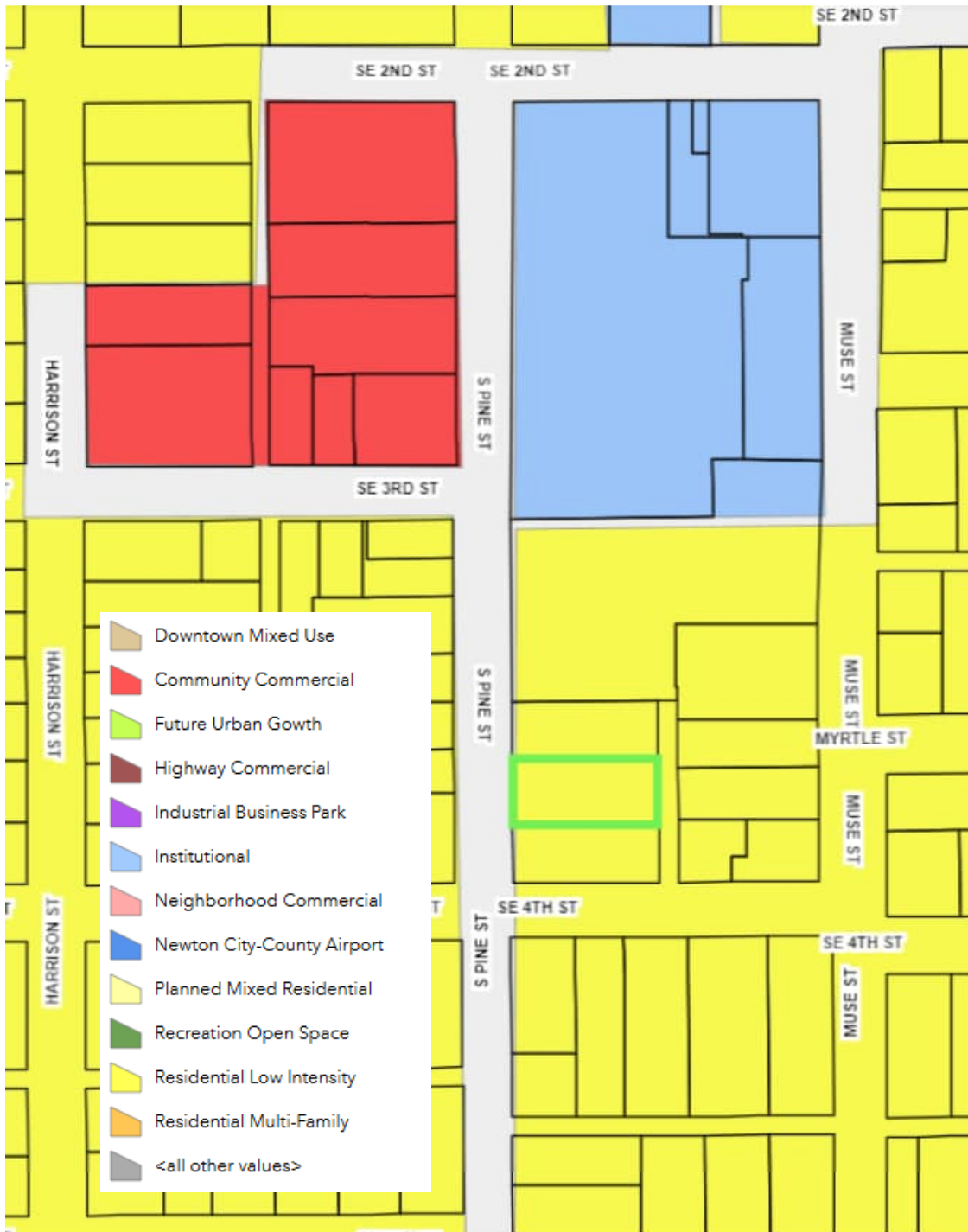
Copies of the applications and other related materials are available for inspection at the office of the Newton City Clerk at 201 East 6th Street, Newton, Kansas, during normal business hours. Copies of any materials may be obtained from the City Clerk upon payment of a copying charge. Please inquire with the City Clerk for further information.

/s/ Christopher J. Towle
Christopher J. Towle
City Attorney
City of Newton, Kansas

Attachment D - Current Zoning



Attachment E - Future Land Use



Attachment D - Photo

