

DP-35 - WOMER'S CRESTVIEW VILLAGE  
Community Unit Plan for southwest  
corner Woodlawn & 21st St. Womer

POSED  
5/6/69

ACTION

DATE

~~COMMITTEE~~

M.A.P.C.

B.C.C.A.

Approved

Approved

6-26-69

7-15-69

Map No. 5849  
Sec. 12  
Twp. 27  
Range 1E

DATA SHEET  
COMMUNITY UNIT PLAN

DP- 35  
Z- \_\_\_\_\_  
Filed 5-6-69

APPLICATION REQUEST: Approval of proposed planned commercial development.

1. Applicant R. W. Womer  
Address Box 394 Phone \_\_\_\_\_
2. Agent Ray Coleman  
Address Box 394 Phone \_\_\_\_\_
3. General Location Southwest corner of 21st and Woodlawn  
Address \_\_\_\_\_
4. Proposed Use \_\_\_\_\_

AREA DATA

1. Acres 13.6 ( 647 ft. by 920 ft.)
2. Existing Zoning \_\_\_\_\_ Proposed Zoning \_\_\_\_\_
3. Area (is) (is not) platted. \_\_\_\_\_ Addition \_\_\_\_\_
4. Existing R/W \_\_\_\_\_ ft. \_\_\_\_\_ ft. \_\_\_\_\_ ft.  
St. \_\_\_\_\_ St. \_\_\_\_\_ St. \_\_\_\_\_  
Proposed R/W \_\_\_\_\_ ft. \_\_\_\_\_ ft. \_\_\_\_\_ ft.  
St. \_\_\_\_\_ St. \_\_\_\_\_ St. \_\_\_\_\_

HISTORY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROCEDURE DATA

1. MAPC Meeting:  
Date 6-26-69 Action Approve
2. Governing Body  
Date 7-15-69 Action BCC approved

NOTES:

DP-35

SCHRADER BROS. CONSTRUCTION CO.  
RESIDENTIAL AND COMMERCIAL  
P.O. Box 4062 Z.C. 67204

W. A. SCHRADER  
1927 MOSLEY  
WICHITA, KANSAS

OFFICE 265-0026  
RES. 722-1660

Talked to David Parial  
12/10/79 1:15 pm

- OK 1. Show existing openings for Bowling alley, Felling station, Pizz<sup>o</sup> Hut
- OK 2. Show number of <sup>allowable</sup> access points along Beaumont
- OK 3. 32' Bldg setback on south should be 42'
- OK 4. Indicate on plan the lot lines and show boundaries of parcels
- OK 5. Re Screening — ~~Said same a delete last sentence and~~  
~~add Para to the issuance of any building permits etc.~~  
~~condition 3 of letter dated 4/1/79~~  
Prior to the issuance of building permit a landscape plan  
for ~~the~~ 10' wide landscape strip along Beaumont, except  
the north 140 feet, shall be submitted to MARD  
for ~~the~~ review and approval.

design for "review and" approval by the planning Department,  
and post a bond guaranteeing construction of the wall  
prior to the issuance of any building permits.

- OK 12. add NOTE Administrative Interpretation (5/27/79) • allowed 23' <sup>extension</sup>

Final plat

SUBDIVISION REPORT

SUBDIVISION COMMITTEE  
METROPOLITAN AREA  
PLANNING COMMISSION

S/D NO. 79-98 Name G.P.-S First Addition  
Date Application Rec'd. 9-21-79 Preliminary Approval 10-4-79  
Scheduled S/D Meeting 11-1-79

DESCRIPTION

General Location Southwest corner of 21st and Woodlawn Boulevard

Owner WANS Company  
Surveyor/Engineer Keith Parker Associates  
Address 239 Pattie, Suite 2, 67211 Phone 263-8261

- |                                                                             |                                            |
|-----------------------------------------------------------------------------|--------------------------------------------|
| 1. Gross Acreage of Plat <u>9.35</u>                                        | 7. Lineal Feet of New Streets:             |
| 2. Number of Lots:                                                          | a. <u>        </u> R/W <u>        </u> ft. |
| Residential <u>        </u>                                                 | b. <u>        </u> R/W <u>        </u> ft. |
| Commercial <u>        </u> 4                                                | c. <u>        </u> R/W <u>        </u> ft. |
| Industrial <u>        </u>                                                  | d. <u>        </u> R/W <u>        </u> ft. |
| Other <u>        </u>                                                       | e. <u>        </u> R/W <u>        </u> ft. |
| Total Number of Lots <u>4</u>                                               | TOTAL <u>None</u> ft.                      |
| 3. Minimum Lot Frontage <u>110</u> ft.                                      | 8. Sidewalk adjacent to all                |
| 4. Minimum Lot Area <u>16,250</u> sq ft.                                    | streets? <u>        </u> yes <u>X</u> no   |
| 5. Existing Zoning <u>LC</u>                                                |                                            |
| 6. Proposed Zoning <u>LC</u>                                                |                                            |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u>     |                                            |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> |                                            |
| 11. Health Department Approval (where applicable) <u>        </u> (Yes-No)  |                                            |
| 12. City of Wichita <u>        </u> : <u>Three-Mile Area</u>                |                                            |

STAFF COMMENTS:

- A. The applicant's required drainage plan has been approved by City Engineering.
- B. The applicant shall guarantee the extension of sanitary sewer and municipal water to serve all lots being platted.
- C. The applicant shall guarantee the paving of Beaumont Street adjacent to this plat.
- D. In accordance with the recently adopted City sidewalk ordinance, a sidewalk is required along the east side of Beaumont Street adjacent to this plat (commercial zoning).
- E. A provision of the C.U.P. requires screening along 21st Street and along Woodlawn because, at the time of C.U.P. approval the areas across those streets were zoned for residential uses. Those areas are now zoned for office and commercial uses. The applicant should request an adjustment to the C.U.P. so that screening at these locations will not be required.
- F. Planting screens along Beaumont and the south property line were also requirements of the C.U.P. The applicant has expressed a desire to substitute a wall for the planting. This would also require an adjustment to the C.U.P. Existing planting along the south property line which is not in conformance will need to be corrected as a condition of final plat approval unless the adjustment for a wall is approved and replacement of dead plant materials becomes unnecessary.
- T9-303  
G. Recording of the plat within 30 days after approval by the Board of City Commissioners.

July 16, 1979

Keith Parker Associates  
239 Pattie, Suite 2  
Wichita, Kansas 67211

Re: DP-35 - Request for interpretation  
as to whether or not proposed  
multiple lot plat is in conformance  
with C.U.P.

Dear Keith:

I have reviewed the submitted sketch with the approved C.U.P. and minutes of the Metropolitan Area Planning Commission regarding that case. The intent at that time was that subject property be developed as a shopping center although a liberal interpretation of the proposed land uses for parcel "B" would permit all uses associated with a shopping center. Since there was no limitation as to the number of buildings, I would have to conclude that an unlimited number is permitted, although I believe the original intent was a shopping center and not strip type commercial development.

Although I would prefer that your client amend the C.U.P. to reflect the number of parcels proposed, and specifics as to type of uses and number of buildings, there is nothing prohibiting a preliminary plat as proposed. If you do select to submit a plat without first amending the C.U.P., please be aware that we will make our statements to the Sub Committee, Planning Commission and City Commission that such replat does not suggest the development of a shopping center, but rather "strip development" with no limitation on number of free standing buildings.

Galbraith has outlined, on the enclosed plan you submitted, the required setbacks as reflected on the C.U.P. He also has reviewed the plan and provides the following information:

1. Landscaping is not provided in accordance with approved landscape plan dated December 23, 1971. This is the area 20 feet in width between the "LC" and "B" zoning to the south.

Landscape plan was never submitted for area along Beaumont.

Page Two  
Keith Parker Associates  
July 16, 1979

2. Except for the north 100 feet, advertising signs are not permitted along the remaining frontage of Beaumont. This could affect the development of both lots on Beaumont if signs are desired.
3. As a substantial amount of the parking for the bowling alley is west of that building on one of the new suggested lots, verification will be required that the bowling alley can and will provide required paved parking on their retained site.
4. The approved number of access points will have to be reflected on the replat.
5. The plat will have to reflect 30 foot setbacks between parcels, or a site circulation plan will have to be submitted for our review which clearly shows adequate interior circulation.
6. As there are only 5 permitted curb openings on the entire frontage of Woodlawn, and as you have reflected four, and assuming that lots 2 and 3 may have several buildings, joint useage of certain driveways will have to be provided for.

These are most of the comments we have at this time. Since this C.U.P. is 10 years old, and the concept for development has obviously changed, the submission of an amended C.U.P. is preferred as reflected above. If you choose to replat without first amending the C.U.P., then please submit an application and five copies of a sketch plat reflecting required setbacks, access points, all existing buildings, and all of the other requirements as outlined in the Subdivision Regulation.

If you have any questions, please call either Galbraith or me.

Sincerely,

Robert A. Lakin  
Director of Planning

RAL:JHG:e1

7-30-79 → CC to COLLEEN JOHNSTON, (CPO COUNCILMAN)  
4710 E 26<sup>TH</sup> ST No. 67220

7-13-79

- Landscaping is not provided in accordance with approved landscape plan dated 12-23-71. This is for the area 20' in width between the "LC" and the "B" to the south.

Landscape plan never submitted for approval along Beaumont.

Landscape plan should no longer be required along the north (21st Street) or along the east (Woodlawn) as those adjacent areas are no longer residential.

- Setback along south side of Parcel B is 42' instead of the indicated 35' as agreed by the previous owner when they proposed to split landscape requirements. The 12' agreed to be placed on Parcel "B" moved the ~~35'~~ setback to the 42' line.
- Curb cut <sup>locations</sup> need to be determined or replat.
  - 3 to Beaumont
  - 4 to 21st Street
  - 4 to Woodlawn
- New Proposal is not beginning with original stated intent of developing a shopping center.
- Advertising signs not permitted along Beaumont except for north 100'

If Plat is accepted without amendment  
the CUT the following should be  
reflected

Setbacks as shown on the CUT.  
Setbacks between parcels.

Access points located or assigned to  
certain lots. Show proposed closure of curb  
cuts, if any.

Since parking for touring ally is being  
eliminated by the creation of a new lot,  
submission of a parking lot for ally  
~~is~~ reflected required spaces, should be  
required



WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT  
COMMUNITY DEVELOPMENT DIVISION

Public Inquiry Slip

NAME Carl Phillips - Village Realty DATE 4/4/79  
PHONE 685 2077 PHONE \_\_\_\_\_ COUNTER \_\_\_\_\_  
PROPERTY LOCATION \_\_\_\_\_ MAP # \_\_\_\_\_  
DP- 30 SW corner of 21st  
and Wadsworth

NATURE OF REQUEST:

CITY ZONING \_\_\_\_\_ COUNTY ZONING \_\_\_\_\_ CONDITIONAL USE \_\_\_\_\_  
PLAT  LOT SPLIT \_\_\_\_\_ BZA \_\_\_\_\_  
VACATION \_\_\_\_\_ DEDICATION \_\_\_\_\_ STREET NAME CHANGE \_\_\_\_\_

REMARKS: *Desires two free standing restaurants + office. Advised to check with Central Director as whether permitted, that I believe they would be. Conditional that replanting was required and landscaping plan necessary along the west and that they would have to plant the planting area along the south as well as along the west when building permit was requested.* *JH* *mentioned possible front lot to CUP might be necessary*

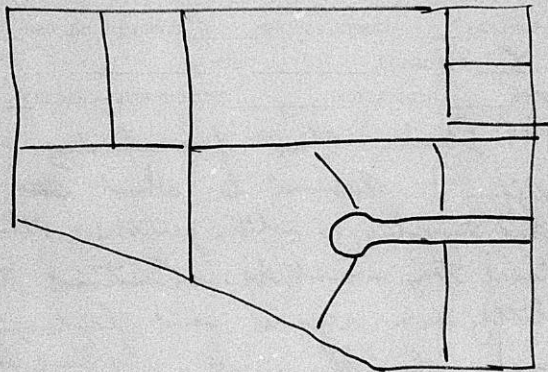
ROUTE TO:  
GALBRAITH \_\_\_\_\_ SHIRKEY \_\_\_\_\_ NEWBY \_\_\_\_\_ RICHTER \_\_\_\_\_ DOBSON \_\_\_\_\_ MEEK \_\_\_\_\_  
LAKIN \_\_\_\_\_ STOCKWELL \_\_\_\_\_ RETURN TO \_\_\_\_\_

COMMENTS:  
T9-126

*over*

5/3/79

Talked with Don Thomas and Ward Lawrence  
this date about a replat, possible  
Adm intervention on the replat of many  
individual lots + the required landscaping  
+ B7A case for storage warehouses. The  
suggested replat was as shown:



Will contact us later.

----- JHA -----  
Keith Parker discussed a several lot plat on 7-3-79  
Advised that a new CU P~~ro~~ in order if  
someone was proposing interior lots on public land-to-  
m. Proposal seems to be for restaurants + offices - individual  
buildings. Several planting areas could be removed. They  
want to consider substituting a wall for plantings on the  
south.

WICHITA-SEDGWICK COUNTY

DATE

May 22, 1979

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** Robert B. Feldner, Superintendent of Central Inspection  
**FROM** Robert A. Lakin, Director of Planning  
**SUBJECT** Administrative interpretation on Womer's Crestview  
Village C.U.P. (DP-35)

Attached is a copy of a letter from Mr. Robert J. Barbero of the Champlin Petroleum Company requesting an administrative interpretation on Parcel "A" of Womer's Crestview Village C.U.P. located on the southwest corner of 21st Street and Woodlawn. Mr. Barbero is requesting that his company be allowed to reconstruct a wind damaged canopy associated with an existing service station in a location which will extend twenty-three feet into the thirty-five foot setback established on the approved community unit plan. The general provisions of the approved community unit plan specify that:

"Canopies may extend into, and gasoline pumps may be placed in the 35 foot setback on Parcel "A", a distance not to exceed 20 feet."

As you may be aware, one of the conditions of approval of the original C.U.P. which offers limited flexibility to the developers of the property involved is as follows:

"That the development of this property 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 and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development."


After reviewing this request, it is my opinion that the additional three foot extension of the proposed canopy into the 35 foot setback does not constitute a substantial deviation from the provisions and intent of the approved community unit plan.

Page Two  
Robert B. Feldner, Superintendent of Central Inspection  
May 22, 1979

Upon your review of this memo and the attached letter of request, your signature of approval will indicate that you concur with the interpretation that the proposed canopy location is in keeping with the spirit and intent of the C.U.P. provisions, and is not a substantial deviation of the plan. Notification of our joint action on this request will be provided to those interested, by copy of this memo.

  
Robert A. Lakin  
Director of Planning

APPROVED:

  
Robert B. Feldner  
Superintendent of Central Inspection

RAL:RLY:e1  
Attachment

cc: Robert J. Barbero, Champlin Petroleum Company  
P.O.Box 45166, Tulsa, Oklahoma 74145  
Schrader Bros. Construction Co.  
1827 N. Mosley, Wichita, Ks. 67214

May 22, 1979

Robert B. Feldner, Superintendent of Central Inspection  
Robert A. Lakin, Director of Planning

Administrative interpretation on Womer's Crestview  
Village C.U.P. (DP-35)

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Robert A. Lakin  
Director of Planning

APPROVED:

  
Robert B. Feldner  
Superintendent of Central Inspection

RAL:ELY:el  
Attachment

cc: Robert J. Barbero, Champlin Petroleum Company  
P.O.Box 45166, Tulsa, Oklahoma 74145  
Schrader Bros. Construction Co.  
1827 N. Mosley, Wichita, Ks. 67214

**champlin** 

May 17, 1979

Mr. Robert A. Lakin  
Director of Planning  
Municipal Planning Department  
455 No. Main  
Wichita, Kansas 67202

Dear Mr. Lakin:

Attached is a plot plan dated 7-20-70 covering our service station at 21st and Woodlawn in Wichita. This plan is as the service station was built in 1970.

In April of 1979 due to high wind conditions the canopy on 21st Street was blown over. At this time we would like to replace the canopy and I am asking for a variance of another three feet for the required set back. As noted on the attached plan, the structure is 22 feet from the north property line and the canopy extends out an additional 10 feet, which gives a clearance between the canopy and the property line of 12 feet. According to the Community Unit Plan, this distance should be 15 feet. Schrader Bros. Construction Company, Inc. of Wichita is presently trying to secure permits for this work.

As we are replacing in the same area, again I ask for the variance of three feet.

Yours truly,

CHAMPLIN PETROLEUM COMPANY



Robert J. Barbero  
Supervisor-Design & Construction

RJB/gm  
Attachment



Champlin Petroleum Company  
P.O. Box 45166  
Tulsa, Oklahoma 74145  
918/492-1100

LAW OFFICES OF  
**MORRIS, LAING, EVANS & BROCK**

CHARTERED

SUITE 430  
200 WEST DOUGLAS

WICHITA, KANSAS 67202

LESTER L. MORRIS  
1901-1986  
VERNE M. LAING  
FERD E. EVANS, JR.  
RALPH R. BROCK  
JOSEPH W. KENNEDY  
C. ROBERT BELL  
ROBERT I. GUENTHNER  
DAVID C. ADAMS

(316) 262-2671

November 19, 1971



Mr. Jack H. Galbraith  
Metropolitan Area Planning Department  
and  
Mr. Robert P. Feldner, Superintendent  
Central Inspection  
City of Wichita  
City Building Annex  
104 South Main Street  
Wichita, Kansas 67202

RE: Womer Construction Company, Inc.  
C U P SW Corner 21st & Woodlawn  
(Lot 2, Block 3, Womer's Crestview  
Heights Third Addition)

Gentlemen:

This letter is to supplement and amend my letter of November 18, 1971 relating to the above-captioned property. This office represents both Womer Construction Company, Inc., and Jack P. DeBoer Associates, Inc. (the prospective purchaser of Lot 3, Block 3) in requesting administrative permission to make minor changes in the C U P and, the requested changes are made on behalf of and in the name of the above-named clients.

My prior letter described the existing utility easement on Lot 2, Block 3 as a 10-foot utility easement whereas it is in fact a 20-foot utility easement located on the southern boundary line which we are presently in the process of vacating. Through discussions with the Public Works Department of the City of Wichita and the utility company advisory committee, it has been agreed that upon vacation of the aforementioned easement there will be granted the following easement to wit:

Beginning at a point in the East line of Lot 2, Block 3, Womers Crestview Heights Third, Wichita, Kansas, said point being 12.0 feet North of the Southeast corner of said Lot 2; thence South  $89^{\circ} 35' 30''$  West, 303.97 feet; thence North  $36^{\circ} 24' 30''$  West, 24.72'; thence North  $89^{\circ} 35' 30''$  East, 318.64 feet; thence South  $00^{\circ} 00'$  East, 20.00 feet to the point of beginning.

Another matter which has been called to my attention is the fact neither my letter of November 18 nor the accompanying plan reflected building setback requirements. We propose that the building setback line be 42 feet North of the



Mr. Jack H. Galbraith and  
Mr. Robert P. Feldner

-2-

November 19, 1971

property line at all points. Our engineer is presently in the process of re-drafting the Landscape Plan which will be furnished you in the near future and will reflect the relocation of the planting strip, the setback line, and the proposed substitute easement.

In the event that either of you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

*David C. Adams*

David C. Adams, of  
MORRIS, LAING, EVANS & BROCK, Chartered

DCA/jsm

LAW OFFICES OF  
**MORRIS, LAING, EVANS & BROCK**  
CHARTERED  
SUITE 430  
200 WEST DOUGLAS  
WICHITA, KANSAS 67202

LESTER L. MORRIS  
1901-1966  
VERNE H. LAING  
FERD E. EVANS, JR.  
RALPH R. BROCK  
JOSEPH W. KENNEDY  
C. ROBERT BELL  
ROBERT I. QUENTHNER  
DAVID C. ADAMS

(310) 262-2671

November 18, 1971

Mr. Jack H. Galbraith  
Metropolitan Area Planning Department  
City Building Annex  
104 South Main Street  
Wichita, Kansas 67202



RE: Womer Construction Company, Inc.  
C U P SW Corner 21st & Woodlawn  
(Lot 2, Block 3, Womer's Crest-  
view Heights Third Addition.)

Dear Mr. Galbraith:

The above-captioned C U P presently requires that a 20-foot planting strip be maintained on the lot (Lot 3) immediately south of Lot 2, Block 3 for screening purposes. This letter is to request administrative permission providing for relocation of the 20-foot planting strip by moving said strip 12 feet in a northerly direction in order that it straddles the property line between Lots 2 and 3, Block 3, Womer's Crestview Heights Third Addition, with the result of 8 feet of the planting strip located on Lot 3, and 12 feet of the planting strip located on Lot 2.

Enclosed please find Landscape Plan illustrating the make-up of the planting strip. We would appreciate hearing from you in the near future concerning the relocation of the strip and also would appreciate comments or suggestions which you may have concerning the Landscape Plan.

<sup>20'</sup> I also call to your attention the fact that there presently exists a 10-foot utility easement located on the southern boundary line of Lot 2. We are in the process of vacating said easement. Our engineer, Don Moehring, Jr., has informed me today that the Public Works Department and the utility companies have requested the dedication of a substitute easement, 20 feet wide, extending from a point 20 feet west of the western edge of Woodlawn to the point shown in red on the Landscape Plan. You will note that the plan provides for the 20-foot utility easement to extend the

Mr. Jack H. Galbraith

-2-

November 18, 1971

entire length of the property line between Lots 2 and 3, however this is in error.

In the event you have any questions concerning the relocation of the planting strip, the Landscape Plan, or the substitute utility easement, please contact me.

~ Very truly yours,

*David C. Adams*

David C. Adams, of  
MORRIS, LAING, EVANS & BROCK, Chartered

DCA/jsm  
Enclosure

cc: Mr. Robert B. Feldner  
Superintendent - Central Inspection  
City of Wichita

Mr. Don Moehring, Jr.

Mr. Tom Spurgin  
Jack P. DeBoer & Associates, Inc.

7-17-69

Bob Feldner, Supt, Central Inspection Division  
Jack H. Galbraith, Senior Planner

DP-35t- WOMER'S CRESTVIEW VILLAGE Community Unit Plan

The Board of City Commissioners, at its regular meeting of July 15, 1969, considered the above captioned Community Unit Plan. The action of the City Commission was to approve the Development Plan, subject to the following conditions:

1. Change setback from Woodlawn Boulevard under Parcel B from 65 feet to 60 feet.
2. Sign control under General Provisions shall be amended to read as follows: Advertising signs shall be permitted along 21st Street, Woodlawn Boulevard and the north 100 feet of Beaumont.
3. Street names shall be indicated on the face of the plan.
4. Add the following General Provisions: The applicant shall submit a detailed landscape screening plan for an area 20 feet in width lying between Parcel B and the proposed "B" Multiple Family District to the south, for approval by the Planning Department. Subject planting screen shall be planted during the first season following the issuance of a building permit on the "B" Multiple Family District.
5. That the development of this property 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 and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Page 2  
To: Bob Feld  
From: Jack H. Galbraith  
Date: 7-17-69

Regarding items 1 through 4 above, these four conditions have been corrected and are now indicated on the attached CUP which is submitted for your files. Prior to the issuance of any building permits associated with this CUP it is necessary that this property be platted so that the ordinance effectuating the accompanying zone change may also be published. If you have any questions concerning the conditions of approval of the CUP, please contact our office.

JHG:vjp

Attachment

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERSREQUEST FOR ZONINGCASE NO. Z-1111 CONSIDERED BY MAPC: June 26, 1969DP-35REQUEST FOR: Change from "AA" to "B" and from "AA" and "LC" to "IC"  
Approval of Commercial Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

For development under CUP

GENERAL LOCATION: Southwest corner of Woodlawn and 21st Street

LEGAL DESCRIPTION:

See excerpt of Minutes attached.

APPLICANT: Womer Construction Company, Inc. (DP-35)  
R. W. Womer (Z-1111)

COUNSEL FOR APPLICANT: Ray Coleman, Agent

PROTESTORS (LIST COUNSEL) IF ANY: None

SURROUNDING ZONING: To the north is "AA" & "LC"; east is "R-1" & "LC";  
south is "AA" & "BB"; west is "AA"LAND USE: Subject property is bowling alley, small animal clinic & vacant;  
north is service station, single-family & vacant; east and west is vacant;  
south is city water tower, Girl Scout office & vacant.

## PLANNING COMMISSION RECOMMENDATION:

KRATZER moved and HENNESSY seconded that the Planning Commission recommend  
to the City Commission that Case Z-1111 be approved, except that portion  
being platted as Lot 12, Block 7, which was recommended for "BB" instead  
of "LC"; all subject to replatting the property within one year or the  
request being denied.KRATZER moved and HENNESSY seconded that the Planning Commission recommend  
to the City Commission that DP-35 be approved, subject to the following  
conditions: (See excerpt from Planning Commission Minutes attached  
for conditions.)

VOTE OF PLANNING COMMISSION: Unanimous

ACTION: 1. Approve the zone change and CUP as recommended by the Metro-  
politan Area Planning Commission, subject to the conditions of platting,  
and instruct the Planning Department to forward the ordinance for first  
reading when the plat is forwarded to the City Commission; or

2. Return the applications to the Metropolitan Area Planning Com-  
mission for its reconsideration. The City Commission states the follow-  
ing reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 26, 1969:

"21a. Case No. Z-1111 - R. W. Womer requests change from "AA" to "B" for the following: Part of Block 7 and Reserve A, Second Addition to Crestview Heights, described as beginning at a point 850 feet west of and 440 feet south of the NE corner of said Block 7, thence southwesterly 230 feet; thence southeasterly 740 feet; thence northeasterly 213.94 feet; thence east 352.79 feet to the west line of Woodlawn Blvd. as platted in said Addition; thence north along said Woodlawn Blvd., 200 feet; thence west parallel with the north line of said Block 7, 310 feet; thence with an angle to the right of 54°00' a distance of 490 feet; thence westerly 255 feet to beginning, to be platted as Lot 3, Block 3, Womer's Crestview Heights Third Addition, AND change from "AA" and "IC" to "LC" for the following: Part of Block 7 and Reserve A, Second Addition to Crestview Heights, described as beginning at a point 910 feet west of the NE corner of said Block 7; thence south 140 feet; thence west 180 feet; thence northwesterly 160 feet; thence east 255 feet to the beginning, to be platted as Lot 12, Block 2, Womer's Crestview Heights Third Addition, and beginning at the NE corner of said Block 7; thence south 880.8 feet; thence west parallel with the north line of said Block 7, 310 feet; thence with an angle to the right of 54°00' a distance of 490 feet; thence westerly 255 feet to a point 850 feet west and 440 feet south of the NE corner of said Block 7; thence north 440 feet; thence east 850 feet to the beginning, to be platted as Lots 1 & 2, Block 3, Womer's Crestview Heights Third Addition. Generally located at the southwest corner of 21st and Woodlawn.

21b. Case No. DP-35 - Womer Construction Company, Inc. requests approval of a Commercial Community Unit Plan for the following: Part of Block 7, Second Addition to Crestview Heights, described as beginning at the NE corner of said Block 7; thence south 880.8 feet; thence west parallel with the north line of said Block 7, 310 feet; thence with an angle to the right of 54°00' a distance of 490 feet; thence westerly 255 feet more or less to a point 850 feet west and 440 feet south of the NE corner of said Block 7; thence north 440 feet; thence east 850 feet to beginning, being platted as Lots 1 and 2, Block 3, Womer's Crestview Heights Third Addition. Generally located at the southwest corner of Woodlawn and 21st Street.

GALBRAITH pointed out the area on the map and reviewed the following staff report:

Comments

1. On July 17, 1958, the Planning Commission considered a request for a change of zoning from "AA" to "LC" (Z-0028) of which the area contained in this application was a part. Action of the Planning Commission was to recommend that a tract 510 feet by 510 feet on 21st Street and Woodlawn be approved for "LC" and that the balance of the area included in the petition be denied. This recommendation was concurred in by the Board of City Commissioners at their meeting of July 29, 1958.
2. The applicant presently has 5.9 acres of "LC" zoning and is requesting additional "LC" in order to have an adequate site for a commercial development. It would appear that, inasmuch as there is existing "LC" at this location, and the applicant proposes to buffer the "LC" with "B" zoning on the south and southwest, all of which is under the same ownership, this would be a

logical extension of the existing "LC" zoning if it can be justified by a desirable CUP. The request for "B" zoning would also appear to be logical in that it would afford a transitional area between the proposed shopping center complex and future single-family development to the southwest.

3. Of major concern in considering the request for "LC" is the inclusion of the small tract lying west of Beaumont which is presently occupied by a nonconforming small animal clinic. Inasmuch as small animal clinics are permitted as an "exception" subject to approval by the Board of Zoning Appeals in the "BB" Office District, possibly some thought should be given to establishing "BB" zoning for this tract in order to provide means for the existing use to become conforming and still provide some degree of protection for the existing residential development to the north and future residential development to the west.
4. As a requirement under the CUP provisions of the City Zoning Ordinance, a preliminary development plan was submitted for review. The Commercial Development Plan is proposed on approximately 14 acres of "LC" and indicates two parcels, and proposes any use authorized in the "LC" district. The applicant has indicated a possible service station on the corner with shopping center type uses on the balance. The Plan also includes information on maximum gross floor area, building setbacks, parking ratio, building heights, maximum building coverage and required planting screens.
5. While the Plan is in general agreement with the suggested format and comments made by the staff in the original reviews with the applicant, the Plan does not indicate the required 5-8 foot masonry wall required when the "LC" area is adjacent to a residential district. The ordinance does provide that the Planning Commission or governing body, in unusual situations where the objectives of good planning practices are furthered, may alter or modify specific requirements, however, there appears to be nothing unusual regarding this plan which would warrant a deletion of the required wall.
6. In the event the Planning Commission determines that this request for a change of zoning is logical and recommends approval of all or part of the application, it is assumed that the completion of the replat will be required within one year.
7. If the Planning Commission determines that the CUP is satisfactory, then the following conditions would be consistent with other approved CUP's:
  - A. Delete the word "leaseable" from maximum gross floor area under both Parcels A and B.
  - B. Change setback from Woodlawn Boulevard under Parcel B from 65 feet to 60 feet.
  - C. Sign control under General Provisions shall be amended to read as follows: Advertising signs shall be permitted along 21st Street, Woodlawn Boulevard and the north 100 feet of Beaumont.
  - D. Street names shall be indicated on the face of the Plan.
  - E. Add the following to General Provisions: "A 5 to 8 foot high solid or semi-solid wall of brick, stone or other similar masonry, architectural stone, shall be constructed



along the south line of Parcel B; such wall shall be reduced 3 feet in height within 35 feet adjacent to Woodlawn and 20 feet adjacent to Beaumont. A 5 to 6 foot high wall of the same material shall be constructed along the east side of the 10-foot planting area along Beaumont, if the service area, storage area, or rear of the commercial development faces an "AA", "A", "RB", or "B" district.

- F. That the development of this property proceed in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- G. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

RAY COLEMAN spoke on behalf of the applicant. He said they were becoming quite concerned with the CUP regulations and that they had understood it was to help the builder and permit plans to be more flexible; however, he considered the CUP regulations a hindrance. With regard to the fence requirement, he said that a conservative estimate of a masonry fence would be \$30,000 which would be adjacent to their garden type apartments and although the lower floors would be protected the upper levels would not. He asked that consideration be given to an adjustment with regard to screening between the CUP and the apartments and suggested the possibility of a 30-foot private drive which could also serve as a fire lane.

Commenting on the staff suggestion that "BB" would accommodate the proposed use for Lot 12, Block 7, MR. COLEMAN agreed that they would accept "BB" zoning for this lot rather than "LC" as requested.

MR. COLEMAN offered objection to the elimination of the word "leaseable" as suggested in the staff report with respect to maximum gross floor area under Parcels A and B. He said it would be of value to the developer to have the word included because it would allow more flexibility in that hallway area would not then need to be considered as leaseable.

COLEMAN pointed out that the wall requirement could be waived by the Planning Commission and governing body according to the regulations.

JACKSON felt there was some logic in not requiring a \$30,000 wall separating property under one ownership.

HENNESSY pointed out that earlier in this meeting, a man was required to spend \$30,000 to place utility lines underground against his wishes and at that time it was determined that the rules and regulations should not be waived, and he expressed opposition to making an exception in this subject case.

BLEDSON said if there was any reason for a wall in subject case he would be the first to say it should be required, but a wall would not do a bit of good because the properties are under the same ownership and a wall would not provide protection for upper floors of an apartment house. BLEDSON said he was in favor of an evergreen, planting type screening.

HENNESSY again pointed out the unfairness of waiving a requirement in subject case and not extending the same treatment to the person requesting a waiver of underground installation of utilities to the extent of \$30,000.

MR. COLEMAN pointed out that the zoning ordinance specifically provides that subject wall may be waived, but the Subdivision Rules and Regulations do not contain the same provision with respect to waiver of underground utility installations, and for that reason he did not consider them comparable.

MR. COLEMAN continued that he is not asking the Commission to break any rules, but only to interpret the requirements, and he agreed that there should be screening of some type and suggested a wood fence with brick pilings and some plantings.

BLEDSOE referred to the leaseable floor space comments in the staff report and felt that since the more modern trend and more successful shopping centers are developed on the mall principal, it would allow more flexibility to the developer if the word "leaseable" was included in reference to maximum floor area.

TROUT felt that the CUP provisions of the ordinance need continual revisions and commented that it was originally conceived as something which would help the developer put together something that would give him more versatility. He added that the problem in revising the provisions of CUP is that the early CUP's (Westway, Parklane, Eastgate, etc.) have developed under very rigid requirements and are opposed to lessening of requirements for newer centers, so it is not a real simple matter to amend the CUP regulations.

KRATZER asked GALBRAITH if the Commission had authority to waive the wall requirement as requested, and GALBRAITH said that it did have such jurisdiction when it was determined that the "objectives of the Master Plan and good planning practices are furthered".

No one spoke in opposition.

MOTION: KRATZER moved and HENNESSY seconded that the Planning Commission recommend to the City Commission that zone case Z-1111 be approved, except that portion being platted as Lot 12, Block 7, which was recommended for "BB" instead of "IC"; all subject to replatting the property within one year or the request being denied. Motion carried unanimously.

MOTION: KRATZER moved, HENNESSY seconded and it carried unanimously that the Planning Commission recommend to the City Commission that DP-35 be approved, subject to the following conditions:

1. Change setback from Woodlawn Boulevard under Parcel B from 65 feet to 60 feet.
2. Sign control under General Provisions shall be amended to read as follows: Advertising signs shall be permitted along 21st Street, Woodlawn Boulevard and the north 100 feet of Beaumont.
3. Street names shall be indicated on the face of the plan.
4. Add the following to General Provisions: The applicant shall submit a detailed landscape screening plan for an area 20 feet in width lying between Parcel B and the proposed "B" Multiple

family district to the south, for approval by the Planning Department. Subject planting screen shall be planted during the first season following the issuance of a building permit on the "B" multiple family district.

5. That the development of this property 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 and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
  6. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration."
-

June 30, 1969

Mr. Ray Coleman  
P. O. Box 394  
Wichita, Kansas 67201

Subject: Z-1111 - Zone Change from "AA" &  
"LC" to "B" & "LC" and DP-35  
WOMER'S CRESTVIEW VILLAGE COMMUNITY  
UNIT PLAN

Dear Mr. Coleman:

At the regular meeting of the Metropolitan Area Planning Commission on June 26, 1969, the above captioned zone case and community unit plan were considered. It was the action of the Planning Commission to recommend the approval of the zone change request as advertised except that portion being platted as Lot 12, Block 1, which was recommended for the "BB" Office District instead of "LC"; subject to replatting the property within one year or the request being denied.

Please be aware of this new policy of platting within one year. I am particularly calling this to your attention since your other zone case and CUP at K-96 and 37th Street North is still pending and it has been one year since it was approved by the Planning Commission and the plat is still incomplete.

The action of the Planning Commission on the CUP was to recommend that it be approved subject to the following conditions:

- A. Change setback from Woodlawn Boulevard under Parcel B from 65 feet to 60 feet.
- B. Sign control under General Provisions shall be amended to read as follows: Advertising signs shall be permitted along 21st Street, Woodlawn Boulevard and the north 100 feet of Beaumont.

Page 2 - Z-1111 & DP-35  
Mr. Ray Coleman  
June 30, 1969

- C. Street names shall be indicated on the face of the plan.
- D. Add the following to General Provisions: "The applicant shall submit a detailed landscape screening plan for an area 20 feet in width lying between Parcel B and the proposed "B" Multiple Family District to the south, for approval by the Planning Department. Subject planting screen shall be planted during the first season following the issuance of a building permit on either Parcel B or the "B" Multiple Family District."
- E. That the development of this property 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 and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- F. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Regarding condition "D", we would appreciate your reviewing the exact location of this screen prior to revising the plan. The CUP regulations provide for a 30-foot service drive within the 35-foot setback; there is also a 20-foot utility easement to consider as it relates to the planting screen. Consideration should also be given as to whether or not you desire access through the planting area from Parcel B to the "B" Multiple Family area to the south. Concerning the submission of the landscape plan to the Planning Department for approval, we will suggest that you contact a landscape architect and have him prepare a typical landscape plan preferably using a variation of both deciduous and coniferous trees and shrubs. The selected plant materials should be of the type which do well in Wichita and not of the type which are soft and easily breakable in wind storms.

Included for your information and review is a marked copy of the plan showing the necessary corrections. Upon your review and approval, please forward to Baughman Company for correcting. It is necessary that we have ten (10) corrected copies prior to forwarding the CUP and zone case to the Board of City Commissioners for their consideration.

Page 3 - Z-1111 & DP-35  
Mr. Ray Coleman  
June 30, 1969

Please call at your convenience so that we may set a meeting to  
determine the location of the planting screen.

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:vjp

Enclosure

cc: R. W. Womer  
P. O. Box 394  
Wichita, Kansas 67201

Baughman Company  
2522 East Kellogg  
Wichita, Kansas 67211

3. Of major concern in considering the request for "LC" is the inclusion of the small tract lying west of Beaumont which is presently occupied by a nonconforming small animal clinic. Inasmuch as small animal clinics are permitted as an "exception" subject to approval by the Board of Zoning Appeals in the "RB" Office District, possibly some thought should be given to establishing "BB" zoning for this tract in order to provide a means for the existing use to become conforming and still provide some degree of protection for the existing residential development to the north and future residential development to the west.
4. As a requirement under the CUP provisions of the City Zoning Ordinance, a preliminary development plan was submitted for review. The Commercial Development Plan is proposed on approximately 14 acres of "LC" and indicates two parcels, and proposes any use authorized in the "LC" district. The applicant has indicated a possible service station on the corner with shopping center type uses on the balance. The Plan also includes information on maximum gross floor area, building setbacks, parking ratio, building heights, maximum building coverage and required planting screens.
5. While the Plan is in general agreement with the suggested format and comments made by the staff in the original reviews with the applicant, the plan does not indicate the required 5-8-foot masonry wall required when the "LC" area is adjacent to a residential district. The ordinance does provide that the Planning Commission or governing body, in unusual situations where the objectives of good planning practices are furthered, may alter or modify specific requirements, however, there appears to be nothing unusual regarding this plan which would warrant a deletion of the required wall.
6. In the event the Planning Commission determines that this request for a change of zoning is logical and recommends approval of all or part of the application, it is assumed that the completion of the replat will be required within one year.
7. If the Planning Commission determines that the CUP is satisfactory, then the following conditions would be consistent with other approved CUP's:
  - A. Delete the word "Leaseable" from maximum gross floor area under both parcels A and B.
  - B. Change setback from Woodlawn Boulevard under Parcel B from 65 feet to 60 feet.

- C. Sign control under General Provisions shall be amended to read as follows: Advertising signs shall be permitted along 21st Street, Woodlawn Boulevard and the north 100 feet of Beaumont.
- D. Street names shall be indicated on the face of the plan.
- E. Add the following to General Provisions: "A 5 to 8 foot high solid or semi-solid wall of brick, stone or other similar masonry, architectural stone, shall be constructed along the south line of Parcel B; such wall shall be reduced 3 feet in height within 35 feet adjacent to Woodlawn and 20 feet adjacent to Beaumont. A 5 to 8 foot high wall of the same material shall be constructed along the east side of the 10-foot planting area along Beaumont, if the service area, storage area, or rear of the commercial development faces an "AA", "A", "RB", or "B" district.
- F. That the development of this property proceed in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- G. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.



WICHITA-SPOFFORD COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: June 26, 1969

Case No. Z-1111	Request: "AA" and "IC" to "B" and "LC"
Case No. DP-35	Approval of a Development Plan
Location: Southwest corner of 21st Street and Woodlawn	
Acres: 7.6 - "B"	Size: 910 ft. by 1050 ft.
14.3 - "IC"	

	<u>Land Use</u>	
Existing North	Bowling alley, small animal clinic & vacant	"AA" & "LC"
East	Service station, single-family & vacant	"AA" & "LC"
South	Vacant	"R-1" & "LC"
West	City water tower, Girl Scout office & vacant	"AA" & "BB"
	Vacant	"AA"

Being platted as S/D 69-2 - Crestview Heights 3rd Addition	History: Z-0028 - "AA" to "LC"
Existing R/W - 21st Street (half) 50 ft.	MAPC: 7-17-58 - Ap-
Proposed R/W - 21st Street (half) 50 & 75 ft.	proved in part
Existing R/W - Woodlawn (half) - 50 ft.	BCC: 7-29-58 - Ap-
Proposed R/W - Woodlawn (half) - 50 & 75 ft.	proved in part

Comments

1. On July 17, 1958, the Planning Commission considered a request for a change of zoning from "AA" to "LC" (Z-0028) of which the area contained in this application was a part. Action of the Planning Commission was to recommend that a tract 510 feet by 510 feet on 21st Street and Woodlawn be approved for "LC" and that the balance of the area included in the petition be denied. This recommendation was concurred in by the Board of City Commissioners at their meeting of July 29, 1958.
  
2. The applicant presently has 5.9 acres of "LC" zoning and is requesting additional "LC" in order to have an adequate site for a commercial development. It would appear that, inasmuch as there is existing "LC" at this location, and the applicant proposes to buffer the "LC" with "B" zoning on the south and southwest, all of which is under the same ownership, this would be a logical extension of the existing "LC" zoning if it can be justified by a desirable CUP. The request for "B" zoning would also appear to be logical in that it would afford a transitional area between the proposed shopping center complex and future single-family development to the southwest.

DP-35

17 NOTICES TO ADJOINING PROPERTY OWNERS MAILED 6-12-69 FOR MAPC 6-26-69

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY BUILDING ANNEX, 104 South Main  
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

June 11, 1969

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at its meeting at 1:45 p.m. on June 26, 1969, at which time you may appear either in person or by agent or attorney, if you so desire.

CASE NO. DP-35  
COMMUNITY UNIT PLAN FOR  
PLANNED COMMERCIAL DEVELOPMENT

Part of Block 7, Second Addition to Crestview Heights, Wichita, Kansas, described as beginning at the NE corner of said Block 7; thence south 880.8 feet; thence west parallel with the north line of said Block 7, 310 feet; thence with an angle to the right of 54° 00' a distance of 490 feet; thence westerly 255 feet more or less to a point 850 feet west and 440 feet south of the NE corner of said Block 7; thence north 440 feet; thence east 850 feet to beginning being platted as Lots 1 and 2, Block 3, Womer's Crestview Heights Third Addition. Generally located at the southwest corner of Woodlawn and 21st Street.

This Development Plan has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Code of the City of Wichita. The Development Plan is on file in the office of the Planning Director, Room 402 City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The Development Plan on file proposes a 13.63 acre commercial development for WOMER CRESTVIEW VILLAGE showing the proposed land use as a shopping center, department store, grocery store, etc. Included in the Development Plan is information concerning building setbacks, minimum ground coverage by structures, maximum gross floor area, maximum building and sign height limitations.

This hearing is to be held as provided in Section 28.04.190 of the Code of the City of Wichita and the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

C. Bickley Foster, Secretary

May 22, 1969

Mr. Ray Coleman  
Womer Construction Company, Inc.  
Box 394  
Wichita, Kansas

Subject: DP\_35 - Womer's  
Crestview Village Commercial  
CUP located at the southwest  
corner of Woodlawn and 21st  
Street.

Dear Mr. Coleman:

We have reviewed the preliminary development plan which was submitted relative to the area at the southwest corner of Woodlawn and 21st Street. We have forwarded copies of the plan to the Engineering Division, Flood Control Division and Traffic Engineering Division of the Department of Public Works. Although we have not received comments from all of the divisions at this time and though we feel that the plan submitted generally meets the intent of the CUP provisions of the zoning ordinance, there are several changes and additions to the plan that need to be made before it can be advertised for public hearing. On the enclosed marked copy of the plan we have indicated the changes and additions that should be made. Upon your review of this copy, it should be given to Bill Korber, so that appropriate corrections can be made.

In order for the plan to conform with other similar approved CUP's it will be necessary to list the specific land uses for each parcel. The statement on the preliminary development plan, "Any purpose authorized under present zoning ordinance." is too inclusive and does not indicate that the proposed development will be a shopping center or simple "strip" drive-in restaurant and service station. The listed intended

general uses is required under Section 28.04.190.B.2.a of the zoning ordinance for property on which planned zoning for the CUP does not now exist.

Also to assure the type of development, front setbacks from major streets have been required greater than the minimum 35 feet. Plans have been approved with as much as 300 feet setbacks from major streets, and generally developers have been able to justify 100 feet and 150 foot setbacks. We would recommend that the 35 foot setbacks from 21st Street and Woodlawn be substantially increased.

Paragraph 5.b of the CUP requires a 35 foot setback when the proposed development abuts a residential district. Therefore it is necessary that a 35 foot setback be indicated from the proposed "B" zone on the south.

In the "General Provisions" section of your plan, the statement on sign control states that advertising signs will be permitted along Beaumont. This should be corrected to read "on the north 100 feet of Beaumont" as advertising signs should not be encouraged across from the residential area. Also this statement indicates 20 foot maximum signs whereas the sign code permits 30 foot high ground signs. You might desire this flexibility for a higher sign.

The 10 foot wide planting strip indicated on the plan is not required on those portions of Parcels "A" and "B" which face "LC" zoning. You may desire to delete the planting strip in those areas. Also, in accordance with Section 8.a.1. and 2., the plan should indicate under "general provisions" and on "Parcel B" the required 5 foot to 8 foot required wall. The statement under general provisions should read as follows:

"A 5 to 8 foot high solid or semi-solid wall of brick, stone or other similar masonry, architectural stone, shall be constructed along the south line of Parcel B; such wall shall be reduced 3 feet in height within 35 feet adjacent to Woodlawn and 20 feet adjacent to Beaumont. A 5 to 8 foot high wall of the same material shall be constructed along the east side of the 10 foot planting area along Beaumont, if the service area, storage area, or rear of the commercial development faces an "AA", "A", "RB", or "B" district.

If a service station is proposed on Parcel "A", under "general provisions" you may desire to state the following:

"Canopies may extend into, and gasoline pumps may be placed in the 35 foot setback on Parcel "A", a distance not to exceed 20 feet."

The plan needs to show topography at two foot contour intervals and other significant existing features. Access control of 40 feet needs to be clearly indicated both west and south from the northeast corner of Parcel A, and only one access point to parcel "A" from 21st Street. The perimeter dimensions indicated on the plan do not coincide with those dimensions shown on the approved preliminary plat of the same property. This should be checked.

On the associated approved preliminary plat there is a 20 utility easement centered on the south line of Parcel "B" and you may wish to contact the appropriate utility company regarding the possibility of relocating the easement entirely on the south side of the parcel line in order to construct the required 5 to 8 foot wall.

These are most of the comments we have at this time. It is now necessary that the plan be revised and twelve new copies made by 5 p.m. Wednesday, May 28, 1969, if you desire to have this case advertised for the Planning Commission meeting of June 26, 1969. If after reviewing these comments you have any questions we will be glad to discuss this matter with you at your convenience.

Sincerely,

Jack H. Galbraith  
Senior Planner  
Regulations Division

JHG:smm

cc: Baughman Company  
2522 East Kellogg  
Wichita, Kansas 67211

APPLICATION FOR COMMUNITY UNIT PLAN  
(PLANNED RESIDENTIAL OR COMMERCIAL DEVELOPMENT)  
FOR PROPERTY LOCATED WITHIN THE LIMITS OF THE  
CITY OF WICHITA, KANSAS

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents.

- a. Applicant  Womer Const. Co., Inc.  
Address Box 394 Phone AM 48371  
Agent  Ray Coleman  
Address Box 394 Phone AM 48371
- b. Applicant \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Agent \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
- c. Applicant \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Agent \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants)

II.A The applicant hereby requests Community Unit Plan approval on property zoned proposed zone C.C. and legally described as ~~lot(s)~~

\_\_\_\_\_, Block(s) \_\_\_\_\_  
\_\_\_\_\_, Addition \_\_\_\_\_

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet.)

Part of Block 7, Second Addition to Crestview Heights, Wichita, Kansas, described as beginning at the N. E. Corner of said Block 7; thence south 880.8 feet; thence west parallel with the north line of said Block 7, 310 feet; thence with an angle to the right of 54° 00' a distance of 490 feet; thence westerly 255 feet more or less to a point ~~850~~ feet west and 440 feet south of the N. E. Corner of said Block 7; thence north 440 feet; thence east ~~490~~ 830 feet to beginning, BEING PLATTED AS LOTS 1 & 2, BLOCK 3, WOMER'S CRESTVIEW HEIGHTS THIRD ADDITION.

II.B There are 13.6 acres (round to nearest tenth) in the above described property.

OK for legal

8

III. This property is located at (address) \_\_\_\_\_.

The general location is (use appropriate section)

- a. at the S. W. corner of 21st Street  
and Woodlawn; or
- b. on the south side of 21st Street (Ave.,  
Street) between Beaumont (Ave., Street) and  
Woodlawn (Ave., Street).

IV. I (we), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (we) realize that this application cannot be processed unless it is completely filled in and accompanied by a current abstractor's certificate as required in the instruction sheet.

By \_\_\_\_\_ Women Construction Co  
Authorized Agent (if any) By Ray Coleman  
Authorized Agent (if any)

By \_\_\_\_\_  
Authorized Agent (if any) By \_\_\_\_\_  
Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at  
10:30 (AM, PM) on May 13 - 69 (Day, Month,  
Year). It has been checked and found to be complete and accom-  
panied by required documents and the appropriate fee of  
\$ none req.

Joyce Smith Name  
Secretary Title



May 6, 1969

Dick Linn, Design Chief Engineer; M.S.Mitchell,  
Asst. Supt., Public Works Maint. & Flood Control  
Supv.; James D. Smith, Asst. Traffic Engineer  
Jack H. Galbraith, Senior Planner

DP-35 - Womer's Crestview Village Community Unit Plan and  
Z-1111 - Zone change from "AA" to "LC"

Attached for your information and review is a copy of the  
preliminary community unit plan submitted on the area at the  
southwest corner of 21st St. North and Woodlawn. The applicant  
is also requesting additional light commercial zoning which has  
been assigned case no. Z-1111.

We would appreciate your review and comments on this plan so  
that we can authorize the applicant to resubmit corrected copies  
to be advertised for public hearing.

If you have any questions concerning this matter please call.

JHG:js

OWNERSHIP LIST

Lot	Block	Addition	Property owner
1		Ev. Free Church Addition	✓ The First Evangelical Free Church of Wichita, Kansas 1825 N. Woodlawn, Wichita, Kan 67208
21 & 22	2	Prairie Village Subdivision	Prairie Village Homes, Inc. Address unknown
1, 2 & 3	3	Womer's Crestview Heights Addition	✓ The Estate of Paul J. Richenburg, Deceased. Address unknown <i>Shanahan - Harvey Bldg. 67502</i>
1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11	4	"	✓ Hilltop Developers, Inc. Address unknown
12	"	"	The Estate of Paul J Richenburg, Deceased. Address unknown
1		Womers Crestview Heights 2nd Addition	✓ R. W. Womer and Joyce H. Womer 120 Lynwood Blvd, Wichita, Kan. 67207
1	1	Third Addition to Crestview Heights	✓ Arthur O. Schreck and Clara Schreck 3800 E. 21st St. Wichita, Kan. 67220
2, 3, 4 & 5	"	"	✓ The George Ultch Lumber Company 2145 N. Topeka, Wichita, Kans. 67214
1 exc N 6'	6	"	Real Estate Developers, Inc. Address unknown
N 6' of 1 & 2 exc N 3'	"	"	✓ Otto H. Weber and Esther M. Weber 2205 Farmstead, Wichita, Kans. 67220
N 3' of 2 & all of 3	"	"	✓ Stanley J. Klimek, Jr and Josephine A. Klimek, 2209 Farmstead Wichita, Kansas, 67220
4	"	"	✓ Kenneth V. Williamson and Phyllis Williamson, Address unknown <i>401 Topaz 67207</i>
5	"	"	✓ Robert F. Byrne and Jane B. Byrne 2217 Farmstead, Wichita, Kans. 67220
1 & S. 18' of 2	7	"	Charles A. Willis and Leta Colleen Willis, Address unknown
2 exc S 18'	"	"	D The Geo W. Ultch Lumber Co. 2145 N. Topeka, Wichita, Kans, 67214
3 & S. 0.4' of 4	"	"	Johnson Distributors, Inc. Address unknown
4 exc. S. 0.4'	"	"	✓ Francés J. Hurley and Delores J. Hurley, 2214 Farmstead Wichita, Kansas, 67220

Continued page 2

Lot	Block	Addition	Property Owner
5	7	Third Addition to Crestview Heights	✓ Walter M Schleicher and Genevieve H. Schleicher, 2220 Farmstead Wichita, Kansas, 67220
6 & Sly 8' of 7	"	"	✓ Sandor Kvassay and Celia J. Kvassay 2224 Farmstead, Wichita, Kans. 67220
7 exc. Sly 8'	"	"	✓ Norman McCreery, <del>Address unknown</del> 3220 N. Sedgewick 67204
8	"	"	Board of American Missions of the Augustana Lutheran Church Address unknown
11, 12, 13 & 14	6	Second Addition to Crestview Heights	Hilltop Developers, Inc. Address unknown
2, 3, 4, 5, 6, 7, 8, 9, 10, 11,	8	"	"
12 exc. Sly 28.4'	"	"	"

That part of Reserve A and Block 7, in Second Addition to Crestview Heights, described as beginning at the Northeast corner of said Block 7, thence South on the West line of Woodlawn Boulevard 1080.8' to a point 1130.8' S. of the NE corner of Sec. 12, Tp. 27 S., Rg. 1 E. thence west parallel with the North line of Block 7, 352.79', thence southwesterly with a deflection angle to the left of 36° 00' a distance of 213.94' more or less to the Westerly line of said Reserve A, thence Northwesterly along the Westerly line of said Reserve A. 1492.2' to the Northwest corner of said Reserve A, thence East along the North line of Reserve A and Block 7, a distance of 1410.53' more or less to beginning

Womers Construction Co., Inc.  
434 Ohio, Wichita, Kansas, 67214

That part of Reserve A, and Block 7, in Second Addition to Crestview Heights Second Addition, described as beginning on the West line of Woodlawn Blvd, 1300.8' S. of the NE corner of Sec. 12-27-1E, thence North 30', thence West parallel with the N. line of Block 7, 267.13', thence with a deflection angle to the right of 54° a distance of 165', thence with an angle to the left of 90° a distance of 200', thence with an angle to the left of 90° a dist. of 200'. thence E. parallel with the N line of Blk 7, 245.3' to beginning

City of Wichita  
City Building

Continued page 3

Description

Property Owner

The SW $\frac{1}{4}$  of Sec. 7-27-2E

✓ Jack B. Hinkle, as trustee of  
Eva J. Hinkle Living Trust, dated  
7-18-68, 3 Linden, Wichita, Kansas  
67206

All of Gov. lot 1, in the NW $\frac{1}{4}$  of Sec.  
7-27-2E

✓ Theodore Gore, 140 S. Pershing  
Wichita, Kansas, 67218  
✓ Robert M. Beren, 573 N. Armour  
Wichita, Kansas, 67206  
✓ Theodore I. Leben, 1303 Charlotte,  
Wichita, Kansas, 67208

All of Gov. Lot 2, in the NW $\frac{1}{4}$  of Sec.  
7-27-2E

Wichita Methodist District Union  
Address unknown

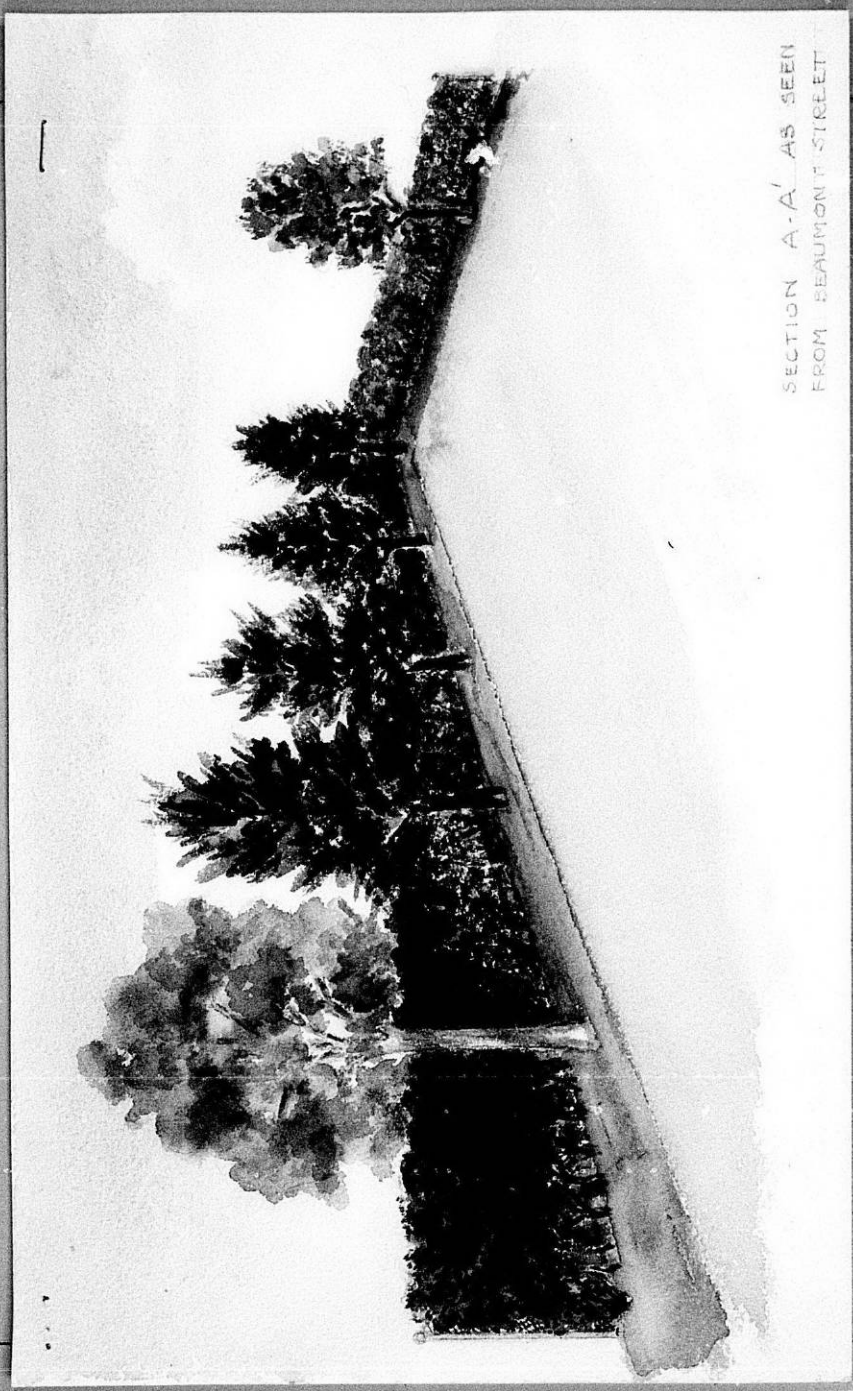
The Security Abstract and Title Company, Inc., hereby certifies  
the foregoing to be a true and correct list of property owners within a 200  
foot radius of the following property to-wit:

That part of Block 7, Second Addition to Crestview Heights, Wichita,  
Kansas, described as beginning at the Northeast corner of said Block 7,  
thence South 880.8 feet, thence West parallel with the North line of said  
Block 7, 310 feet, thence with an angle to the right of 54° 00' a distance  
of 490 feet, thence Westerly 255 feet more or less to a point 850 feet  
West and 440 feet South of the Northeast corner of said Block 7, thence  
North 440 feet, thence East 850 feet to the place of beginning.  
as shown by the last deeds on file in the Office of the Register of Deeds of  
Sedgwick County, Kansas, on this 15th day of May, 1969 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

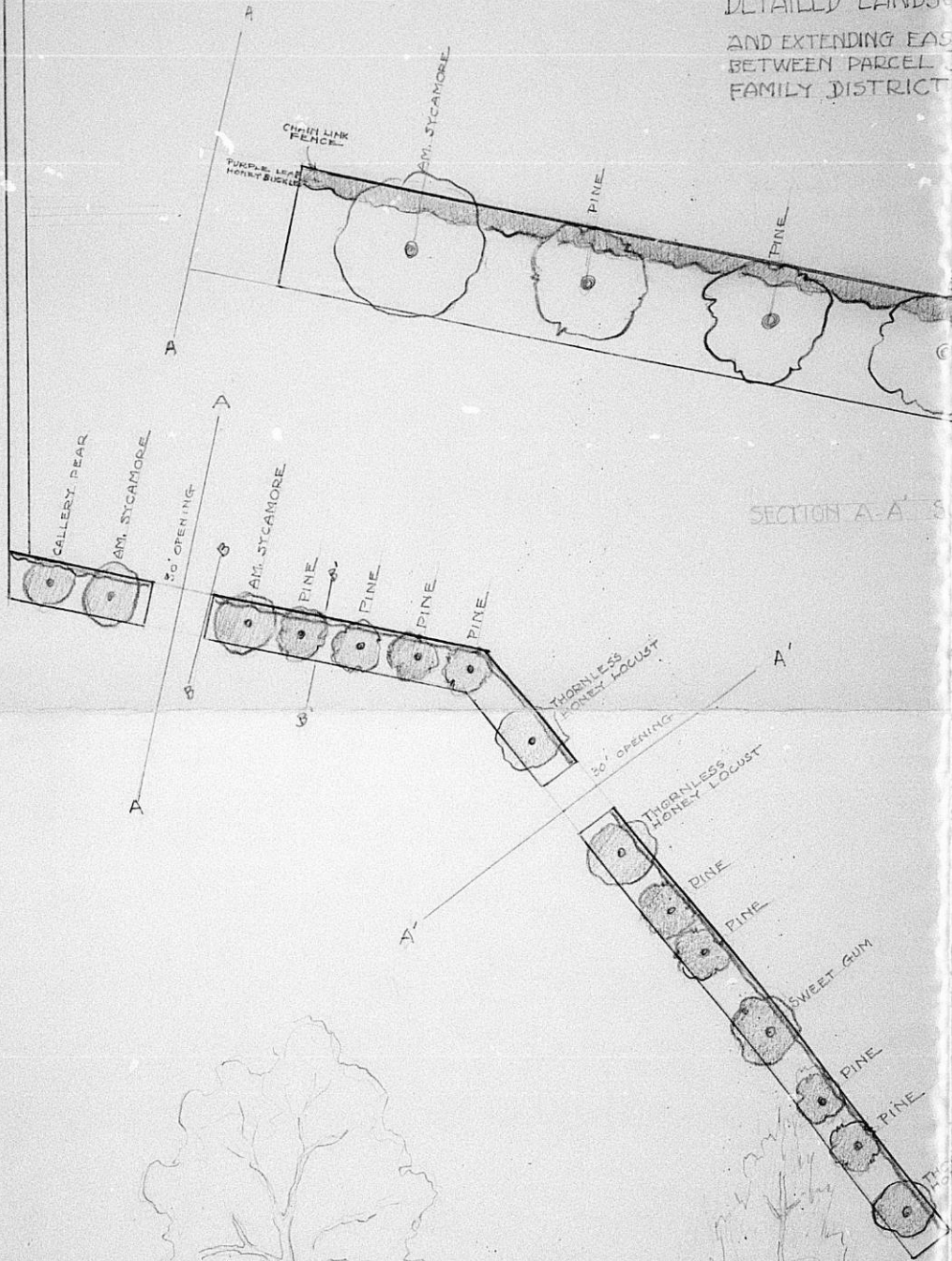
Vice-President



SECTION A-A' AS SEEN  
FROM SEAMON STREET

DETAILED LANDS  
AND EXTENDING EAST  
BETWEEN PARCEL  
FAMILY DISTRICT

BEAUMONT



SECTION A-A

ELEVATION SECTION B-B SCALE 1/4" = 1'

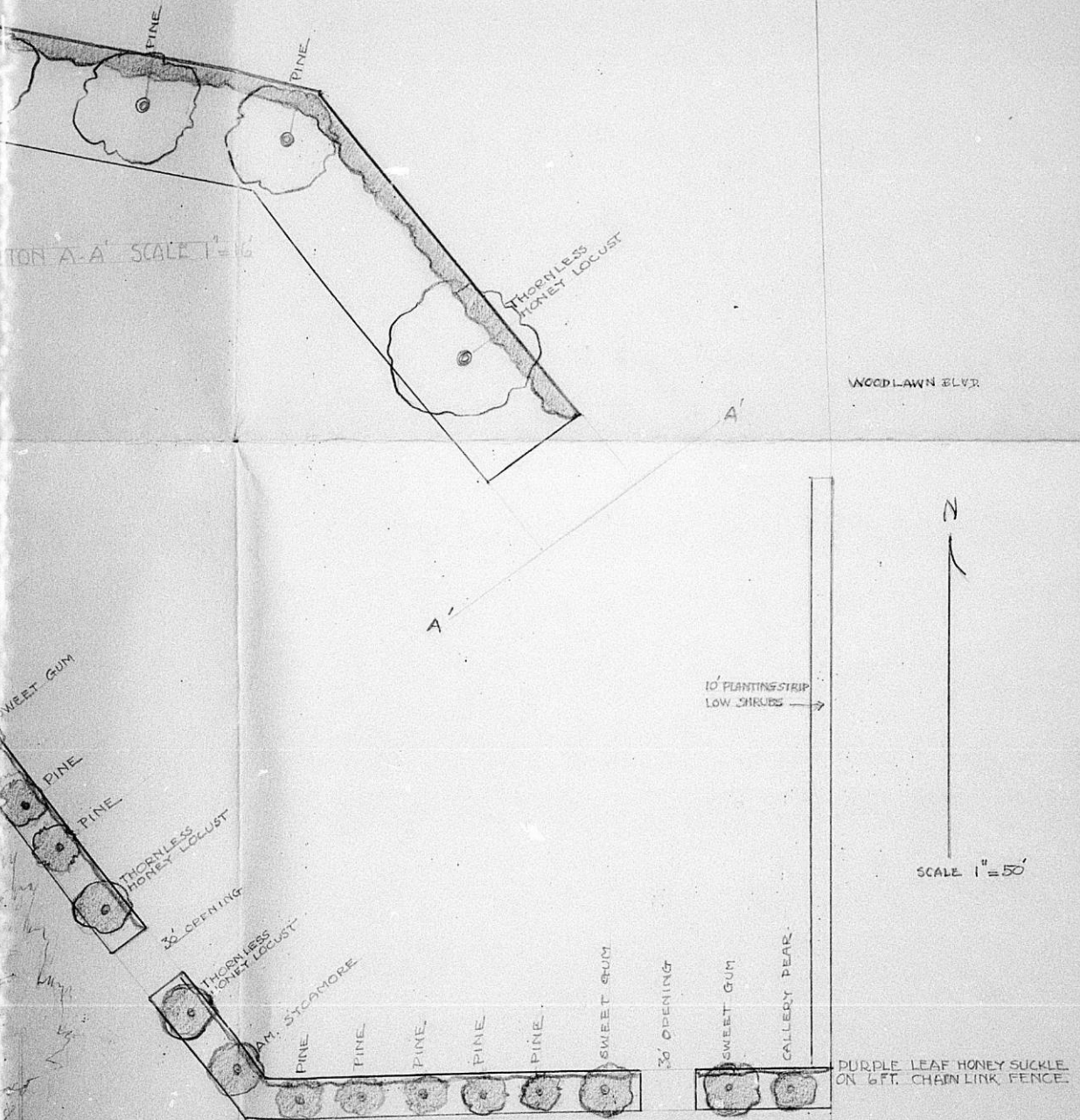
**LANDSCAPE SCREENING PLAN**  
**DP-35, WOMER'S CRESTVIEW VILLAGE C.U.P.**

*Approved by*  
**MAPD 7-22-69**  
*[Signature]*

PROPOSED LANDSCAPE SCREENING PLAN FOR AN AREA 20 FT. WIDE

EXTENDING EAST TO WEST BETWEEN WOODLAWN BLVD. AND BEAUMONT,  
ON PARCEL B ON THE NORTH AND THE PROPOSED "B" MULTIPLE  
DISTRICT TO THE SOUTH.

**SUPERSEDED**

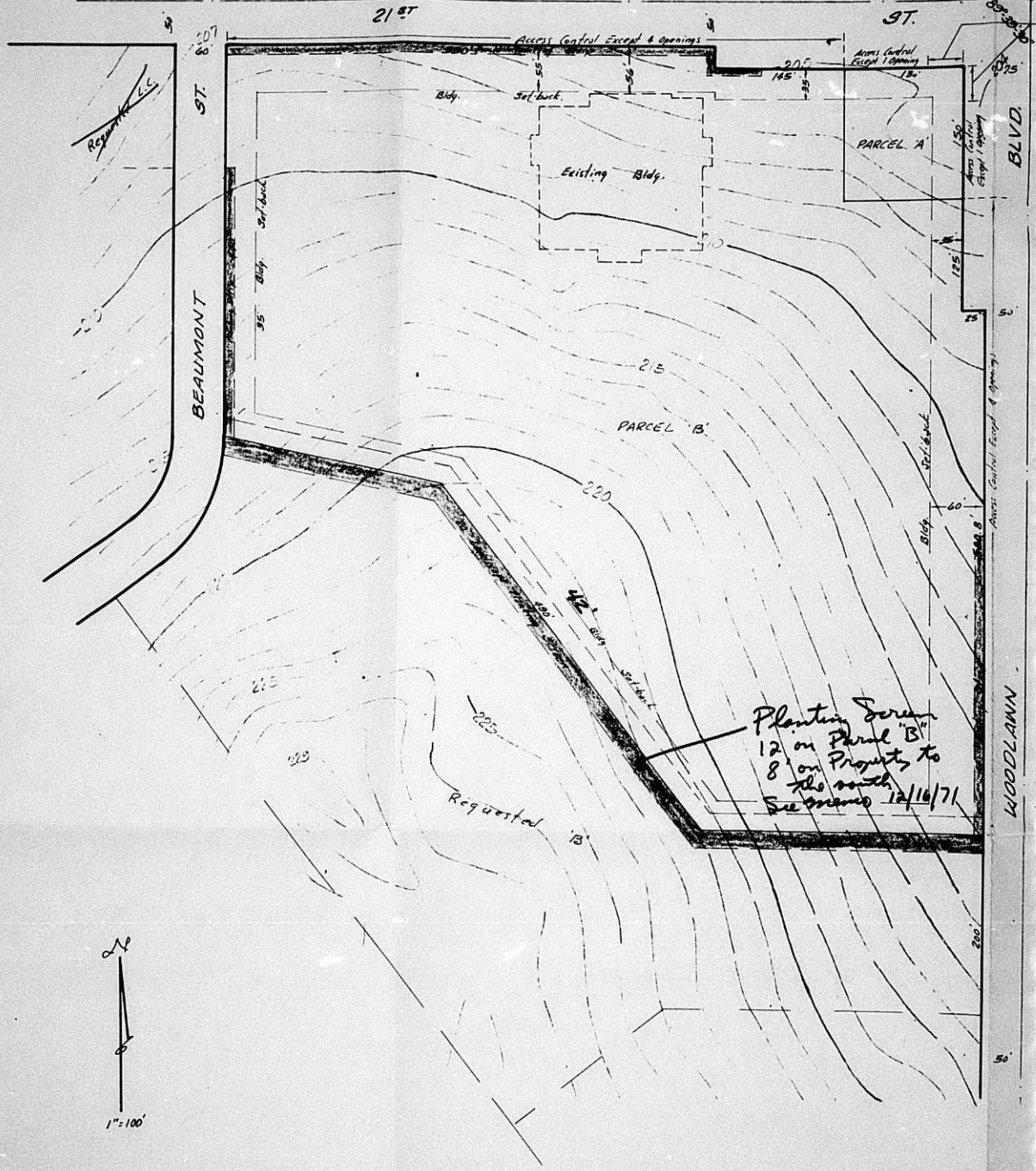


Mrs. Bartlett  
Bell Plaine, Kansas

A.A.

L.C.

N.E. Cor. NE 1/4 12-27-1E



Revised 1/6

ST. 8' 207  
BEAUMONT

21<sup>ST</sup>

ST.

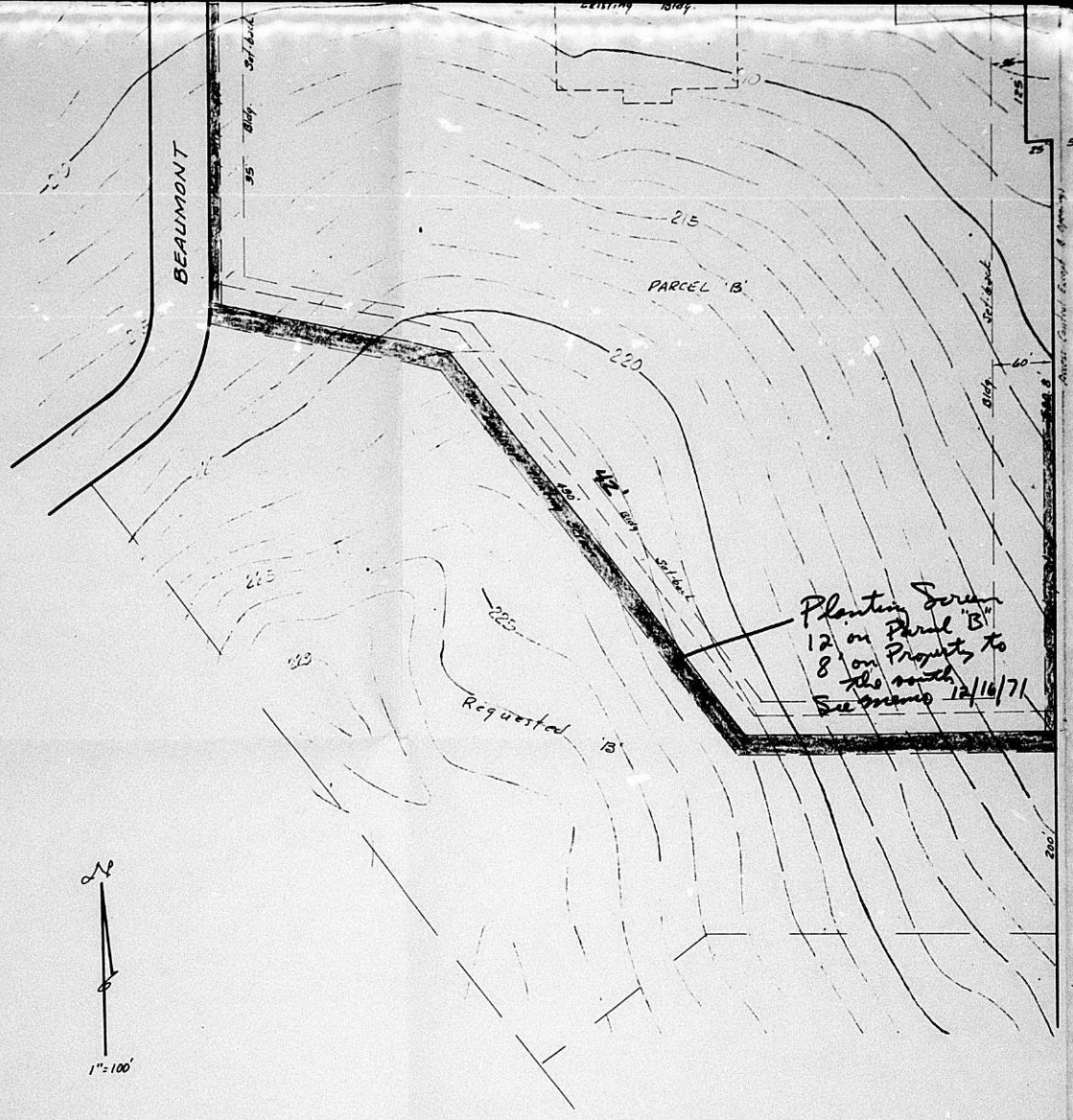
WOODLAWN BLVD.

Planting Screen  
12' on Parcel 'B'  
8' on Property to  
the south  
See memo 12/16/71

North Arrow  
1" = 100'

COMMUNITY UNIT PLAN





COMMUNITY UNIT PLAN

**WOMER'S CRESTVIEW VILLAGE**

WICHITA, SEDGWICK COUNTY, KANSAS.

40 Complete  
Access Control

BLVD.

50'

L.C.

R-1

WOODLAWN

50'

**PARCEL 'A'**

Net Land Area - 19,500 Sq. Ft. or 0.45 Acres

Maximum Building Coverage shall not exceed 30% of the net land area or 5,850 Sq. Ft.

Maximum Gross Leasable Floor Area - 8,775 Sq. Ft.

Maximum Building Heights - 35 Feet

Setbacks 35 feet from 21st Street  
35 feet from Woodlawn Blvd.

Curb Cuts 1 to 21st Street  
1 to Woodlawn Blvd.

Parking Ratio - as per zoning ordinance

Proposed Land Use - Any purpose authorized under present zoning ordinance, such as Service Station, etc.

**PARCEL 'B'**

Net Land Area - 574,410 Sq. Ft. or 13.18 Acres

Maximum Building Coverage shall not exceed 30% of the net land area or 172,323 Sq. Ft.

Maximum Gross Leasable Floor Area - 258,485 Sq. Ft.

Maximum Building Heights - 35 Feet

Setbacks 35 feet from Beaumont  
55 feet from 21st Street on the west 550 feet  
35 feet from 21st street on the east 145 feet  
35 feet from Woodlawn Blvd. on the north 125 feet  
60 feet from Woodlawn Blvd. on the south 580.8 feet  
35 feet from the southerly property line

Curb Cuts 3 to Beaumont  
4 to 21st Street  
4 to Woodlawn Blvd.

Parking Ratio - as per zoning ordinance

Proposed Land Use - Any purpose authorized under present zoning ordinance, such as shopping center uses, department store, grocery store, etc.

**GENERAL PROVISIONS**

Total Net Land Area - 593,910 Sq. Ft. or 13.63 Acres

Maximum Building Coverage shall not exceed 30% of the total net land area.

Sign Control - Advertising signs shall be permitted along 21st Street, Woodlawn Blvd. and the north 100 feet of Beaumont. All signs shall advertise only services, articles and products offered within the building located upon the premises whereon the sign is located. All signs shall not exceed 30 feet in height and shall not be placed so as to project over any public right-of-way. No billboards shall be permitted.

Screening - A planting strip no less than 10 feet in width, consisting of low shrubbery, shall be provided for along Beaumont, except the north 140 feet thereof, along 21st Street, except the east 225 feet thereof, along Woodlawn Blvd., except the north 525 feet thereof, as indicated on the plan.

The applicant shall submit a detailed landscape screening plan for an area 20 feet in width lying between Parcel B and the proposed "B" Multiple Family District to the south, for approval by the Planning Department. Subject planting screen shall be planted during the first season following the issuance of a building permit on the "B" Multiple Family District.

*Landscape Plan  
Approved on 12/2/50  
J.H.D.*

Curb Cuts as indicated on the plan and further defined as:  
Maximum number allowed to Beaumont 3 points  
Maximum number allowed to 21st Street 5 points  
Maximum number allowed to Woodlawn Blvd. 5 points

Canopies may extend into, and gasoline pumps may be placed in the 35 foot setback on Parcel 'A', a distance not to exceed 20 feet.

The transfer of title of all or any portion of the land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

100 Woodlawn Blvd.  
Parking Ratio - as per zoning ordinance

Proposed Land Use - Any purpose authorized under present zoning ordinance, such as Service Station, etc.

PARCEL 'B'

Net Land Area - 574,410 Sq. Ft. or 13.18 Acres

Maximum Building Coverage shall not exceed 30% of the net land area or 172,323 Sq. Ft.

Maximum Gross Leasable Floor Area - 258,485 Sq. Ft.

Maximum Building Heights - 35 Feet

Setbacks  
35 feet from Beaumont  
55 feet from 21st Street on the west 550 feet  
35 feet from 21st Street on the east 145 feet  
35 feet from Woodlawn Blvd. on the north 125 feet  
60 feet from Woodlawn Blvd. on the south 580.8 feet  
35 feet from the southerly property line

Curb Cuts  
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4 to 21st Street  
4 to Woodlawn Blvd.

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The transfer of title of all or any portion of the land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

*Landscape Plan  
Approved on 12/23/69  
J.H.D.*

DP-35

**APPROVED CUP**

MAP 6-26-69 J.H.D.  
BCC 7-15-69

Baughman Co. 5-27-69

Revised 7-1-69

\*

This DP File  
Has a Large Drawing  
On 35mm Microfilm.  
Roll #1

\*