

6-18-81

M.A.P.C. *Spokane*  
*Admission*

B.C.C./B.CO.C. *Spokane*  
*Admission*

DP-62 - CHELSEA 55140N C.U.P.  
AMENDED FILE #5 - Southwest cor-  
ner of 21st Street North and Rock  
Road

POSTED  
5-18-81  
CH

# ACTION

COMMITTEE	DATE
M.A.P.C. <i>Approved subject to conditions</i>	<u>6-18-81</u>
B.C.C./B. CO. C. <i>Approved as recommended</i>	<u>7-14-81</u>

DP-62 - CHRISTIA HERRICK C.O.P.  
ADDRESS FILE 45 - Southwest cor-  
ner of 1st Street North and Wood  
Road

Map No. 5949A  
Sec. \_\_\_\_\_  
Twp. \_\_\_\_\_  
Range \_\_\_\_\_

DATA SHEET  
COMMUNITY UNIT PLAN

AMENDED FILE #5  
DP - 62  
Filed 5-8-81

Associated  
Case: \_\_\_\_\_

APPLICATION REQUEST: Approval of proposed Amendment  
CHELSEA STATION C.U.P.  
(Residential)(Commercial) Community Unit Plan.

1. Applicant Sheffield Company - Martin K. Eby Const. Co., Inc. et al  
Address Att: James R. Grier III - 610 N. Main, 67202 Phone 268-3500
2. Agent Bill G. Yung Design  
Address 8225 E. 35th North, 67226 Phone 683-5567
3. General Location: Southwest corner of 21st St. North and Rock Road  
Address \_\_\_\_\_
4. Proposed Use: \_\_\_\_\_

AREA DATA:

1. Acres: 157.56 ( 2610 ft. by 2610 ft.)
2. Existing Zoning "R-5" "BB" & "LC" Proposed Zoning \_\_\_\_\_
3. Area (is) (is not) platted. \_\_\_\_\_ Addition

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date	Action
6-18-81	Approved sub to conditions

2. Governing Body

Date	Action
7-14-81	Approved & recommended

NOTES:

CASE FILE

LOS ANGELES COUNTY  
REGISTERED PROFESSIONAL  
PLANNERS  
14000 BROADWAY, SUITE 200  
LOS ANGELES, CALIFORNIA 90044  
U.S.A.

SM  
No. 2153C

Map No. 5949A  
 Sec. \_\_\_\_\_  
 Twp. \_\_\_\_\_  
 Range \_\_\_\_\_

DATA SHEET  
 COMMUNITY UNIT PLAN

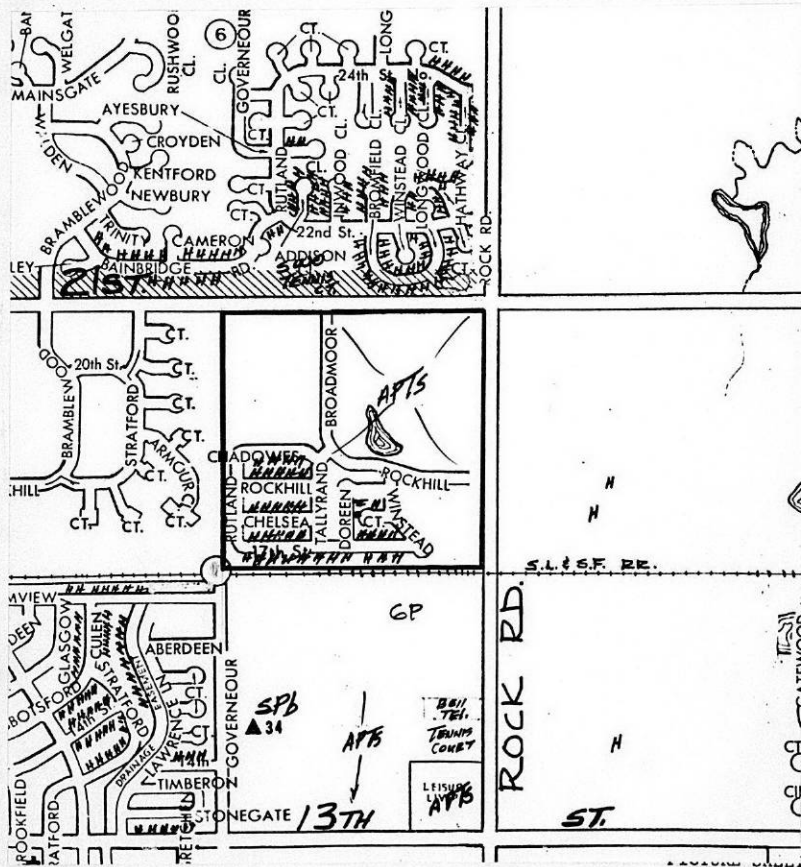
AMENDED FILE #5  
 DP - 62  
 Filed 5-8-81  
 Associated Case: \_\_\_\_\_

APPLICATION REQUEST: Approval of proposed Amendment  
CHELSEA STATION C.U.P.  
 (Residential)(Commercial) Community Unit Plan.

- Applicant Sheffield Company - Martin K. Eby Const. Co., Inc., et al  
 Address Att: James R. Grier, III - 610 N. Main, 67202 Phone 268-3500
- Agent Bill G. Yung Design  
 Address 8225 E. 35th North, 67226 Phone 683-5567
- General Location: Southwest corner of 21st St. North and Rock Road.  
 Address \_\_\_\_\_
- Proposed Use: \_\_\_\_\_

- AREA DATA:
- Acres: 157.56 ( 2610 ft. by 2610 ft.)
  - Existing Zoning: "R-5", "BB" & "LC"
  - Land Use: East UNDEVELOPED South S.L. & S.F. RR - SAVED STREETS  
 West \_\_\_\_\_ North SINGLE FARM
  - Sketch Plan Land Use is for: \_\_\_\_\_
  - Present Land Use is for: SINGLE & MULTI FARM
  - Area (is) (is not) platted. DP-62 #5

PHOTO DATA:  
 Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_





EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 18, 1981

5. Case No. DP-62 - Sheffield Company - Martin K. Eby Construction Company, Inc., et al request amendment to the Chelsea Station Commercial and Residential Community Unit Plan for all of Chelsea North Addition, all of Brad Boone Addition, all of Chelsea Estates Addition, all of Sheffield Place Addition, all of Lisa Cole Addition and all of E. E. Jabes Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Rock Road and 21st Street North.

GALBRAITH pointed out land use, zoning, and showed slides of the general area. He reviewed the following staff report:

COMMENTS:

The following should be considered by the Planning Commission in making findings of fact:

1. In accordance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted proposing amendments to Parcel 11 of the approved Chelsea Station Residential and Commercial CUP, located at the southwest corner of 21st Street North and Rock Road. Parcel 11 is on the west side of Broadmoor approximately 630 feet south of 21st Street North. The amended development plan shows an increase in density from 8.5 du/acre (134 units) to 13.5 du/acre (190 units). The proposed use of townhouses, having two to eight attached units has not been changed.
2. Staff is generally supportive of the proposed amendment. One item that the Planning Commission may wish to consider is the need for a screening fence or landscaping along the south boundary of Parcel 11. It may be appropriate to buffer the existing and future single-family housing to the south from this higher density residential development.
3. Should the Planning Commission determine that the proposed amendments to the CUP are appropriate, the following are recommended conditions of approval:
  - a. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
  - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
  - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
  - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.

GALBRAITH stated that this parcel had been previously approved for townhouses. There are new owners now involved, and they desire to have the density increased from the previously approved 3.5 dwelling units per acre to 13.5. GALBRAITH said that CPO Council Area "I" voted 6-0 to deny the request. They stated that the increase in density as being the main concern they have. Staff is in support of the amendment, maintaining that the 13.5 units per acre is a logical townhouse density, and recommended approval subject to staff comments.

GARDNER returned to the meeting.

BOB FOX, Landmark Communities, stated that this project would be a joint venture between his company and the Center City Corporation. He said that these dwellings would be owner-occupied. It is not to be a rental project and they have no plans for a rental project. He said that as far as he knows this is the only residential development within northeast Wichita that will qualify young families and young home buyers in the \$20,000 income range. He felt the development would upgrade and enhance the neighborhood. FOX added that they checked with virtually all of the adjacent neighbors and had received no objections except from one family. He showed slides of the plan.

HUNG-YREAM TU, 1955 Tallyrand, speaking in opposition, said that he objected to this amendment because the area has been surrounded by apartments. He was concerned about the density of this development.

JONES said that for the future guidance of Mr. Tu that he should not believe anything that a real estate person says. He said that a recent survey showed that they are even lower in credibility than politicians and automobile salesmen. Although this problem is not new it has come up again and again. He said that the Commission could not give any assurance that a piece of ground would be zoned the same from now on, nor any assurance that community unit plan would not change.

BILL YUNG, Land Planner for this project, pointed out that only 15 percent of the total ground area would be covered by buildings, and in a normal procedure the builder is allowed 30 percent. The parking area represents another 30 percent, so there is a total of 45 percent of the total area covered with parking or buildings, leaving 55 percent of the area in grass and trees which is very similar to the single family areas in this part of the city.

GARDNER commented that one of the recommendations of staff was the consideration of a fence or screening to the south. He asked if Mr. Fox had any comments regarding that specifically or whether or not he would prefer it being included.

FOX said that he had no problem with that. As a matter of fact there was an existing screen there now that might be acceptable.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the residential character of the neighborhood; the apartments to the east; the single family houses to the south; the suitability of the subject property for development with townhouses; and considering the recommendation of approval by staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
- c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.

Jones moved, Bayouth seconded and it carried unanimously. Hansen was absent.

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June 19, 1981

Bob Fox  
Landmark Communities  
2471 Hathway Circle  
Wichita, Kansas 67226

Re: DF-62 - Amendment No. 3 to  
Chelsea Station C.U.P.  
Southwest corner of 21st  
Street North & Rock Road

Dear Mr. Yung:

At its regular meeting on June 18, 1981, the Metropolitan Area Planning Commission considered the above-captioned case. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
- c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.

Page 2

You will need to submit 10 corrected copies of the C.U.P. to our office by Thursday, July 2, 1981 so that subject case can be scheduled for consideration by the City Commission at its regular meeting of July 14, 1981. This meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG:sad

cc: Sheffield Company, Martin K. Eby Const. Co. Inc., Attn. James R. Grier III,  
610 North Main, Wichita 67202  
Bill G. Yung Design, 8225 East 35th North, Wichita 67226  
Keith Parker, 230 Pattie, Suite 2, Wichita 67211  
Hung-Yrean Tu, 1955 Tallyrand, Wichita 67206

WICHITA-SEBASTIAN COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

HAPC HEARING DATE: 6/18/81

Case No. DP-62 Request: Approval of Amendment No. 5 to the  
Chelsea Station Residential and  
Commercial CUP.

Location: Southwest corner of 21st Street North and Rock Road

Reason: To increase the density on Parcel 11.

Acres: 157.56 Size: 2,640 feet X 2,640 feet

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped, single-family and apartments	"R-5", "BB" & "IC"
North	Single-family	"AA"
East	Undeveloped	"R-1" & "IC"
South	Coleman School & undeveloped	"AA" & "R-1"
West	Undeveloped	"AA" & "R-5"

Platted: Yes

History:

Z-1592	"7A" to "BB", "R-5" & "IC"	1-10-74 HAPC Approve
		1-29-74 BCC Approve
DP-62		1-10-74 HAPC Approve
		1-29-74 BCC Approve
Z-2239	"R-5" to "BB"	5-08-80 HAPC Approve
		6-03-80 BCC Approve
DP-62	Amendment	5-03-80 HAPC Approve in part
		6-03-80 BCC Approve as recommended
DP-62	Amendment	11-20-80 HAPC Defer to 1-29-81
		Withdrawn by applicant
DP-62	Amendment	12-29-80 HAPC Approve
		1-27-81 BCC Approve

COMMENTS

The following should be considered by the Planning Commission in making findings of fact:

1. In accordance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted proposing amendments to Parcel 11 of the approved Chelsea Station Residential and Commercial CUP, located at the southwest corner of 21st Street North and Rock Road. Parcel 11 is on the west side of Broadmoor approximately 630 feet south of 21st Street North. The amended development plan shows an increase in density from 3.5 du/acre (134 units) to 13.5 du/acre (190 units). The proposed use of townhouses, having two to eight attached units, has not been changed.
2. Staff is generally supportive of the proposed amendment. One item that the Planning Commission may wish to consider is the need for a screening fence or landscaping along the south boundary of Parcel 11. It may be appropriate to buffer the existing and future single-family housing to the south from this higher density residential development.

3. Should the Planning Commission determine that the proposed amendments to the CUP are appropriate, the following are recommended conditions of approval:
- a. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
  - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
  - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
  - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.

THE CITY OF WICHITA  
OFFICE OF CITIZEN PARTICIPATION

DATE June 17, 1981

TO Jack Galbraith, Chief Planner, Current Plans

FROM Dean Kruthof, Administrative Aide III

SUBJECT DP-62, Southwest Corner of Rock  
Road and 21st Street North

At its June 16th meeting, Area "I" CPO Council considered the proposed amendments to the Chelsea Station CUP which would increase the maximum number of dwelling units per acre on Parcel 11 from 8.5 to 13.5, and would increase the maximum number of dwelling units from 134 to 190. Elton Parsons was present representing the applicant. One area resident was present in opposition to the amendments.

The Council voted unanimously, 6-0, to recommend denial of the proposed amendments. The Council stated that the parcel should be developed at the original density and that a density increase would be inappropriate and would adversely affect the single family housing development to the south of Parcel 11.

Please inform the MAPC of the Council's recommendation when this case is heard by them on June 18th. Thank you.

  
Dean Kruthof  
Administrative Aide III

DK:dm

Noted:

  
Sarah Gilbert  
CP Coordinator

May 11, 1981

Paul Graves, Chief Engineer  
Mike Lindebak, Program Development Engineer  
Robert B. Feldner, Superintendent of Central Inspection

Arthur D. Chambers, Senior Planner

DP-62 - Chelsea Station (Amended File #5)  
Generally located at the southwest corner of  
21st Street North and Rock Road.

A copy of a proposed amendment to the above referenced C.U.P. is attached for your review and comment. This amendment involves an increase in density from 8.5 du/acre to 13.5 du/acre for Parcel 11. Parcels 12 and 13 are currently being amended by Keith Parker, agent for Al Caro, and these plans show those proposed changes. This amendment by Bill Yung proposes changes only to Parcel 11.

We would appreciate any comments you might have concerning the proposed changes to Parcel 11 by Tuesday, May 19, 1981.

If you have any questions, please call.

Arthur D. Chambers, AICP  
Senior Planner

ADC:el

Attachment

DP-62  
Amended File #5 - 239 - Notice to Adjoining Property Owners mailed  
6-4-81 for the MAPC meeting for 6-18-81.

1 Including map - to CPO Office  
1 " " to "NEIGHBORS"

---

241 total

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

June 4, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, June 18, 1981, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for amendment to the CHELSEA STATION COMMERCIAL AND RESIDENTIAL COMMUNITY UNIT PLAN, for property legally described as follows:

DP-62 - All of Chelsea North Addition, all of Brad Boone Addition, all of Chelsea Estates Addition, all of Sheffield Place Addition, all of Lisa Cole Addition and all of E. E. Jabes Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Rock Road and 21st Street North.

The Development Plan of this area, originally approved on January 29, 1974 and amended on June 30, 1980 and January 27, 1981, has been resubmitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes the following amendments to Parcel 11 of the approved plan. Increasing the density from 8.5 dwelling units per acre to 13.5 dwelling units per acre for Parcel 11. The maximum number of dwelling units would increase from 134 to 190. Parcel 11 is the only parcel being amended and is located on the west side of Broadmoor, approximately 800 feet south of 21st Street.

The hearing of the proposed amendments to this Development Plan, as provided in Section 28.04.190 of the City Zoning Ordinance of the City of Wichita, is to be held and the same will there be discussed and considered by said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and ECC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin  
Secretary

DP-62  
Chelsea Estates  
map  
5949A  
amended file #5

CHELESA STATION  
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, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.
  - a. Applicant Sheffield Company - Martin K Eby Const. Co. Inc.  
 Address Attn. James R. Crier III Phone 268-3500  
610 NORTH MAIN, WICHITA, KANSAS 67202  
 Agent Landmark Communities  
 Address 2471 Hathway, Wichita, Kansas 67226 Phone 686-7451
  - b. Applicant \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Agent Bill G. Yung Design  
 Address 8225 E 35th North, Wichita, Ks. 67226 Phone 683-5567
  - c. Applicant \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Agent \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_

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

2. a. The applicant hereby requests Community Unit Plan approval on property zoned HS, LC, BB and legally described as Lot(s) NA Block(s) NA, Addition NA.

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

~~NA Sec. 7 T273 R2E~~

NA  
SR-1 & C  
E-RS use  
WARRANT legal

All of Chelsea North addn, all of Brad Boone addn, all of Chelsea Estates addn, all of Lisa Cole addn, and all of E.E. Jabee addn, Wichita, Sedgwick County, Kansas.

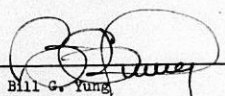
2. b. There are 157.56 acres (round to nearest tenth) in the above described property.

3. The general location is (use appropriate section)

a. at the Southwest corner of 21st Street North  
and Rock Road; or

b. on the NA side of NA (Avenue,  
Street) between NA (Avenue, Street) and  
NA (Avenue, Street).

4. 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 Bill C. Fung  
Authorized Agent (if any)

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

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

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

5. OFFICE USE ONLY

This application was received at the Planning Department at \_\_\_\_\_  
(AM, PM) on \_\_\_\_\_ (Day, Month, Year). It has been  
checked and found to be complete and accompanied by required documents and  
the appropriate fee of \$ \_\_\_\_\_.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Art Chambers;  
6-1-81

She has only  
the typing  
of the last  
 $\frac{1}{4}$  of the list  
to do.



ORDER NO.: 29912

ATT: ART CHAMBERS

In Re: Ownership List  
Chelsea Stations  
(ordered by  
Bill Yung --  
Landmark)

RUSH RUSH RUSH RUSH

(Enclosing a portion of  
the 1000 foot radius for  
Bill Yung -- will finish  
the rest of the list this  
afternoon. Thought you  
could get started on the  
completed portion.

SECURITY ABSTRACT AND TITLE CO., INC. Ardy

434 North Main • Wichita, Kansas 67202 • Telephone (316) 267-8371  
SECURITY IS KNOWING

FOR 9-021 PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
NAME	
ADDRESS	
FUND	DUE DATE
COMMENTS	
DATE	BY

\*

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

Roll # 1

\*