

ACTION

DATE

COMMITTEE

M.A.P.C.

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

*Approve 7-2-64*

DP-2 - H. B. Dugan requests CUP for  
the NE corner of Ridge road and  
Kellogg *File No. 1*



(COPY)

THE CITY OF WICHITA  
OFFICE OF  
ENGINEERING DIVISION

DATE March 8, 1966.

*DSF*  
**HELP! PREVENT  
ACCIDENTAL  
POISONING**



*D.B. [unclear]*  
*[Signature]*

TO Ralph Wuls, Director of Public Works  
FROM B. E. Smith, City Engineer

SUBJECT Ridge Road and Kellogg - Access

In compliance with your direction of March 4, 1966, I have arranged for a meeting in the Public Works conference room on Wednesday, March 16, 1966, at 9:30 A. M. The meeting is in connection with the shopping center on the north side of U. S. 54 east of Ridge Road.

Mr. Frank Virr, Mr. Hiatt, and someone from the Design Department will attend this meeting.

The persons receiving copies of this memorandum are invited to be present.

*B.E. Smith*  
B. E. Smith,  
City Engineer.

BES-LS

- cc
- Mr. Robert Feagins
- ✓ Mr. C. Hickley Foster
- Mr. Paul Graves
- Mr. Frank Virr



DEPARTMENT OF PUBLIC WORKS  
Office of Director

City Manager	City Attorney		
Exec. Asst.	Dir. of Admin.	Donna	Lyle
City Clerk	Dir. of Parks	Dotie	Mitchell
Budget Officer	Dir. of Planning	Garst	Smith
	Dir. of Water	Graves	Wilton

- For your information and file.
- Please note and return.
- Please take charge of this.
- Review and discuss with me.
- For your comments or recommendations.
- Please furnish report for my approval, in \_\_\_ copies.
- Please answer direct, sending me \_\_\_ copies.
- Please prepare answer for my signature.
- Immediate action requested.

REMARKS:

*KSF*  
*D.B.*  
*File. original*  
*cup*

Date 3-7  
Form 41-010

RALPH WULZ

THE CITY OF WICHITA  
OFFICE OF DIRECTOR OF PUBLIC WORKS DATE March 4, 1966

**HELP! PREVENT  
ACCIDENTAL  
POISONING**



TO B. E. Smith, City Engineer  
FROM Ralph Wulz, Director of Public Works

SUBJECT Ridge Road and Kellogg - Access

It is important that a meeting be held with State Highway Department personnel and developers of the property located at the northeast corner of Ridge Road and Kellogg in the very near future to discuss access problems concerning a proposed large shopping center development.

Inasmuch as Mr. Feagins and Mr. Bekemeyer met with Mr. Virr in Topeka concerning this matter, it would be desirable that Mr. Virr attend the proposed meeting. The meeting can, of course, be held in Topeka or Wichita as you may be able to arrange.

A handwritten signature in cursive script, appearing to read 'R. Wulz'.

Ralph Wulz  
Director of Public Works

RW:jh

cc: Paul B. Graves, Traffic Engineer  
C. Bickley Foster, Director of Planning ✓



( ) Published in The Wichita Beacon on \_\_\_\_\_, 1964

RESOLUTION

NO. 185 ZONING CHANGES

A RESOLUTION AMENDING SECTION 1, OF RESOLUTION NO. 184 - ZONING CHANGES, ENTITLED, "A RESOLUTION CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210 THE CODE OF THE CITY OF WICHITA, KANSAS," AND CORRECTING THE LEGAL DESCRIPTION IN CASE NO. Z-0507, AND REPEALING SAID ORIGINAL SECTION 1 OF ZONING RESOLUTION NO. 184.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That Section 1 of the Zoning Resolution No. 184 be amended to read as follows:

CASE NO. Z-0507

Zone change from "LC" and "AA" to "C": The  $8\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 27, Township 27 South, Range 1 West of the 6th P.M., except that part condemned for highway purposes in Case No. A-38302 and except the south 200 feet of the east 1,321.85 feet of said  $NW\frac{1}{4}$  lying north of said highway and except the south 250 feet of the east 200 feet of the  $W\frac{1}{2}$  of said  $NW\frac{1}{4}$  lying north of said highway and except the north 630 feet of the west 197 feet and except

the east 217 feet of the west 414 feet of the north 180 feet; also the W $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 27, Township 27 South, Range 1 West of the 6th P.M., except that part condemned for highway purposes in Case No. A-38302, Sedgwick County, Kansas. Generally located on the north side of U.S. Highway 54 and in an area east of Ridge Road.

SECTION 2. That said original Section 1 of Zoning Resolution No. 184, Zoning Changes, be and the same is hereby repealed.

SECTION 3. That upon the taking effect of this resolution, the above zone change shall be entered and shown on the particular sectional zoning map.

SECTION 4. That this resolution shall take effect and be in force from and after its adoption and publication in the official city paper.

PASSED AND ADOPTED at Wichita, Kansas, this 21st day of July, 1964.

\_\_\_\_\_  
Vincent L. Bogart, Mayor

ATTEST:

\_\_\_\_\_  
Donald C. Gisick, Deputy City Clerk  
(SEAL)

July 6, 1964

Mr. Robert H. Nelson  
Attorney  
511 Union Center Building  
Wichita, Kansas

Subject: Z-0507 - Zone Change From "AA"  
& "IC" to "C" for the northeast corner  
of Ridge Road and U. S. Highway 56, and  
DP-2 Planned Commercial Development  
under the Community Unit Plan.

Dear Mr. Nelson:

At its regular meeting on July 2, 1964, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend the zone change application be approved for "C" Commercial zoning. This zone change application will be forwarded to the Board of City Commissioners for their consideration on July 21, 1964.

The action of the Commission on DP-2 was to approve the development plan under the Community Unit Plan provisions of the Ordinance, subject to the following conditions:

1. The requirement that a permanent screen be erected on the east property line from Taft Street south to a point 495 feet north of the north right-of-way line of Highway 56 shall be waived on the condition that the property to the east is not developed residentially; or, in the future, if it is the desire of the applicants to incorporate the property to the east of the application area into this planned development.

July 6, 1964

2. Maximum height limitations on the development plan should be lowered from a maximum of 103 feet to a maximum of 50 feet.
3. The required 10-foot planting strip on the north shall be increased to 20 feet to offer more protection to the adjacent residences.
4. One curb cut along Taft Avenue, in addition to Dugan Road, will be permitted subject to city approval.
5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan as determined by the Superintendent of Central Inspection shall constitute a violation of the Building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission to assure compliance with requirements and intent of Section 28.04.190 of the Ordinance.
7. Based on the general types of uses proposed for Parcels 2 and 3, there is some concern as to need for a formal street system to guarantee traffic circulation. If the development occurs in large integrated segments and uses, then the proposal as submitted can be considered to be satisfactory. However, if small structures with diversified uses are proposed, then the Superintendent of Central Inspection should not issue any building permits as this would differ "significantly" from the concept and intent of the proposal as submitted. This, if it occurs, would require the reapproval of the Planning Commission, with a view of establishing better interior circulation.

It is now necessary for you to submit to this office three (3) corrected copies of the plan showing the 20-foot planting strip on the north, maximum height of 50 feet, and the curb cut correction on Taft Avenue. Upon receiving the corrected plans, a copy will be forwarded to the Office of Central Inspection of the Department of Public Works.

Wichita-Sedgwick County

July 6, 1964

If you have any questions concerning these matters, please call.

Sincerely,

Jack H. Galbreath  
Senior Planner

JHG:bgs

cc: H. B. Dugan  
602 South Ridge Road

Norman Bekemeyer  
3305 East Douglas

Kent Frizzell  
Petroleum Building

Glen Lytle, Superintendent  
Central Inspection Division

NICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

DATE: July 2, 1964

Case No. Z-0507 and DP-2                      Request: "AA" and "LC" to "C"

Location: Generally located at the northeast corner of Ridge Road  
and Highway 54

Acres: 79.10

Size: 3120' x 1163'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Four houses, office and vacant	"AA" and "LC"
North	Single family	"A"
East	Miniature golf and building equipment	"AA" and "LC"
South	Service station, sporting goods, trailer sales and vacant	"AA", "LC" and "C"
West	Vacant	"AA" and "LC"

Platted \_\_\_\_\_ or Unplatted X                      History: See below

Comments:

1. There has been a considerable amount of history on this property in the last year and a half. The applicants first requested that all the property be rezoned to an "E" Light Industrial classification, except for the north 150 feet which was requested for "BB" Office District classification. However, there was a considerable number of protests from the adjoining property owners to the property being used for industrial type uses. Consequently, the applicants amended their application and requested that the property be rezoned to a "C" Commercial classification, except for the north 125 feet, which was to remain "AA" and except the south 125 feet of the north 250 feet which they requested be rezoned to "BB". On January 2, 1964, the Planning Commission recommended that this application be approved. However the Board of City Commissioners referred this application back to the Planning Commission for further consideration, noting that the application should not be reconsidered until such time as the revamping of the Community Unit Plan provisions of the ordinance had been completed.

The revamped CUP has now been enacted and the applicants have amended their application and requested that the entire tract be zoned "C" Commercial.

2. A plat of this property has been approved by the Planning Commission and will be forwarded to the City Commission along with the recommendation of the Planning Commission on this zoning application.
3. As required under the new CUP provisions of the ordinance, the applicant submitted a preliminary development plan of the property to the Planning Department for review. The development plan contains setback lines, areas in which buildings will be located, maximum ground coverage, maximum floor area, maximum height, drainage facilities, location of means of ingress and egress, and intended general use for each area. The Planning Department then reviewed the plot plan with the applicants and recommended that certain changes be made so that the plan would be in conformance with the new CUP regulations. Accordingly, the applicants made the necessary changes and submitted a revised development plan and a letter requesting an exception to the requirements of the CUP regulations. (Attached to this report is a copy of the proposed development plan and a letter requesting an exception. NOTE: This information should be brought to the Planning Commission meeting as copies are limited.)
4. The attorney for the applicants has requested that the permanent screen easement on the east side of the tract (from Taft Street to a point 495 feet north of the north right of way line of U.S. 54) be waived inasmuch as it is very likely that the adjacent area immediately to the east, which is presently unplatted and zoned "AA", will eventually be incorporated into this proposed development. However, the Assistant Director is of the opinion that this screening requirement should not be waived at this time inasmuch as there is no guarantee how the property to the east will eventually be developed. If the property to the east is incorporated into the proposed development before any building permits are issued for construction on the tract to the west of the east property line, then the applicants could at that time request that the screening requirement be formally waived.
5. In the general comments section of the preliminary development plan, it was indicated that there will be a maximum of four curb cuts on Ridge Road and a maximum of two curb cuts on Taft Avenue. The Assistant Director is of the opinion that although curb cuts on Taft should not be completely eliminated, they should be kept to a minimum in view of the fact that Taft Street is a minor residential street and will not be constructed to carry a high volume of traffic. Heavy truck traffic should be forbidden on Taft Street.

6. It is also indicated on the plan that no signs will be located on Taft Street.
7. A maximum height limitation of 103 feet is indicated on the plot plan. It should be pointed out that 70 feet is the maximum allowable height permitted by FAA. However, it is the opinion of the Assistant Director that the maximum allowable height should not exceed 50 feet in order to be compatible with the adjacent residential area to the north.
8. There is one significant difference between the development plan submitted for Air Park and the one submitted for Rockwood Improvement, Incorporated. The major difference is that the development plan for Air Park contains no provision for traffic circulation on the site, whereas the plan submitted by Rock Road contains these provisions. One reason for this might be that although both requests are of the same magnitude as far as size is concerned, the Rock Road plan contains proposals for residential, office and commercial development, while the Air Park plan primarily contains provisions for heavier type commercial uses. If this tract develops into a large shopping center, motel and various other associated uses, there is probably no real need to be considered with interior traffic circulation; whereas on the other hand, if this tract is developed into smaller unrelated uses, there should probably be some control over the interior traffic circulation.
9. This particular property will probably never develop for residential purposes in view of its close proximity to the flight cone. Consequently, since it is generally recognized that there is a need for this type of commercial development in the area, a logical use for the property is for planned commercial development.
10. In view of the controls which can be exercised under the newly enacted CUP provisions of the ordinance, it appears that the rezoning of this property to a "C" commercial classification should have very little, if any, adverse affect on adjacent property.

Recommendation

It is the recommendation of the Assistant Director that the Planning Commission approve the application and the development plan for "C" Commercial zoning, with the understanding and intent that such approval is given on the basis that this tract of land is under and will be developed under one ownership and control, and, in accordance with the intent section of Section 28.04.190 of the ordinance will be a well planned and integrated development. It is further recommended that such approval be given subject to the following conditions:

1. The requirement that a permanent screen be erected on the east property line from Taft Street south to a point 495 feet north of the north right of way line of Highway 54, shall not be waived at this time. However, in the future if it is the desire of the applicants to incorporate the property to the east of the application area into this development, then the Planning Commission should look with favor on waiving this requirement.
2. Maximum height limitation on the development plan should be lowered from a maximum of 103 feet to a maximum of 40 feet.
3. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan as determined by the Superintendent of Central Inspection shall constitute a violation of the building permit authorizing construction of the proposed development.
4. Any major changes in this development plan shall be resubmitted to the Planning Commission to assure compliance with requirements and intent of Section 28.04.190 of the ordinance.
5. Based on the general types of uses proposed for Parcels 2 and 3, there is some concern as to need for a formal street system to guarantee traffic circulation. If the development occurs in large integrated segments and uses, then the proposal as submitted can be considered to be satisfactory. However, if small structures with diversified uses are proposed, then the Superintendent of Central Inspection should not issue any building permits as this would differ "significantly" from the concept and intent of the proposal as submitted. This, if it occurs, would and should require the reapproval of the Planning Commission, with a view of establishing better interior circulation.

**KAHRS, NELSON, FANNING & HITE**

ATTORNEYS AT LAW  
UNION CENTER BUILDING  
WICHITA, KANSAS 67202

AUSTIN M. COWAN (1885-1944)  
W. A. KAHR  
ROBERT M. NELSON  
H. W. FANNING  
RICHARD C. HITE  
DARRELL D. KELLOGG

TELEPHONES  
AMHERST 2-3441  
AMHERST 2-3442

June 16, 1964

Metropolitan Area Planning Commission  
City Building Annex  
Wichita, Kansas 67202

Re: Community Unit Plan  
Air Park Addition  
Request for Waiver of  
Permanent Screen Requirement

Attention: Mr. Galbraith

Gentlemen:

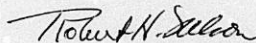
On behalf of the petitioners relative to the Community Unit Plan for Air Park Addition, we request a Waiver of the Permanent Screen Requirement on the eastern portion of the property involved

At a point 495 feet north of the north right of way line of U. S. Highway 54, thence north to the south line of Taft Avenue.

The reason for the request of this waiver is that the adjacent area immediately to the east is presently unplatted and it is anticipated that there will be future plans involving this property to the east which, if consummated, would require no permanent screen.

I would suggest that the Planning Commission retain jurisdiction of this particular portion so that some future action may be taken, depending upon future developments of the area to the east. Proper planning could then be worked out by the Planning Commission. This should be made a part of the Community Unit Plan presentation at the time of the hearing.

Yours very truly,



OF KAHRS, NELSON, FANNING & HITE

RHN:blc



June 4, 1964

Mr. Robert Feagins  
301 Laura  
Wichita, Kansas

Dear Mr. Feagins:

We have reviewed the preliminary development plan which you submitted to this office relative to Community Unit Plan development for Air Park with members of the Flood Control Division and the Central Inspection Division of the Department of Public Works. Following are the comments made by this office and the various other departments with which this matter was discussed relative to the various segments of the Community Unit Plan as indicated in the proposed preliminary development plan.

**SONING**

We have received the amended zoning application submitted to this office by Robert H. Nelson. However, after conferring with Mr. Nelson on June 2, 1964, he has decided to amend the application again and request "C" zoning for the entire area. This latest decision was prompted by the Department's determination that it would be necessary to show a minimum rear setback adjacent to the proposed "BB" zone of 30 feet.

We also suggest that each parcel be described in some method other than "C". Since "C" zoning is requested for the entire tract, a method of identification, such as AP-1, meaning Air Park 1, would seem suitable.

The closing date for the Planning Commission meeting of July 2, 1964, is June 3. As we have received your amended application, we are scheduling this case for the July 2 meeting. It will be necessary for you to submit 12 copies of the Preliminary

Page 2 - Mr. Robert Feagins  
June 4, 1964

Plan with the suggested corrections no later than June 15, so that the staff recommendations on the zoning application may be prepared.

#### USES

We have reviewed the various general use classifications which are indicated within the building setback lines for each of the parcels as shown on the preliminary plan. The staff is somewhat concerned with the general stated use "commercial facilities." We suggest that such phrase be eliminated and that the type of commercial uses, whether shopping center, wholesaling, warehousing, etc., be so indicated on the preliminary development plan. We also suggest that the phrase "architecturally controlled" service station be eliminated.

In Parcel 3, Recreation facilities are indicated as a possible use along with commercial facilities, motor hotel, and again the unique phrase with the service station. The term "recreation facilities" would include amusement parks which use, in our opinion, does not seem compatible with the proposed motel. We suggest that the proposed recreational type uses be indicated.

#### BUILDING SETBACK LINES

The building setback lines which are proposed, generally meet the requirements of the new CUP ordinance. However, there is some question as to the validity in showing the 50' and 100' setback lines in the northwest corner of the proposal. It would appear that if it is desirable to have a 100' building setback line from the rear of existing residential lots, it would seem reasonable to provide a 100' setback from all existing residential lots.

It is our understanding that the existing road easement on the south of Parcel 3 is for a deceleration lane from the service road onto Dugan Road. If this is the intent of this road easement, then the building setback line should be 35 feet from the road easement line.

#### GROSS FLOOR AREA

Item B.2 of the new ordinance (materials to be submitted with zoning applications), provides that the preliminary development plan shall include maximum gross floor area. No information has been submitted on maximum gross floor areas.

Page 3 - Mr. Robert Feagins  
June 4, 1964

**SCREENING**

In the northwest corner of the proposed development you have indicated that there will be a fence. We would point out that the ordinance requires a wall of masonry construction between 5 and 8 feet in height. Also, the ordinance states that the wall shall not exceed 3 feet in height when extending into the required front yard setback.

On the preliminary plan, you have shown no provisions for screening for that area on the east side of the tract north of the 495' in depth of "LC" Light Commercial zoning. The ordinance provides that when a tract is located adjacent to a residential zoning district and when it is not separated by a street, that a permanent screen shall be provided. Consequently, it will be necessary that screening be provided and so indicated on the preliminary plans, or a request showing justification for a deviation from the ordinance should be submitted.

I also call your attention to paragraph 2 under screening and landscaping. If it is proposed in each of the parcels that the rear of buildings or the service area will face directly into the residential area to the north, then a wall of masonry construction will be required along the north property line.

**SIGNS**

In reviewing the preliminary plan, we have found that no provisions have been made for signs of any type. We would suggest that you indicate on the preliminary plan, under General Provisions, the number of signs, or the sign controls along Taft Avenue which you are proposing.

**CURB CUTS**

In the preliminary plan you have not indicated curb cuts along the north and west sides of the preliminary plan. I do not believe it is really necessary at this time that you indicate the exact location of all curb cuts within the tract itself. However, we would suggest that you indicate the maximum number of curb cuts in each tract which you would like to have along Taft and Ridge Road. Location determination as to spacing or distance from existing streets might be considered at this time. It seems reasonable that a curb cut from Taft into Parcel I would provide access for residences to the north into the proposed shopping center. Controlled access should be encouraged along most of Taft.

Page 4 - Mr. Robert Feagins  
June 4, 1964

**HEIGHT**

For each parcel, you indicate the maximum height shall meet FAA requirements. We suggest that FAA maximum permitted heights (or your proposed heights, if less than FAA maximums), be indicated on the proposed development plan.

**DRAINAGE**

We have discussed the matter of drainage with Mr. Mitchell of the Flood Control Division and find that the serious problems relating to drainage can be worked out in the designated 135' drainage easement as shown on the final plat.

**CONTOURS**


The ordinance requires that topography be indicated at two foot contour intervals. Contours simply do not exist as indicated on the preliminary development plan. In one instance there is an overlap of contours and in other cases contours are running into each other. I assume these contours were traced from some other maps and suggest that symbols for contours be differentiated from bank lines.

I am still concerned with the three large parcels as proposed for this preliminary development plan. It is my opinion that super blocks indicating means of circulation, ingress and egress, is a superior solution when showing sites to prospective users. Of course, such super blocks would not be finalized, and at such time as there is a demand for an entire parcel, then the super blocks could be eliminated.

These are most of the problems which we can foresee at this time as related to the various segments of your preliminary development plan. However, I hope that the comments which have been made will be beneficial to you in making changes on the preliminary development plan.

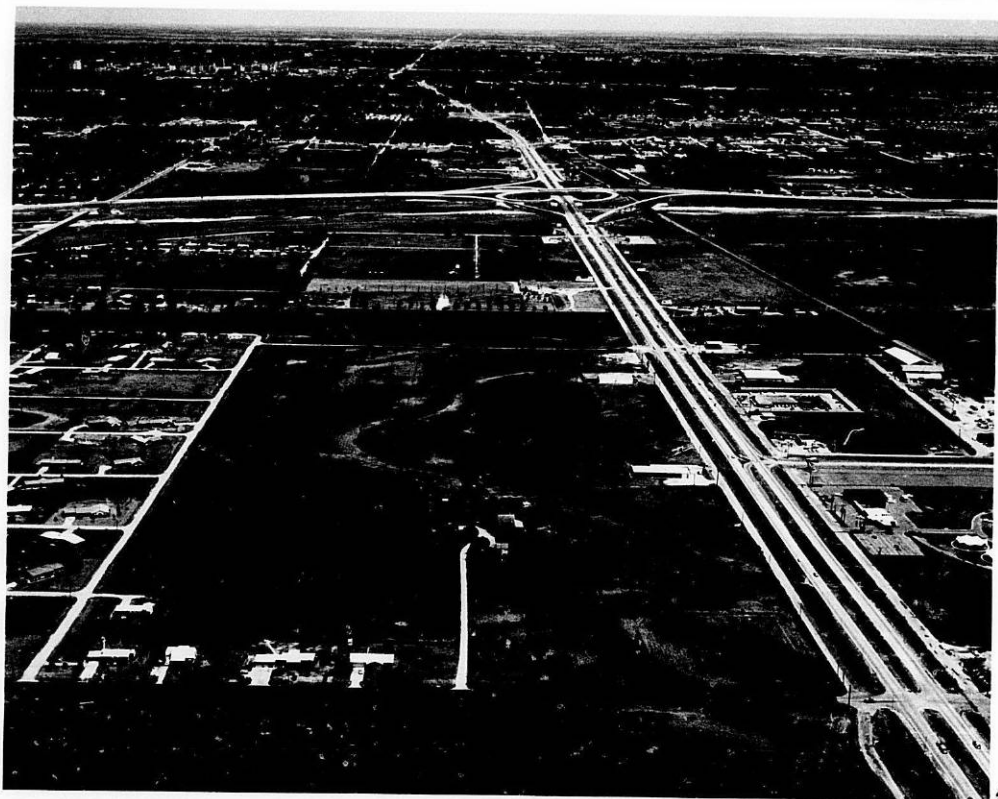
If, after you have reviewed the comments which we have made, you should have any questions, we would be glad to discuss these matters at your convenience.

Sincerely yours,

  
Robert A. Lakin  
Assistant Planning Director

RAL:JES:ber

cc: Norman Bekemeyer, 3305 East Douglas  
Robert H. Nelson, 511 Union Center Building  
H. B. Dugan, 602 South Ridge Road



7-13-63



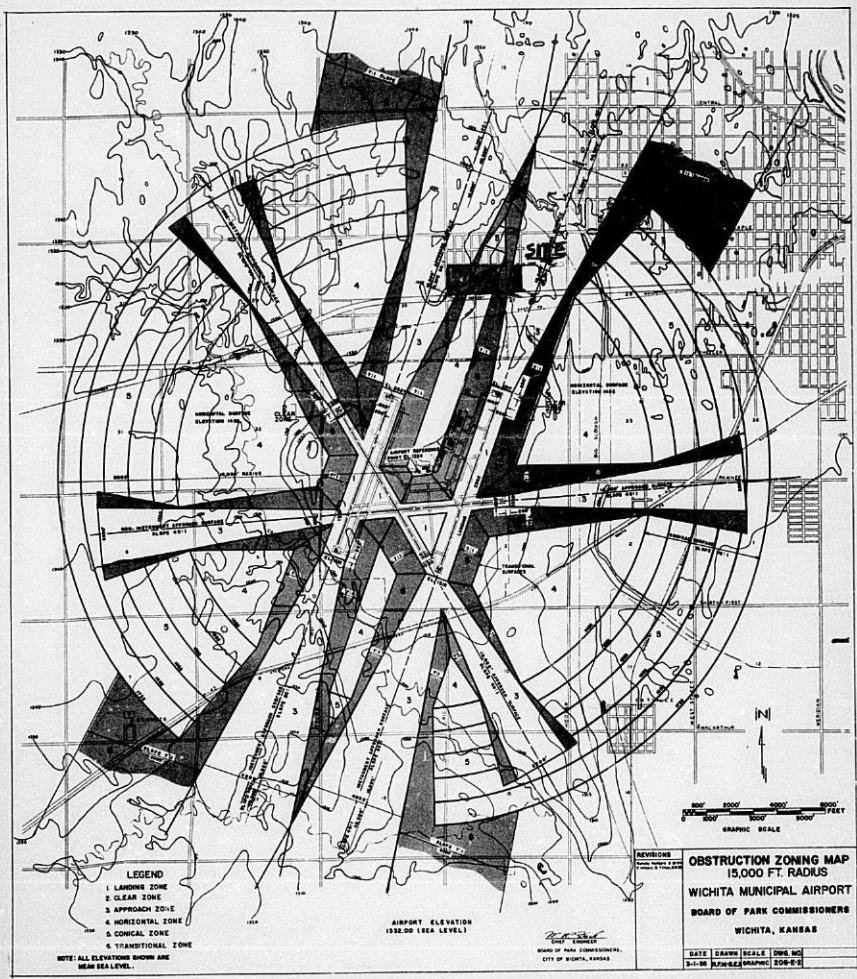
7-13-63 W



7-13-63 M.



7-13-63 5



AIR PARK SITE

\*

This DP File  
Has a Large Drawing  
On 35mm Microfilm.

Roll # 1

\*