

DP-62 - At the ~~south~~ corner
of Rock Road and 21st Street North
E. E. Jabes by John Arnold

ACTION

DATE

COMMITTEE _____

M.A.P.C. Approved July 1-10-74
AS Condo,

~~B.C.C./B.C.C.~~ Approved 1-29-74

Map No. 5949
Sec. 7
Twp. 27S
Range 2E

DATA SHEET
COMMUNITY UNIT PLAN

DP 62
%-
Filed 11-19-73

APPLICATION REQUEST: Approval of proposed planned commercial & residential development.

1. Applicant F. E. Jabes
Address RFD #1 Derby, Ks. Phone 776-2488
2. Agent John Arnold
Address 525 Sutton Place Bldg., 67202 Phone 263-7242
3. General Location At the Southwest corner of Rock Road and 21st Street North Address _____
4. Proposed Use Residential and commercial development

AREA DATA

1. Acres _____ (_____ ft. by _____ 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	Action
<u>1-10-74</u>	<u>Approved. subj. to cond.</u>
_____	_____
_____	_____

2. Governing Body - BCC

Date	Action
<u>1-29-74</u>	<u>Approved</u>
_____	_____
_____	_____

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
S.D. ... Q.O. ... M.
APR 26 1979
4 36249

HW 361 857

Original Compared
With Record

RESTRICTIVE COVENANT

Pat K. ...
THIS RESTRICTIVE COVENANT, made as of this 25th day of April, 1979, by SUNDANCE ASSOCIATES, LTD. (hereinafter "Sundance"), a limited partnership which owns the following-described real property situate in Sedgwick County, Kansas, to-wit:

Lots Three (3) and Four (4), Block One (1),
E. E. Jabes Addition to Wichita, Kansas.

RECITALS

As indicated above, Sundance owns the above-described real property (hereinafter the "Parcels"); and Sundance desires to establish by covenant that the ownership of the Parcels may not be divided.

NOW THEREFORE, for and in consideration of the premises, and in consideration of \$1.00 and other good and valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, Sundance does hereby stipulate and declare and covenant with the City of Wichita, Kansas, that the title to the Parcels shall not be divided into more than one ownership.

In connection with the foregoing covenant it is stipulated that the covenant is not intended to prohibit the ownership by more than one person of undivided interests in all of the premises but rather the intention is, regardless of the number of owners of the Parcels, that all persons owning an interest in any portion of the Parcels shall own the same interest in all other portions of the Parcels.

The foregoing covenant shall be binding upon and shall inure to the benefit of Sundance and all subsequent owners of the Parcels and shall inure to the benefit of the said City of Wichita. Said covenant shall be in effect for a period of twenty-five (25) years from the date hereof. This covenant may be enforced

600

Ferd Evans
200 W. Douglas
Suite 430

by injunction petitioned by any owner of any interest in the
Parcels or by the City of Wichita.

IN WITNESS WHEREOF, Sundance has executed this instrument
as of the date and year first above written.

SUNDANCE ASSOCIATES, LTD., a Kansas
limited partnership, by a General Partner:

Craig E. Stough
Craig E. Stough

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

The foregoing instrument was acknowledged before me this
25th day of April, 1979, by Craig E. Stough, as a General Partner
of SUNDANCE ASSOCIATES, LTD., a Kansas limited partnership, on
behalf of said limited partnership.

Susan B. Cromwell
Susan B. Cromwell Notary Public



October 18, 1979

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-62 - Chelsea Station C.U.P. - Request for Administrative Interpretation as to Requirements for Screening Wall and Landscaping on Parcel 2.

You are in receipt of a letter and site plan for an office building from Ron Spangenberg, representing Robson, Kuhnel and Spangenberg, requesting administrative permission to construct only 400 feet of the screening wall required on Parcel 2 by the provisions of the above captioned C.U.P. In addition, Mr. Spangenberg is requesting permission to design and plant only that portion of the landscaping along the portion of Parcel 2 being developed at this time.

After reviewing the requests and the submitted site plan, it is my opinion that these requests do not substantially affect the intent of the plan. However, I feel that if additional similar requests are received and approved, the intent of the plan would be significantly affected by allowing piecemeal development. One of the benefits for developing under C.U.P. provisions is the flexibility gained by the developer, while the City also benefits by receiving a plan that gives some assurances of land use, screening and development. Therefore, I feel that in granting this request, it should be made clear that we will not look with favor on similar requests for Parcel 2 in the future.

If the owners of Parcel 2 feel that the most economical means of developing the parcel is on a building by building basis, and desire to construct the screening wall and landscape as the buildings are constructed, they should amend the C.U.P. to allow that type of development. This would relieve the owners of requesting an administrative interpretation each time they wished to construct one building.

In regard to the waiver of the landscape plan for the balance of Parcel 2, Mr. Spangenberg stated that they wished to delay the design of the landscape plan until more is known about future development and where access points will be located. I do not feel that the location of the second opening on Rock

Page Two
Robert B. Feldner
October 18, 1979

Road and the locations of the two openings on 21st Street would create a major problem in completing the landscape plan. Therefore, I feel that no additional building permits should be issued for Parcel 2 until a landscape plan has been submitted and approved for the remaining area.

Upon your review of this memorandum, your signature will indicate that you concur that: 1. this request is within the intent and purpose of the original C.U.P. provisions; 2. similar administrative interpretation requests will not be looked upon favorably; and 3. an approved landscape plan shall be required prior to the issuance of any additional building permits on Parcel 2. A landscape plan for the area covered by the request shall be submitted to the Planning Department for review and approval prior to the issuance of a building permit on the portion of Parcel 2 shown on the submitted site plan.

APPROVED:


Robert A. Lakin, Director of Planning

APPROVED:

RBF signed 10/17/79 RAC
Robert B. Feldner, Superintendent of
Central Inspection

RAL:AC:e1

cc: Ron Spangenberg, 7701 East Kellogg, Wichita, Ks. 67207

JK
Curt

THE CITY OF WICHITA

OFFICE OF DEPARTMENT OF LAW

DATE May 2, 1979

TO Curtis Newby, Junior Planner

FROM Thomas R. Powell, Assistant City Attorney

SUBJECT Parcels 9 and 10 of
DP-62, Chelsea Station CUP

I have reviewed the attached Restrictive Covenant and from that review I have concluded that the covenant is legally binding and is in acceptable legal form.

Thomas R. Powell

Thomas R. Powell
Assistant City Attorney

TRP:cdh

cc: Robert A. Lakin, Director of Planning



RESTRICTIVE COVENANT

THIS RESTRICTIVE COVENANT, made as of this ____ day of April, 1979, by SUNDANCE ASSOCIATES, LTD. (hereinafter "Sundance"), a limited partnership which owns the following-described real property situate in Sedgwick County, Kansas, to-wit:

Lots Three (3) and Four (4), Block One (1),
E. E. Jabes Addition to Wichita, Kansas.

RECITALS

As indicated above, Sundance owns the above-described real property (hereinafter the "Parcels"); and Sundance desires to establish by covenant that the ownership of the Parcels may not be divided.

NOW THEREFORE, for and in consideration of the premises, and in consideration of \$1.00 and other good and valuable considerations, the receipt and sufficiency whereof are hereby acknowledged, Sundance does hereby stipulate and declare and covenant with the City of Wichita, Kansas, that the title to the Parcels shall not be divided into more than one ownership.

In connection with the foregoing covenant it is stipulated that the covenant is not intended to prohibit the ownership by more than one person of undivided interests in all of the premises but rather the intention is, regardless of the number of owners of the Parcels, that all persons owning an interest in any portion of the Parcels shall own the same interest in all other portions of the Parcels.

The foregoing covenant shall be binding upon and shall inure to the benefit of Sundance and all subsequent owners of the Parcels and shall inure to the benefit of the said City of Wichita. Said covenant shall be in effect for a period of twenty-five (25) years from the date hereof. This covenant may be enforced

by injunction petitioned by any owner of any interest in the
Parcels or by the City of Wichita.

IN WITNESS WHEREOF, Sundance has executed this instrument
as of the date and year first above written.

SUNDANCE ASSOCIATES, LTD., a Kansas
limited partnership, by a General Partner:

Craig E. Stough

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

The foregoing instrument was acknowledged before me this
____ day of April, 1979, by Craig E. Stough, as a General Partner
of SUNDANCE ASSOCIATES, LTD., a Kansas limited partnership, on
behalf of said limited partnership.

Notary Public

My commission expires:

LAW OFFICES OF
MORRIS, LAING, EVANS, BROCK & KENNEDY
CHARTERED

VERNE H. LAING
FERD E. EVANS, JR.
RALPH R. BROCK
JOSEPH W. KENNEDY
ROBERT I. QUENTHNER
DAVID C. ADAMS
KEN M. PETERSON
RICHARD D. GREENE
A. J. SCHWARTZ, JR.
DONALD E. SCHRAG

SUITE 430
200 WEST DOUGLAS
WICHITA, KANSAS 67202
(316) 262-2671

LESTER L. MORRIS
1901-1966
OLIVER A. WITTMAN
OF COUNSEL

April 19, 1979



Mr. Robert A. Lakin
Director of Planning
City of Wichita
City Building
455 North Main
Wichita, Kansas 67202

Re: Parcels 9 and 10 of DP-62, Chelsea Station CUP

Dear Bob:

Enclosed is a copy of proposed Restrictive Covenant which I have drafted following our telephone conversation this afternoon.

Under cover of copies of this letter I am sending copies of the enclosure to Messrs. Feldner and Dekker. Under cover of another copy of this letter I am sending the original to Craig Stough in the Hardesty office in Tulsa, so that he will be in a position to cause the instrument to be executed and recorded just as soon as we receive the word that this text will satisfy the requirement for the issuance of the building permit requested on behalf of the landowner.

Anything you can do to expedite this matter will be greatly appreciated, as the landowner desires to commence construction just as soon as possible. Thanks.

Very truly yours,

Ferd E. Evans, Jr.

FEE:IL
Enc.

cc: Mr. Robert B. Feldner,
Spt. of Central Inspection
Mr. John Dekker, Law Dept.
Mr. Craig E. Stough

*Note: 5-1-79, Tom Powell
City attorney's office approval
of Covenant on 5 form.
CLH*

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RECITALS

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The foregoing covenant shall be binding upon and shall inure to the benefit of Sundance and all subsequent owners of the Parcels and shall inure to the benefit of the said City of Wichita. Said covenant shall be in effect for a period of twenty-five (25) years from the date hereof. This covenant may be enforced

by injunction petitioned by any owner of any interest in the
Parcels or by the City of Wichita.

IN WITNESS WHEREOF, Sundance has executed this instrument
as of the date and year first above written.

SUNDANCE ASSOCIATES, LTD., a Kansas
limited partnership, by a General Partner:

Craig E. Stough

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

The foregoing instrument was acknowledged before me this
____ day of April, 1979, by Craig E. Stough, as a General Partner
of SUNDANCE ASSOCIATES, LTD., a Kansas limited partnership, on
behalf of said limited partnership.

Notary Public

My commission expires:

WICHITA-SEDGWICK COUNTY

DATE

January 25, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert B. Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning
SUBJECT Request for Administrative Adjustment on
Parcels 9 and 10 of DP-62, Chelsea Station C.U.P.

Attached is a copy of a proposed site plan and a letter from Mr. Fred Chadsey, a Tulsa architect, requesting an administrative adjustment to increase the number of permitted units on Parcels 9 and 10, Chelsea Station C.U.P. from a total of 491 units to 496 units. The request is made because of the developer's desire to develop in 8 unit modules.

In reviewing the request, I have noted that previous administrative adjustments on Parcels 4 and 5 of DP-62 have resulted in single family plats being submitted on those parcels which reduces the potential number of dwelling units on Parcels 4 and 5 from 431 units to 127, or a net reduction of 304 units below that approved on the C.U.P. Given this situation, it is my feeling that a slight increase of five units on two other parcels is in keeping with the spirit and intent of the approved Community Unit Plan.

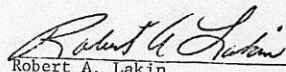
The only problem which we have is that, by clustering the units as is proposed on the site plan and leaving a 7 acre open space tract, we might well be faced with requests for additional units on the "open space" tract by a different owner in the future. Should the two parcels become separated in ownership in the future, Parcel 10 would be developed at 30 dwelling units to the acre which would be a violation of both the C.U.P. (which permits a maximum density of 20 dwelling units per acre) and the "R-6" General Residence District (which permits 29 dwelling units per acre). However, Mr. Chadsey states in his letter that the two parcels will be retained in one ownership and developed in a single phase project and it is my feeling that the adjustment can be approved subject to the following conditions:

1. The owners of Parcels 9 and 10 shall submit appropriate legal covenants, to the Planning Department for review and approval prior to the issuance of any building permits and prior to recording with the Register of Deeds, that provide for tying both parcels together into a single ownership and provided that one cannot be sold without the other.


Page Two
Robert B. Feldner, Superintendent of Central Inspection
January 25, 1979

2. No permits in excess of a total of 496 units shall be issued on Parcels 9 and 10, DP-62 Chelsea Station C.U.P. (Lots 3 and 4, Block 1, E.E. Jabes Addition) without approval of an amendment to the C.U.P. by the Board of City Commissioners.
3. The apartment structures on Parcel 9 shall be constructed before those on Parcel 10 or started before those on Parcel 10 if proposed to be developed concurrently.
4. Each parcel shall be developed in accordance with the site plan submitted with the adjustment request and the open space area on Parcel 9 shall be developed and maintained as a "recreation area".

Upon your review of this memo, site plan, and attached letter of request, your signature of approval will indicate that you concur that this adjustment is in keeping with the spirit and intent of the CUP provisions and is not a substantial deviation of the approved plan. By copy of this memo, the applicant and others are notified of our joint action on this request.


Robert A. Lakin
Director of Planning

APPROVED


Robert B. Feldner
Superintendent of Central Inspection

RAL:MM:e1
Attachments

cc: Fred N. Chadsey, Jr., Chadsey Architects
6125-D South Sheridan Rd., Tulsa, Oklahoma 74133
Theodore A. Zarembo, Ass't. Secretary Chemical Bank
277 Park Ave., New York, N.Y. 10017
Max Cole, 1441 N. Rock Rd., 67206
Lowell E. Richardson, Amarado Investment Co.
230 S. Market, 67202
C. Bill Bachman, Bill Bachman and Associates, Inc.
1901 W. 13th, 67203
Roger Hardesty, 3520 S. Sheridan Rd., Tulsa, Okla. 74145

CHADSEY ARCHITECTS

8125 D SOUTH SHERIDAN ROAD
TULSA, OKLAHOMA 74133
A.C. 918 663-3200

JANUARY 12, 1979

MR. ROBERT A. LAKIN
DIRECTOR OF PLANNING
METROPOLITAN AREA PLANNING DEPT.
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

RE: LOTS 3 AND 4, BLOCK 1
E. E. JABES ADDITION
WICHITA, KANSAS

CUP #62
PARCELS 9 AND 10
WICHITA, KANSAS



DEAR MR. LAKIN:

I AM FORWARDING THE ENCLOSED SITE PLAN AND MAKING THE REQUESTS CONTAINED HEREIN, AS A RESULT OF MY MEETING TODAY WITH MR. JACK GALBREATH. MY CLIENT, THE HARDESTY COMPANY, IS PURCHASING THE ABOVE-REFERENCED PROPERTY FOR THE CONSTRUCTION OF AN APARTMENT PROJECT. THE TWO PARCELS WILL BE UNDER SINGLE OWNERSHIP AND DEVELOPED IN A SINGLE PHASE PROJECT. UNDER THE TERMS OF THE CUP, A TOTAL DENSITY OF 491 UNITS IS PERMITTED ON BOTH PARCELS. OUR FIRST REQUEST IS THAT, SINCE WE BUILD IN 8-UNIT MODULES, IT WOULD FACILITATE OUR DESIGN AND CONSTRUCTION PROGRAM IF WE COULD OBTAIN APPROVAL TO CONSTRUCT A TOTAL OF 496 UNITS ON THESE TWO PARCELS. IT IS OUR UNDERSTANDING THAT THE SINGLE FAMILY AREAS OF THE CUP ARE BEING DEVELOPED WITH LESS DENSITY THAN PERMITTED UNDER THE CUP.

YOU WILL NOTE ON THE ENCLOSED SITE PLAN, THAT WE INTEND TO LEAVE AN APPROXIMATE SEVEN ACRE GREEN AREA FOR OUR TENANTS' RECREATIONAL USE. THESE AREAS ARE UTILIZED BY TENANTS IN OUR OTHER PROJECTS FOR ATHLETIC GAMES SUCH AS SOCCER, FOOTBALL, SOFTBALL, ETC.

THIS PROJECT HAS BEEN DESIGNED AS A COMBINATION ADULT AND FAMILY PROJECT. THE BUILDINGS LABELED B AND C ARE TWO BEDROOM BUILDINGS WHICH WOULD BECOME OUR FAMILY SECTION TO THE WEST OF THE DRAINAGE EASEMENT SEPARATING THE TWO PARCELS. THE DENSITY OF THIS PROJECT, AS DESIGNED, IS APPROXIMATELY 30 UNITS PER ACRE ON PARCEL 10 AND 10 UNITS ON PARCEL 9, WHICH AVERAGES 20 UNITS PER ACRE IN ACCORDANCE WITH THE CUP.

LOTS 3 AND 4, BLOCK 1
E. E. JABES ADDITION
WICHITA, KANSAS
PAGE 2

WE BELIEVE THAT OUR PROJECT WILL PROVIDE AN EXCELLENT BUFFER AREA FOR THE SINGLE FAMILY RESIDENTIAL UNITS BEING BUILT TO THE SOUTHWEST AND WEST OF THE PARCELS SINCE OUR HIGHEST DENSITY IS ON ROCK ROAD AND WE HAVE ONLY 10 UNITS PER ACRE DENSITY BETWEEN OUR MAIN PROJECT AREA AND THE LOWER DENSITY RESIDENTIAL AREA.

WE HAVE NO INTENTION OF REQUESTING IN THE FUTURE THAT UNITS BE ADDED ON THE RECREATIONAL AREA. MY CLIENT WOULD BE HAPPY TO EXECUTE ANY TYPE OF RESTRICTIVE DOCUMENT PROHIBITING ADDITIONAL UNITS ON THESE PARCELS. ADDITIONALLY, IF OPEN AREA COULD BE OBTAINED FROM THE OWNER OF PARCEL 8 ON THE NORTH, THE TOTAL OPEN GREEN AREA COULD BE COMBINED TO A TOTAL TRACT OF MORE THAN 10 ACRES AND THIS GREEN AREA COULD BE DEDICATED TO THE CITY FOR USE AS A PARK.

MY CLIENT WOULD CERTAINLY APPRECIATE YOUR FAVORABLE CONSIDERATION OF THIS REQUEST.

SINCERELY,


FRED N. CHADSEY, JR., JR.

FNCJR/BF

ENCLOSURE

November 16, 1978

Mr. Keith E. Parker
239 Pattie, Suite 2
Wichita, Kansas 67211

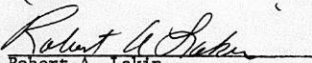
Re: Request for Administrative
Interpretation for the develop-
ment of a single family residen-
tial subdivision on Parcel 4 of
✓ DP-62 Chelsea Station C.U.P.
(Lot 2, Block 2 of E.E. Jabes
Addition)

Dear Mr. Parker:


We have reviewed your request for an administrative determination that development of Parcel 4 of the C.U.P. with a conventional single family residential subdivision can be permitted. From our review, we have made a favorable determination that the single family subdivision would not be a significant deviation from the intent of the C.U.P. relative to Parcel 4. This determination is subject to the approval of the replat of this lot as Lisa Cole 1st Addition.

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

APPROVED:


Robert A. Lakin
Director of Planning

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

RAL:JHG:e1

cc: Max Cole, 1441 N. Rock Road, 67206
Robert Feldner, Superintendent of Central Inspection

Architects • Planners • Commercial Consultants
Keith Parker Associates



November 13, 1978

Metropolitan Area Planning Department
City of Wichita
455 North Main
Wichita, Kansas 67202

Re: Lot 2, Block 2
E. E. Jabes Addition

Gentlemen:

This letter is sent at the developer's request and as part of the replatting requirements for the above referenced tract. As agent for the developer we are requesting that you respectively change the use of subject lot from an existing multi-family use with a density of approximately 12.5 dwelling units per acre to a single family subdivision containing 47 single family lots.

Please advise if there are any problems or if you have any questions in regards to this request.

Sincerely yours,

KEITH PARKER ASSOCIATES

Keith E. Parker, A.I.A.

KEP:ep

cc: Max Cole & Associates

for Zone case

November 10, 1977

Kenneth H. Bengtson, P.E.
Van Doren-Hazard-Stallings
250 Rock Road Building
260 North Rock Road
Wichita, Kansas 67206

Re: Request for Administrative Adjust-
ment to DP-62 - Chelsea Station
Parcel 6 being replatted as
Sheffield Place Addition

Dear Mr. Bengtson:

We have reviewed your request for a determination on the setbacks required on the lots being platted in Sheffield Place Addition. Specifically, you are requesting no front, side or rear yard setbacks on any of the lots being platted and are requesting that single family detached units be permitted.

We are not agreeable to making a favorable interpretation that detached single family homes are permitted on this parcel. The CUP specifically states that the proposed use is for:

"Clustered detached multiple family dwellings having accommodations for two, three, four or six families and/or townhouses or condominiums and related community activity centers associated with the above mentioned."

We will, however, review requests for individual lots to be used for single family homes, but are not in favor of interpreting that each lot can be used for detached single family homes.

Regarding your request as to "0" setbacks, the large area being platted as Lot 18 has perimeter easements and no structure can encroach into these easements. As to any setbacks between structures, that will be determined by the building codes.

As far as all of the other lots, we have no objection to a zero front or rear yard with the understanding that there will

Page Two
Kenneth H. Bengtson, P.E.
November 10, 1977

be no encroachments over the front or rear lot line by any part of the dwelling units, and provided that there will be maintained at least 20 feet of space on the reserves between the garage and the private streets so as not to permit parked cars from extending into the private street areas.

Regarding the determination as to maintaining "0" sideyards, we have no objection, provided however, that if a side yard is provided, it must be at least 5 feet and the separation between dwelling units must comply to the building codes.

Inasmuch as we have previously received a request from Bill Bachman to permit tri-level, nine unit buildings on 25% of Parcel 6, and authorized such units by letter dated April 5, 1977, this is to advise that we now consider that request and favorable determination "void" except that that type of unit is still considered acceptable on Lot 18 in the northwest corner of the plat.

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

APPROVED:

Robert A. Lakin
Director of Planning

APPROVED:

Robert B. Feldner
Robert B. Feldner, Superintendent
of Central Inspection

RAL:JHG:el

cc: C. Bill Bachman, Bill Bachman & Associates, Inc.
1901 West Thirteenth, 67203
Jerry Feldman, Bill Bachman & Associates
1901 West Thirteenth, 67203
Robert B. Feldner, Superintendent of Central Inspection



ARCHITECTS - ENGINEERS - PLANNERS

VAN DOREN - HAZARD - STALLINGS

250 ROCKBOROUGH BUILDING, 260 NORTH ROCK ROAD WICHITA, KANSAS 67206
TELEPHONE 316 686-7303

October 10, 1977

Mr. Robert Lakin
Director of Planning
Metropolitan Area Planning Dept.
City Hall, 10th Floor
455 North Main Street
Wichita, Kansas 67202

RE: S/D 77-88 - Final plan of Sheffield Place Addition

Dear Mr. Lakin:

The developer of the above referenced tract is interested in obtaining an administrative amendment to the associated C.U.P. DP-62 to develop lots with no required front, side or rear yard setback.

The units planned are:

1. Single Family detached.
2. Townhouses
3. Multifamily on Lot 18

Your consideration and help in this matter is appreciated.

Very Truly Yours,

Kenneth H. Bengtson

Kenneth H. Bengtson, P.E.

cc: Mr. Robert Feldner
Mr. Jerry Feldman
File

*Called Bengtson at V. H.S.
and advised we needed a detailed
site development plan which would
indicate where the ~~set~~ single family
units would be and how they would
function relative to parking and no
front side or rear yards*



April 5, 1977

C. Bill Bachman
Bill Bachman and Associates, Inc.
1901 West Thirteenth
Wichita, Kansas 67203

Re: Request for Administrative
interpretation as to whether
it is permissible to develop
structures with as many as 9
dwelling units on Parcel 6 of
DP-62, platted as Lot 4, Block
2, E.E.Jabes Addition.

Dear Mr. Bachman:

We have reviewed your letter of April 1, 1977, and submitted site plan with Robert Feldner, Superintendent of Central Inspection. Specifically, you have requested whether or not it is permissible to construct tri-level, nine unit buildings on approximately 25% of Parcel 6. The CUP provides that the proposed use is "Clustered Detached Multiple Family Dwellings having accommodations for two, three, four or six families and/or townhouses or condominium". We believe that your proposal to construct 8 buildings having 9 units each, plus buildings having two, three and four family units, is not a substantial deviation of the plan that requires an amendment to the CUP. There are several items, however, that are of concern.

The CUP, as approved, suggests that Parcel 6 and 7 will have joint usage of circulation drives. Your new site plan provides for a perimeter private road system and we are not certain that you intend to permit the property owner to the north to have access to your road system. To resolve this issue, you should contact the owner of Parcel 7 and obtain a letter from him agreeing to not having access through Parcel 6.

Under "residential general provisions", #9 provides that a home association agreement, providing for the maintenance of non public common areas, parking areas, private drives, community facilities, etc., shall be submitted with each Parcel where the dwelling units are to be owner occupied. Inasmuch as such agreement was not submitted with the plat, as at that time it was not known whether or

Page Two
C. Bill Bachman
April 5, 1977

not dwellings would be owner occupied, and since your units will be sold as condominiums, it is necessary that an agreement be submitted for review and approval prior to the issuance of any building permits on Parcel 6.

It is also important that units not be sold other than as condominiums as any splitting of Lot 5 into metes and bounds descriptions will require replatting.

In addition, we would call to your attention that the original approved drainage plan for the E. E. Jabes Addition which proposed draining a part of the property to the drainage channel to the west still needs to be finalized. It is our understanding that no formal plan for the actual drainage construction has been drawn up, although there may have been an agreement reached with the property owner to the west.

Based on these comments, we have made a favorable determination that the eight buildings proposing nine units each would not be a significant deviation from the intent of the CUP relative to Parcel 6. This determination is subject to the following:

1. Submission of a letter from the owner of Parcel 7 that it is agreeable that Parcel 7 not have access to the private drives on Parcel 6.
2. Submission of a home association agreement as required under general provision #9.
3. The ownership of Parcel 7 (Lot 4) shall not be split; that units will be sold as condominiums.
4. Submission of a satisfactory drainage plan prior to the issuance of any building permits on Parcel 6.

Regarding your questions as to the development of DP-64, Zoo Boulevard CUP, we are not in a position to evaluate that CUP without your proposed site plan.

Page Three
C. Bill Bachman
April 5, 1977

If you have any questions on the conditions of this favorable determination, please call.

APPROVED:

Robert A. Lakin
Director of Planning

APPROVED:

Robert B. Feldner, Superintendent
of Central Inspection

RAL:JHG:el

cc: Max Cole, 1441 N. Rock Road, 67206
Keith Parker, 1021 E. Waterman, 67211
Lowell E. Richardson, Amarado Investment Co., Inc.
230 South Market, 67202



PHONE: (316) 267-7331

Bill Bachman and Associates

1901 WEST THIRTEENTH • WICHITA, KANSAS 67203

Builders

Realtors

Developers

April 1, 1977

Mr. Jack H. Galbraith
Chief Planner
City Hall - Tenth Floor
455 North Main
Wichita, Kansas

Dear Mr. Galbraith,

I am writing in response to your request for a written explanation of the development plans discussed in our recent meeting. As you may recall we are developing two new residential areas; one south of 21st Street between Woodlawn and Rock Road, Lot 4, Block 2, E. E. Jabes Addition and the second north of 13th Street and east of I-235. It is our intention on both of these sites to stay below the maximum dwelling units per acre allowed. We intend to accomplish this by building two, three and four unit townhouse type buildings on approximately 75% of the land area. These units will be designed and marketed to appeal to families with children and the older segment of the housing market. On the remaining 25% we will construct tri-level nine unit buildings. These units will be designed to appeal to the single and young married segment of the housing market and thus they will require and allow a higher density than found in the rest of the project. The enclosed preliminary land plan displays this concept of low density on 75% of the land and a higher density on the remaining 25%.

In the tri-level unit area the existing terrain will be modified in such a manner as to provide all units with front entrances at grade. The lower level units will have walkout patios while the mid and upper level units will utilize patio decks (see enclosed building sketch plan). It is our intention that all units constructed on both sites will be for sale as condominiums and thus we will provide the necessary legal framework, legal descriptions and homeowners associations to allow this. The tri-level nine unit buildings will be divided

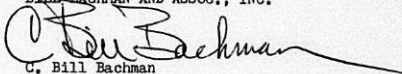
Page 2 - Mr. Jack H. Galbraith
April 1, 1977

both vertically and horizontally to enable them to be sold as condominiums. While it is our intention to sell all units constructed, we do recognize that if sales do not meet expectations it may become necessary at some point in time to handle a small portion of the dwelling units as rental units. However, it is neither our intention nor desire to allow either of these projects to become multi-family apartment complexes.

I trust this somewhat brief explanation will help to clarify the type of projects we intend to develop. I ask that at your earliest convenience you advise me in writing as to whether the type of project I have described will be acceptable to you with regard to density and type of dwelling unit allowed.

Sincerely,

BILL BACHMAN AND ASSOC., INC.



C. Bill Bachman

CBE/mmw
Encs.

February 25, 1977

Mr. Lowell E. Richardson
Amarado Investment Co., Inc.
230 South Market
Wichita, Kansas 67202

Re: Request for Administrative
Interpretation for the develop-
ment of a single family residen-
tial subdivision on Parcel 5 of
DP-62 Chelsea Station C.U.P.
(Lot 3, Block 2 of E.E.Jabes
Addition)

Dear Mr. Richardson:

We have reviewed your request for an administrative determination that development of Parcel 5 of the C.U.P. with a conventional single family residential subdivision can be permitted. From our review, we have made a favorable determination that the single family subdivision would not be a significant deviation from the intent of the C.U.P. relative to Parcel 5.

Our only concern at present is that your sketch of the proposed replat of the area provides for only one street access to Broadmoor. If there are any thoughts that Parcel 6 to the north or Parcel 4 to the east might be developed with interior public street systems, the replat of Parcel 5 should then provide for a public street connection to the north and/or to the east. In addition, we would remind you that the original approved drainage plan for the E.E.Jabes Addition which proposed draining a part of the property to the drainage channel to the west still needs to be finalized. It is our understanding that you have reached an agreement with the owners of the property to the west for drainage access to the channel on their property, but as yet no formal plan for the actual drainage construction has been drawn up.

Page Two
Mr. Lowell E. Richardson
February 25, 1977

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

APPROVED:


Robert A. Lakin
Director of Planning

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

RAL:CLN:el

cc: Max Cole, 1441 N. Rock Road, 67206
Keith Parker, 1021 E. Waterman, 67211



February 22, 1977

Mr. Robert A. Lakin
Director of Planning
City Hall - 10th Floor
455 N. Main
Wichita, Kansas 67202

Mr. Robert Feldner, Superintendent
Central Inspection
City Hall - 455 N. Main
Wichita, Kansas 67202



RE: Chelsea Station Community Unit Plan
generally located at the Southwest
corner of 21st and Rock Road

Gentlemen:

This letter is written on behalf of Mr. Max Cole to request an administrative amendment to parcel 5 of the Chelsea Station Community-Unit Plan.

Parcel 5 was approved for single family patio homes and/or townhouses or condominiums. At present however we are contemplating development of the area as single family residential with lots approximately 95' x 125' in size. A sketch plat for the replat of Lot 3, Block 2, E. E. Jabes Addition has been filed for this purpose. A copy of the sketch plat is enclosed for your information.

Contingent upon your comments, we are planning to file a preliminary plat by March 14, 1977, therefore, your timely review of this matter will be appreciated. If you have questions, please call at your convenience.

Sincerely yours,

Lowell E. Richardson.

LER:ms

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSREQUEST FOR ZONING
AND APPROVAL OF DEVELOPMENT PLAN

CASE NO. Z-1592 & DP-62

CONSIDERED BY MAPC: 1-10-74

REQUEST FOR: Change from "AA" to "BB", "R-5" and "LC"
and Approval of Development Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

To comply with proposed CUP plan.

GENERAL LOCATION: Southwest corner of Rock
Road and 21st Street

LEGAL DESCRIPTION:

See attached excerpt from Planning Commission minutes
of January 10, 1974.

APPLICANT: E. E. Jabes, RFD #1, Derby, Kansas

COUNSEL FOR APPLICANT: Robert H. Nelson, Attorney

PROTESTORS (LIST COUNSEL) IF ANY: None

SURROUNDING ZONING: To the north and south is "AA" and "R-1"; east is
"R-1" and "LC"; west is "AA"LAND USE: Subject property and that to the north, east, and west is
undeveloped; south is Frisco Railroad

PLANNING COMMISSION RECOMMENDATION:

That Z-1592 and the associated CUP (DP-62) be approved, subject to re-designing the townhouses on Parcels 6 and 7, and subject to the following conditions: (See attached excerpt from Planning Commission minutes of January 10, 1974, for conditions.)
Arnholz moved, Hill seconded and it carried unanimously. (Blakey, Gardenhire, Kamen and Hennessy absent.)

ACTION: 1. Approve the zone change and CUP as recommended by the Metropolitan Area Planning Commission, subject to the recommended conditions, 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 Commission for its reconsideration. The City Commission states the following reasons for its action:

T9-220

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 10, 1974:

- 27a. Case No. Z-1592 - E. E. Jabes requests change from "AA" to "BB" for a tract in the NE 1/4 of Section 7, Township 27 South, Range 2 East, described as beginning at a point 1895 feet south of the NE corner, thence W parallel with the north line of said NE 1/4, 420 feet; thence with an angle to the right of 30° 00' a distance of 473.4 feet to a point 830 feet west of the east line of said NE 1/4; thence south parallel with the east line of said NE 1/4, 410 feet; thence with an angle to the left of 32°30' to the south line of said NE 1/4; thence east to the SE corner of said NE 1/4; thence north to beginning; and change from "AA" to "R-5" for a tract in the NE 1/4 of Section 7, Township 27 South, Range 2 East described as beginning at the NE corner of said NE 1/4; thence east to a point 830 feet west of the north east corner of said NE 1/4; thence south parallel with the east line of said NE 1/4, 1040 feet; thence east parallel with the north line of said NE 1/4, 830 feet; thence south along the east line of said NE 1/4, 855 feet; thence west parallel with the north line of said NE 1/4, 420 feet; thence with an angle to the right of 30° 00' a distance of 473.4 feet to a point 830 feet west of the east line of said NE 1/4; thence south parallel with the east line of said NE 1/4, 410 feet; thence with an angle to the left of 32°30' to the south line of said NE 1/4; thence west to the southwest corner of said NE 1/4; thence north to beginning; and change from "AA" to "LC" for the north 1040 feet of the east 830 feet of the northeast quarter of Section 7, Township 27 South, Range 2 East, except the north 600 feet of the east 600 feet thereof. All generally located at the southwest corner of Rock Road and 21st Street.
- 27b. Case No. DP-62 - E. E. Jabes requests approval of Commercial Community Unif Plan for the northeast quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M. Generally located at the southwest corner of Rock Road and 21st Street North.

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

Comments

1. The applicant presently has approximately 7.5 acres of "LC" zoning at the southwest corner of 21st Street North and Rock Road and is requesting additional "LC" making a total of approximately 17.5 acres. The applicant is also requesting a change of zoning from "AA" Single-family to "R-5" General Residence (approximately 120.79 acres) and a change from "AA" to "BB" Office, for a tract containing approximately 11.5 acres.
2. As required by the CUP provisions of the zoning ordinance and where a tract of land contains more than 6 acres proposed for light commercial development and is under a single control, a commercial development plan has been submitted for review and approval by the Planning Commission. Also included on the plan is a residential CUP.
3. The Plan as submitted proposes a 120-acre single-family cluster, townhouse, garden apartment and condominium development, the density of which will not exceed 12.4 dwelling units per net acre, or a total of 1497 dwelling units for the entire 120.79 acres. Also proposed on the Development plan is a 29.0 acre commercial and office development which will include a shopping center and/or comparison and convenience shopping, automotive, financial and other service oriented businesses as well as offices. In addition to indicating the proposed building locations for townhouses, single-family clusters, garden apartments and condominiums, the Development Plan indicates setbacks for structures, screening and landscaping, sign height limitations, means

of ingress and egress in and through the area, interior circulation, proposed parking ratio, maximum building coverage, and maximum building heights.

4. In order for the Planning Commission to recommend approval of the residential portion of the CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
 - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
5. The major concerns of the plan as viewed by the staff are with the amount of "LC" (17.5 acres), and "BB" (11.5 acres) with a total square feet of floor space proposed at approximately 495,000 square feet. In our initial review of the plan with the developers, we also expressed concern with the location of the "BB" Office adjacent to the south property line, separated from the commercial development by apartments. We pointed out that generally the office classification is used as a buffer between commercial and residential development.

Although the design of apartments, open space, parking and circulation drives has been substantially changed from the initial concept on Parcels 4, 5, 8, 9, and 10, there still seems to be little useable open space on Parcels 6 and 7. The formal design of these parcels and density (9.5 units per acre) seems to have left narrow open spaces which have little benefit for recreational uses.

6. It should be pointed out that the plan indicates a circulation drive, off-street parking spaces and a tennis court encroaching into the KG&E easement adjacent on the south and, therefore, it will be necessary that the applicant obtain a letter from KG&E stating they have no objections to the encroachment, a copy of which shall be submitted to the Planning Department.
7. Upon the determination of the appropriateness of the zone change request and the proposed development plan, approval should be subject to consideration of the following recommended conditions:
 - a. Appropriate street name being determined at the time of platting.
 - b. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
 - c. 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.

- d. Any major changes in this development plan shall be re-submitted to the Planning Commission and to the City Commission for its consideration.
- e. 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 development and be binding upon the present owners, their successors and assigns, unless amended.

GALBRAITH said he had received a call from an adjacent owner to the west who indicated he has a consultant presently designing a plan for his property and that he would not oppose this application, but would expect equitable treatment when his plan is submitted.

ARNHOLZ said he thought it would be folly to think there won't eventually be development east of this location to help support the commercial zoning being requested. He agreed with the staff report however, so far as the location of the proposed apartments between "LC" and "BB" zoning.

TAYLOR commented that additional "LC" zoning can be granted as a demand for such develops in the future.

No one appeared in opposition.

ROBERT H. NELSON, attorney for the applicant, said the reason for locating the office development as it is shown is because of a cement plant directly across the tract, and it was thought office development would be better at that location than apartments.

MOTION: That the Planning Commission recommend to the City Commission that this application be approved. Arnholz moved.

GRAGERT said he was concerned that there is so little open space in Parcels 6 and 7, as pointed out in the staff report, and asked if such might be redesigned to allow for more open space.

NELSON stated that Gary Wiley of Oblinger-Smith Corp. would speak on the open space issue, but so far as the amount of "LC" requested, he stated that this is not the first time his client has developed an "LC" area, and it has been his experience that it is not economically feasible to start with a limited amount of light commercial area on the supposition that more will be granted as needed. This is because a limited area will not attract national or big store tenants. He also pointed out that there are no centers very close to this site.

GARY WILEY said that Parcels 6 and 7 could be redesigned, possibly as only one parcel, to allow for more open space and still maintain the density proposed. He said such could be done between this hearing and the City Commission hearing, if the Commission recommends approval and will accept a redesign of Parcels 6 and 7 as approved by the Planning Department.

RESTATEMENT OF MOTION: That the Planning Commission recommend to the City Commission the approval of the zone change request (Z-1592) and the associated CUP (DP-62), subject to redesigning the townhouses on Parcels 6 and 7, and subject to the following conditions:

- a. Appropriate street name being determined at the time of platting.
- b. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.

- c. 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.
- d. Any major changes in this development plan shall be re-submitted to the Planning Commission and to the City Commission for its consideration.
- e. 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 development and be binding upon the present owners, their successors and assigns, unless amended.

Arnholz moved, Hill seconded and it carried unanimously. (Blakey, Gardenhire, Kamen and Hennessy absent.)

January 11, 1974

Mr. Robert H. Nelson, Attorney
Suite 630, 200 West Douglas
Wichita, Kansas 67202

Re: Z-1592 - "AA" to "R-5",
"BB" and "IC" and DP-62
Community Unit Plan -
Southwest corner of Rock
Road and 21st Street

Dear Mr. Nelson:

At the regular meeting of the Metropolitan Area Planning Commission on January 10, 1974, the above-captioned applications were considered. It was the action of the Commission to recommend approval of the zone change request and the associated CUP, subject to redesigning the townhouses on Parcels 6 and 7, and subject to the following conditions:

- a. Appropriate street name being determined at the time of platting.
- b. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
- c. 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.
- d. Any major changes in this development plan shall be re-submitted to the Planning Commission and to the City Commission for its consideration.

Page 2 - Mr. Robert H. Nelson
January 11, 1974

- e. 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 development and be binding upon the present owners, their successors and assigns, unless amended.

It is necessary that nine amended copies of the CUP be submitted to our office by 5:00 p.m. on January 21, 1974, for this matter to be forwarded to the Board of City Commissioners for their consideration on January 29, 1974, such meeting to start at 9:00 a.m. in Room 201 City Building, 204 South Main.

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

Sincerely,

Jack E. Galbraith
Chief Planner

JHG:ber

cc: E. E. Jabes, RFD #1, Derby 67037
John Arnold, 525 Sutton Place Building 67202
Thomas M. Vickers, Union Center Building 67202
Gary Wiley, Oblinger-Smith Corp., 625 1st Nat'l Bank Bldg. 67202
City Manager's Office



KANSAS GAS AND ELECTRIC COMPANY

January 3, 1974

DENNIS EVANS
DIVISION MANAGER

*Re: CHELSEA STATION
DP-62*

RECEIVED
JAN 7 1974
OBLINGER & SMITH

Mr Gary Wiley
Oblinger-Smith Corporation
First National Bank Building
Wichita, Kansas 67202

Dear Gary:

We have looked at the map which you left me the other day and have the following observations about the proposed subdivision to the east of our Northeast Substation property and to the north of our right-of-way.

The proposed tennis court located approximately 530 feet east of the developments west property line will undoubtedly have a fence around the playing surface. If this is a metallic fence i.e. chain link, it should not exceed 15 feet in height and the metal fabric should be grounded on all four (4) sides of the enclosure using #4 solid copper wire and 1/2 inch by 8 feet ground rods. Attached is a modified drawing of our standard substation fence grounding procedure. Since the tennis court will be a permanent structure we feel that we should have a hold harmless agreement with the developer as well as any additional umbrella coverage that our legal counsel feels would be advisable. These items would be drawn up by our legal counsel.

The access drive and associated parking is acceptable and should not present any problem. We did notice that a drive is shown very close to the second structure east of the west property line. If any earth work is required for the drive it should be with our prior approval. We don't want any excavation near our pole.

It is imperative that the buildings do not encroach upon our easement and under no conditions are we authorizing the owner to construct a building upon our easement.

Mr Gary Wiley

page 2

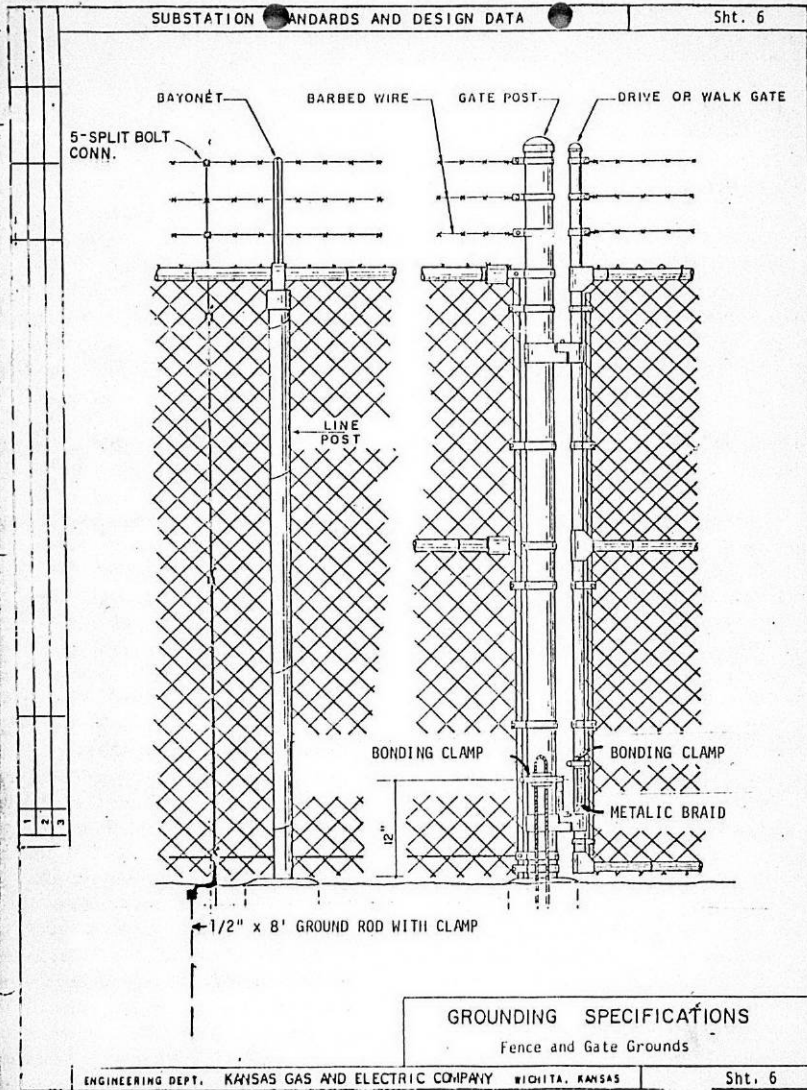
January 3, 1974

We have calculated all clearances based upon the drawing designated as DP-62 and dated 5/10/73. Any changes in location of the tennis court or roadway would make null and void the permission and clearances set forth in this letter.

Sincerely,

Dennis Evans

DLE/jh
enclosure



GROUNDING SPECIFICATIONS
Fence and Gate Grounds

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: Jan. 10, 1974

Cases No. Z-1592 and DP-62	Request: "AA" to "R-5", "BB" & "LC" and Approval of Community Unit Plan
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Location: Southwest corner of 21st Street and Rock Road

Acres: 160	Size: 2640 ft. by 2640 ft.
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA" & "LC"
North	Undeveloped	"PA" & "R-1"
East	Undeveloped	"R-1" & "LC"
South	Frisco Railroad	"AA" & "R-1"
West	Undeveloped	"AA"

Necessary street rights-of-way to be acquired at the time of platting.	Platted: No Sidewalk: No History: None
--	--

Comments

1. The applicant presently has approximately 7.5 acres of "LC" zoning at the southwest corner of 21st Street North and Rock Road and is requesting additional "LC" making a total of approximately 17.5 acres. The applicant is also requesting a change of zoning from "AA" Single-family to "R-5" General Residence (approximately 120.79 acres) and a change from "AA" to "BB" Office, for a tract containing approximately 11.5 acres.
2. As required by the CUP provisions of the zoning ordinance and where a tract of land contains more than 6 acres proposed for light commercial development and is under a single control, a commercial development plan has been submitted for review and approval by the Planning Commission. Also included on the plan is a residential CUP.
3. The Plan as submitted proposes a 120-acre single-family cluster, townhouse, garden apartment and condominium development, the density of which will not exceed 12.4 dwelling units per net acre, or a total of 1497 dwelling units for the entire 120.79 acres. Also proposed on the Development plan is a 29.0 acre commercial and office development which will include a shopping center and/or comparison and convenience shopping, automotive, financial and other service oriented businesses as well as offices. In

addition to indicating the proposed building locations for townhouses, single-family clusters, garden apartments and condominiums, the Development Plan indicates setbacks for structures, screening and landscaping, sign height limitations, means of ingress and egress in and through the area, interior circulation, proposed parking ratio, maximum building coverage, and maximum building heights.

4. In order for the Planning Commission to recommend approval of the residential portion of the CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
 - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "IC" district can be established through the regular channels.
 - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
5. The major concerns of the plan as viewed by the staff are with the amount of "IC" (17.5 acres), and "EB" (11.5 acres) with a total square feet of floor space proposed at approximately 495,000 square feet. In our initial review of the plan with the developers, we also expressed concern with the location of the "EB" Office adjacent to the south property line, separated from the commercial development by apartments. We pointed out that generally the office classification is used as a buffer between commercial and residential development.

Although the design of apartments, open space, parking and circulation drives has been substantially changed from the initial concept on Parcels 4, 5, 8, 9, and 10, there still seems to be little useable open space on Parcels 6 and 7. The formal design of these parcels and density (9.5 units per acre) seems to have left narrow open spaces which have little benefit for recreational uses.

6. It should be pointed out that the plan indicates a circulation drive, off-street parking spaces and a tennis court encroaching into the KG&E easement adjacent on the south and, therefore, it will be necessary that the applicant obtain a letter from KG&E stating they have no objections to the encroachment, a copy of which shall be submitted to the Planning Department.

7. Upon the determination of the appropriateness of the zone change request and the proposed development plan, approval should be subject to consideration of the following recommended conditions:
 - a. Appropriate street name being determined at the time of platting.
 - b. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
 - c. 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.
 - d. Any major changes in this development plan shall be re-submitted to the Planning Commission and to the City Commission for its consideration.
 - e. 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 development and be binding upon the present owners, their successors and assigns, unless amended.
-

DP-62 - 17 Notices sent to Property Owners 11-28-73

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

December 27, 1973

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, January 10, 1974, at 1:30 p.m., The Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, will consider an application for a COMMUNITY UNIT PLAN - PLANNED RESIDENTIAL AND COMMERCIAL DEVELOPMENT, for property legally described as follows:

DP-62 - The Northeast Quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M., Wichita, Sedgwick County, Kansas. Generally located at the Southwest corner of Rock Road and 21st Street North.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Code of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, 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 120.79 acre single family cluster, townhouse, garden apartment and condominium development, the density of which will not exceed 12.4 dwelling units per net acre or a total of 1497 dwelling units for the entire 120.79 acres. Also proposed on the Development Plan is a 29.0 acre commercial and office development which will include commercial and office facilities. In addition to indicating the proposed building locations for townhouses, single family clusters, garden apartments and condominiums, the Development Plan indicates setbacks for structures, screening and landscaping, sign height limitations, means of ingress and egress in and through the area, interior circulation, proposed parking ratio, maximum building coverage, and maximum building heights.

The hearing of 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 the said Wichita-Sedgwick County Metropolitan

Area Planning Commission. Those persons interested in this matter will be heard at that time.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, 104 South Main, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin
Secretary

December 20, 1973

Mr. Robert W. Hollin
Municipal Planning Consultant
Land Planning, Inc.
P. O. Box 11172
Dallas, Texas 75223

Re: DP-62 - Residential and
Commercial CUP - At the
southwest corner of Rock
Road and 21st Street North.

Dear Mr. Hollin:

We have reviewed the above captioned preliminary development plan with the Engineering, Traffic Engineering and Flood Control Divisions of the Department of Public Works.

The Traffic Engineer has recommended that in regards to Parcels 1 and 2 the openings on 21st Street be limited to four and limited to five on Rock Road. Also, the "no access" at the southwest corner of 21st and Rock Road should be labeled from the property line with a minimum of 40 feet of complete access control west and south of the intersection. The Traffic Engineer also recommends that one of the openings on both 21st and Rock Road should be designed as a major entrance into Parcel 2. This would also include providing for adequate accel-decel lanes to serve these major openings. It should be pointed out that the right-of-way requirements for major street intersections requires 75 feet of half-street right-of-way back a distance of 250 feet from the intersecting center lines thence tapered a distance of 100 feet to meet the required 50 feet of half-street right-of-way required on all section line roads. In this instance we are of the opinion that in addition to the 75 feet of half-street right-of-way at the intersection of 21st and Rock Road that 60 feet of half-street right-of-way should be provided along Rock Road and 21st for a distance of 200 feet beyond the collector street on both streets in order to provide for continuous accel-decel lanes. This additional right-of-way need will be determined at the time of platting.

Mr. Robert W. Hollin
December 20, 1973
Page 2

The area (Parcel 2) proposed for a shopping center does not indicate an adequate setback from the major streets (Rock Road and 21st) which would minimize the effects of strip commercial development. The Planning Commission has usually encouraged a minimum of 100-foot setbacks and in some instances have required 300-foot setbacks depending on the size, for shopping centers on Community Unit Plans. Also, the building setbacks adjacent to the south and west lines of Parcel 2 will need to be increased to 35 feet as required under the C.U.P. provisions of the zoning ordinance.

The Flood Control Division advises that although the plan as submitted presents no significant drainage problems they will expect details of the Dam for the existing lake to be submitted to their office for approval prior to construction and the dedication of an appropriate easement for the storm sewer at the time of platting.

The following are specific comments concerning the technical information on the Plan:

1. The following shall be added to the information relating to street rights-of-way. "Final street rights-of-way shall be determined at the time of platting."
2. Add the words "and office" after the word Commercial preceding Parcels 1, 2 and 3.
3. Insert the words "as permitted by the zoning ordinance" after the word "services" for uses proposed for Parcel 3. Also, in the second sentence, add after "type" - "subject to Section 28.04.080.10."
4. Reduce the number of openings on the face of the Plan from Parcel 2 to Rock Road from four to three and from three to two on 21st Street.
5. Under General Provision #8 Commercial and Office, reword as follows: "A 5-foot to 8-foot solid or semi-solid wall constructed of stone, masonry, architectural tile, or other similar material (excluding wood and woven wire) shall be provided adjacent to the south and west property lines of Parcel 2, and said wall shall be reduced to three feet in height within thirty feet of 21st Street and Rock Road. Said wall shall be constructed prior to the issuance of any building permits on Parcel 2."

Mr. Robert W. Hollin
December 20, 1973
Page 3

A planting screen as indicated on the Plan for Parcel 2 shall be provided of low shrubbery not less than ten (10) feet in width and shall be of such a type, and maintained in such a manner as to not constitute a traffic hazard.

6. The planting area indicated along the south line of Parcel 3 is not required and could be deleted from the face of the Plan and the reference thereto under General Provision #8 also deleted if you desire.
7. The third paragraph under General Provision #8 is also not required and could be deleted; or in the event you choose that it remain the number of "three commercial parcels" should be changed to "two" inasmuch as Parcel #3 is proposed for "BB" Office zoning.
8. The proposed uses under "Residential" shall include all of the proposed uses set forth under Parcels 4, 5, 6 and 7.
9. The words "club house" shall be replaced with "community activity centers" after proposed use for Parcel 4 as club house often refers to "bottle clubs".
10. The word "club" shall be replaced with "community activity centers" after proposed use for Parcel 5.
11. Delete the words "or club" after proposed use for Parcel 6.
12. The words "club facilities" shall be replaced with "community activity centers" after proposed use for Parcel 7.
13. The density per acre for Parcels 6A, 6B, 7A, 7B and 7C shall be indicated on the Plan.
14. Add under Residential-General Provisions a #9 to read as follows: "A homes association agreement, providing for the maintenance of non-public common areas, parking areas, private drives, community facilities, etc., shall be submitted with each plat for Parcels 4, 5, 6, and 7, provided the dwelling units are to be owner occupied.

Mr. Robert W. Rollin
December 20, 1973
Page 4

15. Delete General Provision #3 under Parcel #4. If this statement is important, we are wondering why it does not apply to Parcels 5, 6, and 7.
16. The name Missouri Pacific Railroad shall be changed to Frisco Railroad on the face of the plan.
17. No name has been indicated on the Plan and it is recommended that a name be selected and shown on the revised plan.
18. Indicate required 10-foot planting area on Parcel 2 across from residential zoned areas.
19. Delete "related retail" from the description of proposed uses for Parcel 3.
20. Contact K.G. & E. and furnish a letter to the Planning Department that they have no objection to tennis court or 30-foot access drive and parking extending into 100-foot K.G. & E. easement on the south.
21. Indicate only two openings from Parcel 7 to Rock Road on the face of the plan.

These are most of the comments we have relative to the general information provided on the CUP. There are several other matters we are still concerned with. We don't understand why you are proposing a wall adjacent to 21st on Parcel 6 and not one for Parcel 7, as both parcels are across from residential zoning districts. Also, we are quite concerned with the proposed density that has been omitted from Parcels 6 and 7. From the design, it would appear that both will be quite high and may raise the total to exceed the 12.4 DU's permitted in the "R-5" zoning district.

We are concerned in the design for Parcel 7. It appears too dense, and the large interior parking areas would seem not to provide convenient access to apartment units. I believe more attention should be given to this area.

Please review these comments and make the necessary corrections and submit 14 revised copies to our office by December 28, 1973. This case and the associated zone case will be considered by the Planning Commission at its regular meeting of January 10, 1974.

Mr. Robert W. Rollin
December 20, 1973
Page 5

If you have any questions concerning these comments or the scheduling of this case, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: John Arnold, 525 Sutton Place Building 67202
E. E. Jabes, RFD #1, Derby, Kansas 67037
Thomas M. Vickers, Union Center Building 67202

C-2



THE CITY OF WICHITA

OFFICE OF CITY TRAFFIC ENGINEER

DATE December 7, 1973

TO Lynn Shirkey, Junior Planner

FROM William G. McKinley, Assistant Traffic Engineer

SUBJECT Southwest Corner 21st and
Rock Road CUP

The Traffic Engineering Division would like to make the following comments with regard to the CUP for 21st and Rock Road.

On 21st Street at the proposed collector street, we assume that the additional right-of-way is for an acceleration/deceleration lane. We would make the suggestion that the developer also guarantee the construction of this acceleration/deceleration lane. This same comment would hold true on Rock Road where the proposed collector street intersects.

With regard to access to the commercial properties labeled as Parcel 1 and 2, we would recommend that the openings on 21st be limited to four where they show 5, and on Rock Road be limited to five where they show six. Also, the no access or complete access control at the southwest corner of 21st and Rock Road should be labeled from the property line with a minimum of 40 feet of complete access control west and south of the intersection.

One of the proposed openings on both 21st and Rock Road should be designed as a major entrance into Parcel 2. This would also include providing for adequate acceleration and deceleration lanes to serve the proposed openings.

William G. McKinley
Assistant Traffic Engineer

WGM/g1
cc:R. W. Bruggeman



ON SAFETY
PHASE II

THE CITY OF WICHITA

OFFICE OF Ass't. Supt. of Public Works Maint. **DATE** Dec. 13, 1973

TO Jack Galbraith, Chief Planner, MAFD

FROM M. S. Mitchell

SUBJECT -- CU Plan, DP-62, Southwest corner
of Rock Rd. and 21st St. North

We have reviewed subject plan and have determined that the layout as shown presents no significant drainage problem. We will expect details of the Dam to be constructed for the existing lake. Without knowing the size of culvert under the Frisco Railroad (plan calls Missouri Pacific Railroad) we cannot make a further comment on the size or depth of the proposed storm sewer between the existing lake and the railroad. Other drainageway can be established through open areas shown on the plan.

If further discussion is desired, please advise.

M. S. Mitchell,
Ass't. Superintendent of
Public Works Maintenance

MSM/elm

cc: G. H. Wilton, Supt. of Public Works Maint.
DP-62, 21st St. No./Rock Rd. File



WICHITA-SEDGWICK COUNTY

DATE
November 20, 1973

METROPOLITAN AREA PLANNING DEPARTMENT

TO Dick Linn, City Engineer
Paul Graves, Traffic Engineer
M. S. Mitchell, Superintendent of Public Works Maintenance

FROM Jack H. Galbraith, Chief Planner *JHG*

SUBJECT DP-62 - Residential and Commercial CUP -
At the Southwest corner of Rock Road and 21st Street North

Attached is a copy of a combination Residential and Commercial CUP, prepared by Robert W. Hollin of Dallas, Texas, for the 160 acres of land recently annexed to the City, located at the Southwest corner of Rock Road and 21st Street North.

We have briefly reviewed the plan and have several questions on density, access to major streets, drainage, etc. We would appreciate your reviewing the plan and any comments you have on it. Specifically, should the number of access points to Parcel #2 be reduced to Rock Road and 21st Street North. I would think a major approach to each street would be preferred. Also, regarding the proposed density of 1497 dwelling units, can only the one public street accommodate this traffic to 21st Street North and Rock Road.

We would appreciate any comments you have by November 30, 1973, so that we can respond to the applicant. If a meeting is desired, please advise.

JHG:rw

attachment

Comments from Engineering
11/29/73

- Checked dimensions at entry ways and at major street intersection. 60' half and 75' half.
- Pedestrian system to reach Coleman School-
- West half can be served by extension of bus street of Coleman. East half by parking temporarily, or sub main extension through Country Club.

November 20, 1973

Dick Linn, City Engineer
Paul Graves, Traffic Engineer
M. S. Mitchell, Superintendent of Public Works Maintenance
Jack H. Galbraith, Chief Planner

DF-62 - Residential and Commercial CUP -
At the Southwest corner of Rock Road and 21st Street North

Attached is a copy of a combination Residential and Commercial CUP, prepared by Robert W. Hollin of Dallas, Texas, for the 160 acres of land recently annexed to the City, located at the Southwest corner of Rock Road and 21st Street North.

We have briefly reviewed the plan and have several questions on density, access to major streets, drainage, etc. We would appreciate your reviewing the plan and any comments you have on it. Specifically, should the number of access points to Parcel #2 be reduced to Rock Road and 21st Street North. I would think a major approach to each street would be preferred. Also, regarding the proposed density of 1497 dwelling units, can only the one public street accommodate this traffic to 21st Street North and Rock Road.

We would appreciate any comments you have by November 30, 1973, so that we can respond to the applicant. If a meeting is desired, please advise.

JHG:rw

attachment

November 9, 1973

Mr. Robert W. Hollin
Land Planning, Inc.
Post Office Box 11172
Dallas, Texas 75223

Dear Mr. Hollin:

This is to advise you that I have received copies of the plan on the property in which Mr. Vickers has an interest. Also, today I received your letter of November 6, 1973 requesting additional information.

Prior to our being able to forward these plans to the various divisions of the Department of Public Works for their comments, we need copies of the plans with the required general information. Also, we need an application and filing fee.

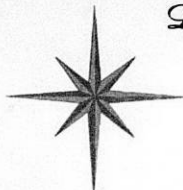
Regarding your question on related commercial uses in the area proposed for offices, as I interpret the ordinance, the only related retail use listed is for an apothecary. I would still be interested in the retail uses you have in mind for this area. If such uses as a restaurant is desired, I would suggest that you redesign the plan and have the office area directly related to the commercial area on 21st Street. As to the sequence of development, if you don't have an idea as to which parcels will be developed first, or the sequence of development for the other parcels, please disregard my initial comments.

At such time as we have all the items as required in the CUP application, we will begin to process the development plan.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber



Land Planning, Inc.

ROBERT W. HOLLIN

POST OFFICE BOX 11172
DALLAS, TEXAS 75223

ROOM 201 • PHONE TA 3-4797
EAST GRAND POST OFFICE BUILDING
1106 GRAHAM AVENUE

FORMERLY ZONING ADMINISTRATOR AND PLANNER CITY OF DALLAS

MEMBER

- AMERICAN SOCIETY OF PLANNING OFFICIALS
- URBAN LAND INSTITUTE
- GREATER DALLAS PLANNING COUNCIL
- SOUTHWESTERN PLANNERS ARCHITECTS CONSULTANTS ENGINEERS



FOR THE INDIVIDUAL

- Design of . . .*
- Residential Subdivisions
- Industrial Subdivisions
- Shopping Centers
- Apartment Sites
- Institutional Grounds
- Parks and Clubs
- Site Plans

Service in . . .

- City Planning
- Trade Area Analysis
- Zoning Consultation
- Community Planning
- Evaluation Surveys

FOR MUNICIPALITIES

- Major Street Plans
- Secondary Street Plans
- Land Use Surveys
- Future Land Use Plans
- Platting Recommendations
- Area Master Plans
- Zoning Ordinances
- Platting Rules and Recommendations
- Zoning Recommendations
- Traffic Engineering

November 6, 1973

Mr. Jack Galbraith
 Chief Planner
 Community Unit Development Division
 Metropolitan Area Planning Department
 City Building Annex
 401 South Main
 Wichita, Kansas 67202



Dear Jack:

I received your letter and comments regarding the development notes I submitted for your review. The site plan is on the way to you at the present time, the blueprinter having picked up the tracing this morning.

With reference to the related retail not being permitted in the professional-medical office area we propose, which is Parcel Three, would it be possible to get commercial zoning on Parcel Three restricted to professional, medical, dental office and clinics, laboratories with acute care facilities including related retail and personal services when provided in the same structure with the office or medical complex. In other words, we would be asking for a commercial use restricted to only those mentioned and under the conditions listed.

With reference to the note regarding parking ratio, I will clarify and differentiate between retail and office use, as you suggested.

With reference to the width of major circulation drives, I think the inclusion of either the word private or the addition of dedicated and public streets shall be developed in accordance with the regulations and specifications of the city, which ever you feel would be

-2-

more appropriate, would clearly define the intent of the general provision regarding paving.

If you were to ask for a sequence of construction with reference to the notation where I said development can be done in sections, how would we designate the sequence, since at the present time we only have definite plans on the 15 and 30 acre tracts and do not know which portion of Parcel Six will develop first - north or south, or Parcel Seven A, B or C. Would it be possible to clarify this by revising that particular section to say development can be done in sections as approved by the Planning Commission upon submission of detailed plans for the various segments?

I appreciate your quick reply to my letter and am looking forward to seeing you in the very near future.

Sincerely yours,



ROBERT W. HOLLIN
Municipal Planning Consultant

RWH/bm

November 2, 1973

Mr. Robert W. Hollin
Municipal Planning Consultant
Land Planning, Inc.
P.O. Box 11172
Dallas, Texas 75223

Dear Mr. Hollin:

I have previously reviewed the attached general information you provided on the format for the total Vickers CUP. As you stated, it is difficult to thoroughly analyze this information without the proposed plans; however, for the most part, the general information seems to be adequate. At such time as the plans are submitted, we will completely review the information as it relates to the plan and respond to you as soon as we have input from the Department of Public Works.

Please contact our office if we can provide you with additional information.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rw
attachment



Land Planning, Inc.

ROBERT W. HOLLIN

POST OFFICE BOX 11172
DALLAS, TEXAS 75223

ROOM 201 * PHONE TA 3-4787
EAST GRAND POST OFFICE BUILDING
1105 GRAMAM AVENUE

FORMERLY ZONING ADMINISTRATOR AND PLANNER CITY OF DALLAS

MEMBER
AMERICAN SOCIETY OF
PLANNING OFFICIALS
URBAN LAND INSTITUTE
GREATER DALLAS PLANNING
COUNCIL
SOUTHWESTERN PLANNERS
ARCHITECTS CONSULTANTS
ENGINEERS

October 30, 1973

★
FOR THE INDIVIDUAL

- Design of . . .*
- Residential Subdivisions
- Industrial Subdivisions
- Shopping Centers
- Apartment Sites
- Institutional Grounds
- Parks and Clubs
- Site Plans
- Service in . . .*
- City Planning
- Trade Area Analysis
- Zoning Consultation
- Community Planning
- Evaluation Surveys

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- Major Street Plans
- Secondary Street Plans
- Land Use Surveys
- Future Land Use Plans
- Planning Recommendations
- Area Master Plans
- Zoning Ordinances
- Planning Rules
and Recommendations
- Zoning Recommendations
- Traffic Engineering

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

Dear Jack:

I received the copy of the Wichita Zoning Ordinance you sent me, which I greatly appreciate. So far to date, I have had preliminary discussions with the Director of Planning of Dallas and several members of the Planning Commission regarding your community unit planning techniques and have found them to be interested in pursuing the density planning approach, at least at the committee level, so hopefully I am making some progress.

Enclosed I am sending you my first draft of the community unit plan development notes for your review and comments. I know it will be difficult to review these without an accompanying plan; however, I wish to first find out if the format I am using is the correct procedure and also if the coverage I have is complete. We are finally getting all the pieces together on the plan and lack information on only one tract, which we should be able to finish within a week and get you copies of the plan in its preliminary form, for your review and comments also.

I would appreciate your reviewing these development notes and advising me as to their completeness and acceptability.

Very truly yours,

ROBERT W. HOLLIN
Municipal Planning Consultant



RWH/bm
Encl.

October 15, 1973

Mr. Robert W. Hollin
Municipal Planning Consultant
Land Planning, Inc.
P. O. Box 11172
Dallas, Texas 75223

Dear Mr. Hollin:

In response to your letter of October 8, 1973, attached is a complimentary copy of our City Zoning Regulations. As you probably will determine upon scanning this ordinance, it was first developed in the 1920's and has continually been amended through the years. The residential section for Community unit plans (28.04.190) is not detailed and does not provide information as to what is required in information. We generally have required information listed in the commercial section of the Community unit plan (CUP); however, the major difference is that on residential CUPS we require the indication of buildings.

Residential CUPS are permissive and may be submitted only on 20 acres or more. It is not necessary that property be rezoned to multiple family districts, as various housing types may be permitted in each zoning classification and the density permitted in the zoning districts is the maximum density permitted on the CUP. We have several residential CUPS on "AA" Single Family zoning with garden apartments and townhouses proposed which do not exceed the 7 dwelling units (DUs) per acre permitted in the "AA" district.

Also enclosed please find a summary list of the zoning classifications for the City of Wichita and in the margin I have indicated the maximum dwelling units permitted in each zone.

Mr. Robert W. Hollin
Page 2

We are in the process of writing a new zoning regulation and in the new text we are proposing several "PUD" Planned Unit Development sections. The text is only a draft at this time and is not available for release. Perhaps in the near future we will have that section completed and I can furnish you a copy.

If you would like me to furnish additional information, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rw

enclosures (2)



Land Planning, Inc.

ROBERT W. HOLLIN

POST OFFICE BOX 11172
DALLAS, TEXAS 75223

ROOM 201 • PHONE TA 3-4797
EAST GRAND POST OFFICE BUILDING
1106 GRAHAM AVENUE

FORMERLY ZONING ADMINISTRATOR AND PLANNER CITY OF DALLAS

MEMBER

- AMERICAN SOCIETY OF PLANNING OFFICIALS
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- Platting Rules and Recommendations
- Zoning Recommendations
- Traffic Engineering

October 8, 1973

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



Dear Jack:

I received today a copy of the Lombsdale Community Unit Plan, I requested, and I will use it as a guide line for the development notes on the plan we are preparing for Tommy Vickers and his group.

I wish to thank you for the courtesy you showed us at our recent meeting and I enjoyed the conversation about planning very much. I was very interested in your community unit planning approach to zoning and would like to have additional information on this.

I have, in the past, served as planning consultant to 36 Texas communities and am currently engaged by three or four at the present time, as consultant. I have long stressed the community unit development or density planning concept and have found it a hard pill to get people to take. I am also working with the City of Dallas on the Thoroughfare Revision Committee and the Zoning Revision Committee and have discussed the same approach with them.

I would like to have a copy of your complete ordinance and any other information pertaining to the establishment and criteria for your community unit development, so I may review

-2-

it and possibly make suggestions to the City of Dallas based on the information I obtain from your department. I will be glad to pay for any charge or cost involved in the preparation and reproduction of this material and would greatly appreciate any personal thoughts you have on this matter.

I feel that density planning is the answer to many of our urban problems and like very much what I have seen to date of the approach you are using in the Wichita area.

Sincerely yours,



ROBERT W. HOLLIN
Municipal Planning Consultant

RWH/bm

Thomas M. Vickers

September 27, 1973

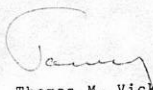
Jack Galbraith
Metropolitan Planning Dept.
City of Wichita
City Hall Annex
Wichita, Kansas 67202

Dear Jack:

I would like to drop you a short note of thanks for your time this morning. I know your schedule was a very busy one and do appreciate your giving me a few minutes of your time.

If you desire additional information or if I can assist you in any manner, please feel free to call me at 267-5388.

Cordially,


Thomas M. Vickers

TMV/lb



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.

D indicates duplicates; X indicates ass'd zone case 2-1592

a. Applicant E.E. Jabes 67037

Address RFD # 1 Derby, Kansas Phone 776-2488

Agent John Arnold

Address 525 Sutton Place Building, Wichita Phone 263-7242

b. Applicant _____

Address _____ Phone _____

Agent Robert H. Nelson

Address 200 W. Douglas 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 Immediate corner of 21st & Rock Road (600'x600') is zoned LC. Balance of 154 ~~acres~~ ^{acres} zoned "AA" and legally described as Lot(s)

_____, Block(s) _____,

N.E. 1/4 of Sec. 7, Township 27, Range 2 E Addition.
Sedgwick County, Kansas

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

II.B There are 160 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) N/A.

The general location is (use appropriate section)

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

b. on the _____ side of _____ (Ave.,
Street) between _____ (Ave., Street) and
_____ (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.

E. E. Jabes
By x [Signature] By _____
Authorized Agent (if any) Authorized Agent (if any)

By _____ By _____
Authorized Agent (if any) Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at
3:30 (AM, PM) on 11/19/73 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ 400⁰⁰.

G. Lynn Shirley Name
Jr. Planner Title

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
5	A	McEwen 9th Addition	✓ Joseph Andrew Moyzis Gail Jean Moyzis 6828 Farmview Wichita, Kansas 67206
6	A	Same	Barbara Sue Davis and ✓ Jimmy Tom Davis II 6832 Farmview Wichita, Kansas 67206
7	A	Same	Pete M. Christy Jr. ✓ Millie J. Christy 6838 Farmview Wichita, Kansas 67206
8	A	Same	John H. Bradbury and ✓ Joyce A. Bradbury 6842 Farmview Wichita, Kansas 67206
9	A	Same	C. W. Womack Jr. and ✓ Carol Ann Womack 6850 Farmview Wichita, Kansas 67206
1	C	Same	Douglas E. Elder and ✓ Ruth E. Elder 1642 Culen Street Wichita, Kansas 67206
2	C	Same	Virgil L. Rhea and ✓ Mary B. Rhea 6841 Farmview Wichita, Kansas 67206
3	C	Same	Duard E. McFarland and ✓ Leah Jane McFarland 1634 Culen Street Wichita, Kansas 67206
4	C	Same	Marvin L. Wright and ✓ Yvonne Wright 1626 Culen Street Wichita, Kansas 67206
1	1	Coleman School Addition	Unified School District ✓ No. 259 428 South Broadway Wichita, Kansas 67202

Tract

Property Owner

The Northeast Quarter of Section 7-27-2E

D E. E. Jabes
RFD 1
Derby, Kansas 67037

The North Half of the Northeast Quarter
of the Southeast Quarter of Section 7-27-2E

X/D Dolese Brothers Co.
218 West 2nd Street
Wichita, Kansas 67202

The South 20 Acres of the Northeast Quarter
of the Southeast Quarter of Section 7-27-2E

Radio Station KFH Co., Inc
104 South Emporia
Wichita, Kansas 67202

Beginning at a point 1734.2 feet North of the Southeast corner of the Southwest Quarter of Section 7-27-2E, thence West parallel with the South line of said Southwest Quarter 606 feet more or less to a point 50 feet East of measured at right angles to the East line of drainage easements as platted in McEwen 9th Addition, thence Northerly parallel with and 50 feet from said easement to a point 1994.2 feet North of the South line of said Southwest Quarter, thence East parallel with the South line said Southwest Quarter 634 feet more or less to the East line of said Southwest Quarter, thence South 260 feet to beginning, except the East 40 feet for street

✓ Pine Valley Christian Church
1635 N. Gouverneur Road
Wichita, Ks. 67206

The East Half of the Southwest Quarter of Section 7-27-2E except the above described tract and except that portion platted as Rockhurst Addition and except that portion platted as McEwen 9th Addition

✓ McEwen Estates Inc.
700 East Central
Wichita, Ks. 67214

All of Government Lot 1 in the Northwest Quarter of Section 7-27-2E and all of the East Half of the Northwest Quarter of Section 7-27-2E except the South 562 feet

Theodore Gore
✓ Fourth Natl. Bank Bldg.
Wichita, Ks. 67202

Robert M. Beren
✓ Vickers-K.S.B. & T. Bldg
Wichita, Ks. 67202

✓ Theodore I. Leben
1556 East 2nd Street
Wichita, Ks. 67214

All of the South 562 feet of the Northwest Quarter of Section 7-27-2E except the West 1162.75 feet as conveyed in deed 714-315

✓ Kansas Gas & Electric Co.
120 East First Street
Wichita, Kansas 67202

Tract

Property Owner

The Northwest Quarter of the Southwest
Quarter of Section 8-27-2E

X Fred C. Koch
8500 East 13th Street
Wichita, Ks. 67206

The Northwest Quarter of Section 8-27-2E

X Louise W. Bradley
RFD #3
Wichita, Ks. 67206

The Southwest Quarter of the Southwest
Quarter of Section 5-27-2E

Wichita Land Company
Address Unknown

The South Half of the Southeast Quarter
of Section 6-27-2E

Wichita Land Company
Address Unknown

Lot	Block	Addition	
4	I	Comotara First Addition	Wichita Land Co. Address Unknown
5	I	Same	Same
6	I	Same	Same
7	I	Same	Same
8	I	Same	Same
9	I	Same	Same
10	I	Same	Same
11	I	Same	Same
3	H	Same	Same
4	II	Same	Same
5	H	Same	Same
6	H	Same	Same
7	H	Same	Same
8	H	Same	Same
9	H	Same	Same
10	H	Same	Same
4	J	Same	Same
5	J	Same	Same
6	J	Same	Same

Lot	Block	Addition	Property Owner
7	J	Comotara First Addition	Wichita Land Co. Address Unknown
8	J	Same	Same
9	J	Same	Same
10	J	Same	Same
11	J	Same	Same
12	J	Same	Same
13	J	Same	Same
14	J	Same	Same
15	J	Same	Same
16	J	Same	Same
17	J	Same	Same
18	J	Same	Same
11	K	Same	Same
12	K	Same	Same
13	K	Same	Same
15	K	Same	Same
14	K	Same	Same
16	K	Same	Same
17	K	Same	Same
18	K	Same	Same
19	K	Same	Same
20	K	Same	Same

The Security Abstract and Title Company, Inc.,
hereby certifies the foregoing to be a true and correct list of
property owners of:

A 1000 foot radius of: The Northeast
Quarter of Section 7-27-2E of the 6th P.M.
Sedgwick County, Kansas

as shown by the records on file in the Office of the County
Recorder of Sedgwick County, Kansas, on this 21st day of November,
1973 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

John Byron

asst Vice President

Order No. 208763
wh

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbz. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION AMOUNT

Community Unit Plan
4100.00

Name
H. J. ...

Address
... ..

Type Due Date

Comments:
AA--107103

Date 11-19-73 By JZ

*

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

Roll # 1

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