

D-0250 - Builders, Inc. offer dedi-
cation of portion of Boston Ave. bet
Kriss Ct. and Glendale

POSTED
8-2-63

ACTION

DATE

8-8-63

accept

510 COMMITTEE

5/0

9-5-63

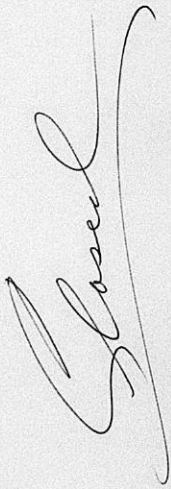
Agreement

M.A.P.C.

9-17-63

Agreement

~~B.C.C./B.C.C.C.~~



DEDICATION REPORT AND PROGRESS

MAP No. 6-8
 SEC. No. 25
 TWP. No. 27
 RANGE 1E

CASE No. D - 0250

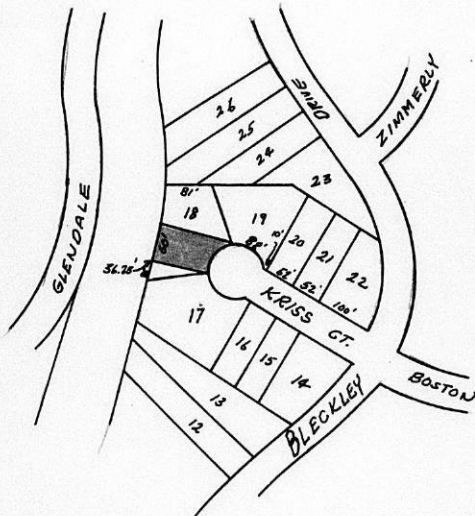
I. OFFER TO DEDICATE: Portion of Boston Avenue
 GENERALLY LOCATED: Kriss Court and Glendale

LEGALLY DESCRIBED AS:

Beginning at a point on the W line of Lot 18, Block 3, Replat of Part of Builders Fourth Addition, 36.25 feet N of the SW corner of said Lot 18; thence N along said W line a distance of 60 feet; thence Ely to the SW corner of Lot 19, Block 3, in said Addition; thence southerly along the W line of the cul-de-sac of Kriss Court to the SE corner of said Lot 18; thence Wly to the POB.

DEDICATED BY: Builders, Inc.
 AGENT: Floyd M. Baird, Executive Vice President
 ADDRESS: _____ PHONE _____
 PURPOSE OF DEDICATION:
Street purposes.

II. SKETCH.



III. OFFER RECEIVED 7-31-63 *B.C.C. ACTION 9-17-63 Approved
 POSTED TO ATLAS 8-2-63
 *S/D COMM. ACTION 8-8-63 Approved PLACED ON RECORD _____
 *M.A.P.C. ACTION 9-5-63 Approved CITY CLERKS No. _____

September 11, 1963

Board of City Commissioners
City Building
Wichita, Kansas

Gentlemen:

Re: D-0250 - Dedication for portion
of Boston Avenue generally located
between Kriss Court and Glendale

At the regular meeting of the Metropolitan Area Planning Commission held on September 5, 1963, the above dedication was considered. This street dedication is legally described as beginning at a point on the west line of Lot 18, Block 3, Replat of Part of Builders Fourth Addition, 36.25 feet north of the southwest corner of said Lot 18; thence north along said west line a distance of 60 feet; thence easterly to the southwest corner of Lot 19, Block 3, in said Addition; thence southerly along the west line of the cul-de-sac of Kriss Court to the southeast corner of said Lot 18; thence westerly to the point of beginning.

It was moved, seconded and carried unanimously that the Planning Commission recommend to the Board of City Commissioners that this dedication be accepted.

Respectfully submitted,

Robert A. Lakin
Assistant Secretary

RAL:GLS:ber
Attachment

August 16, 1963

M. S. Mitchell, Superintendent of
Flood Control and Stream Maintenance

Robert A. Lakin, Assistant Planning Director

D-0250 - Dedication of portion of Boston Avenue
between Kriss Court and Glendale

At the Subdivision Committee meeting, Max Green pointed out that Builders have agreed to improve the Dry Creek channel in this particular area at such time as "improvements" are made by them on adjoining land. It was suggested that Builders be reminded of this particular obligation.

However, it was the feeling of the Subdivision Committee that they could not impose any requirements of channel improvement in connection with the dedication and proposed street improvement. It was suggested that for the record, the Flood Control Section remind Builders of their obligation.

Robert A. Lakin
Assistant Planning Director

RAL:mm

D-0.250

August 15, 1963

M. S. Mitchell, Superintendent of Flood Control

Robert A. Lakin, Assistant Planning Director

Proposed Boston Street Bridge
Over Dry Creek

As you will recall, plans and specifications entitled "Plans and Profile of Dry Creek Improvement, Lincoln Street to Harry Street, May 15, 1961" were prepared by yourself and George Wilton as a result of a requires for a change of zoning by Parklane Towers, Inc. in May, 1961.

Inasmuch as Builders, Inc. propose construction of a bridge across Dry Creek from Boston to Glendale, it might be well to remind them of their obligations as related to the "Plans and Profile".

Robert A. Lakin
Assistant Planning Director

RAL/GLS:mm

November 27, 1951

Mr. W. W. Garvey
Builders, Inc.
Garvey Building
Broadway at Third Street
Wichita 2, Kansas

Dear Mr. Garvey:

On November 20, 1951, the City Planning Commission considered your preliminary plat of Reserve B, Builders 4th Addition.

After considerable discussion, the Planning Commission recommended the preliminary plat be given approval providing you would give us a letter stating that the portion of the land which falls below the high water marks, 148.9 (city datum) at Lincoln and Dry Creek and 139.4 (city datum) at Harry and Dry Creek would not be changed or built upon. This establishes a high water level of approximately 0.3 per cent grade between the two points. When the Dry Creek channel has been improved the remaining of the plat could be used.

In addition, the Planning Commission also recommended that Glendale be replatted adjacent and parallel to the proposed drainage channel as shown.

You should understand that these high water marks taken by the City Engineering Department will not necessarily insure against the possibility of flooding above these points, but are records made on June 23, 1951. The rainfall recorded on this date was not an alarming amount, but was a build-up over a period of days climaxed by 1.27 inches on June 23, 1951. This does compare with a high water mark taken on July 31, 1950, at Lincoln and Dry Creek of 146.5 (city datum). The rainfall recorded on July 30, 1950, was 1.88 inches and on July 31, 1950, was 3.32 inches.

I realize this will not give you as many building sites as originally anticipated, but evidently there was some discrepancy in the transfer of information.

Sincerely,

J. Thomas Via
Planning Director

JTV/my

COPY

November 30, 1951

The City of Wichita
City Planning Commission
304 City Building
Wichita 2, Kansas

Re: Your letter 11-27-51

Gentlemen:

This company agrees not to build any houses on land now below the water level at Lincoln and Dry Creek 146.9 (city datum) and at Harry and Dry Creek 139.4 (city datum) until such a time that the Dry Creek Channel has been improved or the remaining areas of the plat of Reserve "B", Builders Fourth Addition, can be used.

Very truly yours,

BUILDERS, INC.

/ss/ Willard Garvey

WC/vlm

Refer to Reserve D

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14. An Ordinance Relating To Zoning And Nonconforming Use Regulations Amending Section 28.04.170 of the Code of the City of Wichita, Kansas, and Repealing Said Original Section 28.04.170 of the Code of the City of Wichita, Kansas.

At the regular meeting of the Metropolitan Area Planning Commission on July 18, 1963, a public hearing was held for consideration of a proposed amendment to the Zoning Ordinance relating to expansion of nonconforming uses in the Exclusive Industrial Districts. The existing ordinance provides that only ordinary maintenance and repair may be done on such nonconforming uses so as to keep the building in good repair. No alterations may be made which will enlarge or change the character of the building.

The proposed amendment would give the Board of Zoning Appeals the authority to allow as an Exception the expansion of any nonconforming residential building in the "E" and "F" districts up to a maximum of 40% of the floor area of the original nonconforming building. It would also allow the Board authority to permit any nonconforming public, charitable, eleemosynary or religious institution in the "E" and "F" districts to expand up to a maximum of 100% of the floor area of the original nonconforming building. It is further provided that the Board shall not grant an exception for either residential or public building (as mentioned above) until it is determined that failure to grant such a permit would create an undue hardship upon the applicant. It is also provided that any expansion that is allowed would also be accorded the same nonconforming status as that enjoyed by the original building; and that whenever the time limit for the original building expires, the time limit of the expansion or alteration shall also expire.

The Director of Planning favorably recommends approval of the amendment. The City Manager concurs.

ACTION: Place the ordinance on first reading.

15. Petition to Pave

Boston Avenue from the center line of Glendale Avenue to the west line of Bleckley Drive for a width of 30 feet, to be financed by special assessments at an estimated cost of \$44,000.00. This is a 100 per cent petition.

The Director of Public Works recommends the following action. The City Manager concurs.

- ACTION:
1. Grant the petition.
 2. Approve and adopt the resolution of findings as to the advisability of the improvement.
 3. Adopt the resolution authorizing the improvement and directing the City Engineer to prepare plans and specifications and to file an estimated cost of such improvement; establish a benefit district against the cost of which the work will be charged.

D E D I C A T I O N

FILED
JUN 15 1963
WICHITA, KANSAS

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned,

BUILDERS, INC., a Kansas Corporation

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

Part of Lot 18, Block 2, Map of Part of Builders Fourth Addition described as follows:

Beginning at a point on the west line of Lot 18 thirty-six and twenty-five hundredths (36.25) feet north of the southwest corner of said Lot 18; thence north along said west line a distance of sixty (60) feet; thence westerly to the southwest corner of Lot 18, Block 2, in said addition; thence southerly along the west line of the cul-de-sac of Kliss Court to the southwest corner of said Lot 18; thence westerly to the point of beginning;

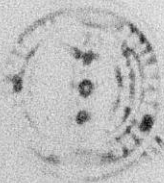
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do hereby dedicate the above described real estate to the public for street purposes.

Executed this 15th day of June, 19 63.

BUILDERS, INC.

By Floyd M. Baird, Executive Vice President



STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State

aforesaid FLOYD M. BAIRD

to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof for and on behalf of and as the act of Executive Vice President of BUILDERS, INC.

Dated at Wichita, Kansas, this 30th day of July, 19 63.



James M. Westphal
Notary Public
Wichita, Kansas

Approved to be Notary, Sedgwick County, Kansas, by the Board of Notaries Public, and approved by the Board of Supervisors of the City of Wichita, Kansas.