

DP-67, APPOINTMENT #1 - NORTHBOROUGH C.U.P.  
(Assoc. Case 7-2740) - Generally located  
south of 1st Street North and east of  
Sprawlewood.

POSTED 2-19-86 *KL*  
*ok*

# ACTION

COMMITTEE \_\_\_\_\_ DATE \_\_\_\_\_

M.A.P.C. *Approved, sent to* 3-6-86  
*Committee*

B.C.C./B. C.A.C. *Approved as* 4-1-86  
*Recommended*

DATA SHEET

Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 DR- \_\_\_\_\_  
 DP- 67  
 Amend 1  
 Case Filed: 2-4-86  
 Associated Case: Z-2740

APPLICATION DATA: Map No. 5949 D

1. General Location: South of 21st Street North and east of Bramblewood
2. From \_\_\_\_\_ to \_\_\_\_\_
3. Proposed Use: \_\_\_\_\_
4. DP Name: NORTHBOROUGH COMMUNITY UNIT PLAN (PARCEL 6)
5. Applicant: Theodore Leben, etal.  
 Address 105 S. Broadway, Suite 640, Wichita, Kansas 67202 Phone 264-2375
6. Agent: Robert W. Kaplan, Attorney  
 Address 430 N. Market, Wichita, Kansas 67202 Phone 262-5175  
 Agent: Professional Engineering Consultants, P.A. c/o Gary Wiley  
 Address: 1440 E. English, Wichita, Kansas 67211 Phone 262-2691

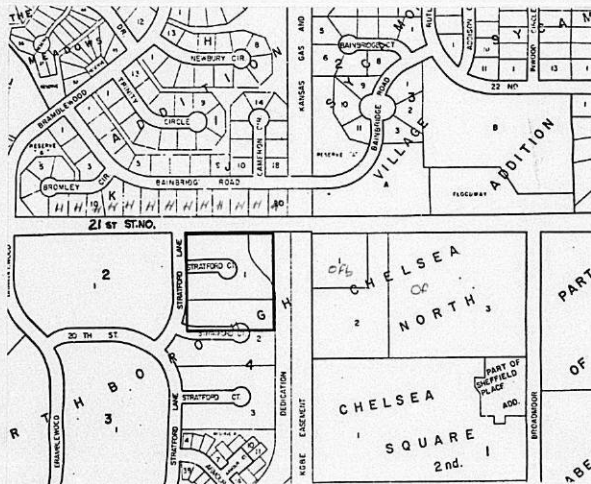
AREA DATA:

1. Acres: 5.12 ( 488' ft. by 455' ft.)
2. Adjoining Zoning: N "AA"(CUP) S "R-5" E "BB" W "R-5"
3. Land Use: North \_\_\_\_\_ East \_\_\_\_\_  
 South \_\_\_\_\_ West \_\_\_\_\_

PICTURE SHEET

PHOTO DATA:

Taken by (B) Date 2-24-86 Time 3PM



NOTES:

LOUISIANA  
 REGISTERED PROFESSIONAL ENGINEER  
 HOUSTON, TEXAS 77002  
 USA

**Shaw**  
 No. 2-153C  
 MADE IN U.S.A.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: April 2, 1986

TO: Monty Robson, Superintendent of Central Inspection

FROM: Louise Olivarez, Senior Planner, Current Plans

SUBJECT: DP-67, Amendment #1. Northborough Residential & Commercial C.U.P.

The Board of City Commissioners on April 1, 1986, considered the above-captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included within Parcels 6 and 6-A of the amended C.U.P. shall be replatted within one year from the date of approval by the Board of City Commissioners and prior to issuance of any building permits or the application shall be considered denied and closed.

Attached for your information and files are two approved copies of the C.U.P. If you have any questions concerning this matter, please contact our office.

Louise Olivarez  
Senior Planner

LO:blw  
Attachments

w/o Attachments

cc: Theodore Leben, 105 S. Broadway, Suite 640, Wichita, KS. 67202  
Robert W. Kaplan, 430 N. Market, Wichita, KS. 67202  
Gary Wiley, Professional Engineering Consultants, 1440 E. English,  
Wichita, KS. 67211

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Commission Meeting  
April 1, 1986

Agenda Report # \_\_\_\_\_

TO: Mayor and City Commissioners

SUBJECT: DP-67 AMENDMENT #1 - REQUEST FOR AMENDMENT OF A PORTION OF PARCEL 6 OF THE NORTHBOROUGH COMMUNITY UNIT PLAN, AND

Z-2740 - REQUEST FOR ZONE CHANGE FROM "R-5" GENERAL RESIDENCE TO "B" MULTIPLE-FAMILY LOCATED SOUTH OF 21ST STREET NORTH IN AN AREA EAST OF BRAMBLEWOOD.

INITIATED BY: Metropolitan Area Planning Department

ACENDA ACTION: Zoning

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MAPC Recommendation: Approve (7-0)

Staff Recommendation: Approve

Background: On March 6, 1986, the MAPC held a public hearing to consider an amendment to a portion of Parcel 6 of the Northborough Community Unit Plan and associated zone change request from "R-5" to "B". This 108-acre commercial and residential C.U.P. has not been amended since it was first approved in 1975. Parcel 6 was granted "R-5" zoning and was approved for development with townhouses and/or clustered detached dwellings having accommodations for 1, 2, 3, or 4 families at a density of 6 d.u.'s per acre (85 d.u.'s total). Parcels 4, 5, 6 and 7 are undeveloped to date, although the entire C.U.P. area has been platted. The owner desires to sell the north 5.12 acres of Parcel 6 to a developer for a nursing home and associated day care center for the elderly. The "B" zoning district is the first district to permit a nursing home. No one appeared in opposition to the zone change or C.U.P. amendment. The Planning Commission recommended approval subject to Parcels 6 and 6A of the amended C.U.P. being replatted prior to issuance of building permits and within one year after City Commission approval of these requests.

CPO Council "I" met on March 11, 1986, but due to lack of a quorum, was unable to make an official recommendation. No area residents were present to speak regarding this matter.

Analysis: Properties to the north across 21st Street are developed with single-family houses. To the east, across a wide drainage easement and K G & E easement, are offices. Land to the south and west is undeveloped. We have been advised that the balance of the undeveloped portion of this C.U.P. will be amended in the near future as soon as a traffic analysis has been completed and reviewed. The 5.12 acre site for the nursing home is being designated as Parcel 6A on the amended C.U.P. The maximum number of beds in the home would be 180. A day care center for the

elderly could be incorporated as part of the nursing center. The balance of the old Parcel 6 would remain, for the time being, as residential permitting the same type and density of development as originally approved. At 6 d.u.'s per acre, 54 units could be built on the remainder of Parcel 6. The MAPC found that the character of the neighborhood and its location on a major street; the zoning and uses of nearby properties, especially those to the east; and the suitability of subject property for the uses proposed, justified the zone change and C.U.P. amendment.

- Actions:
1. 1. Concur with the findings of the MAPC and approve the zone change and C.U.P. subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or
  2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map  
3-06-86 MAPC Minutes  
DP-67

EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 6, 1986

LEGAL:

- 8a. Case No. DP-67 Amendment #1 - Theodore Leben, et al request approval of an amendment to a portion of Parcel 6 of the Northborough Community Unit Plan, AND
- 8b. Case No. Z-2740 - Theodore Leben, et al request zone change from "R-5" to "B" for a portion of Block 4, NORTHBOROUGH ADDITION, Wichita, Sedgwick County Kansas, described as beginning at a point 1820.91 feet east and 50.00 feet south of the Northwest corner of Section 7, Township 27 South, Range 2 East of the 6th P.M.; thence bearing N90°00'00"E parallel to and 50.00 feet south of the north line of said Section 7, a distance of 455.74 feet; thence bearing S0°20'29"E a distance of 488.01 feet; thence bearing N90°00'00"W a distance of 458.59 feet; thence bearing N0°00'00"E a distance of 488.00 feet to the point of beginning. Generally located south of 21st Street North in an area east of Bramblewood.

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

Background: This 108-acre commercial and residential C.U.P. has not been amended since it was first approved in 1975. Parcel 6 was granted "R-5" zoning and was approved for development with townhouses and/or clustered detached dwellings having accommodations for 1, 2, 3, or 4 families at a density of 6 d.u.'s per acre (85 d.u.'s total). Parcels 4, 5, 6 and 7 are undeveloped to date, although the entire C.U.P. area has been platted. The owner desires to sell the north 5.12 acres of Parcel 6 to a developer for a nursing home and associated day care center for the elderly. The "B" zoning district is the first district to permit a nursing home.

Analysis: Properties to the north across 21st Street are developed with single-family houses. To the east, across a wide drainage easement and K G & E easement, are offices. Land to the south and west is undeveloped. We have been advised that the balance of the undeveloped portion of this C.U.P. will be amended in the near future as soon as a traffic analysis has been completed and reviewed. The 5.12 acre site for the nursing home is being designated as Parcel 6A on the amended C.U.P. The maximum number of beds in the home would be 180. A day care center for the elderly could be incorporated as part of the nursing center. The balance of the old Parcel 6 would remain, for the time being, as residential permitting the same type and density of development as originally approved. At 6 d.u.'s per acre, 54 units could be built on the remainder of Parcel 6.

In order for the Planning Commission to recommend approval of this amendment to the residential portion of this C.U.P., 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 Chapter 28.04.190.A of the Wichita Zoning Ordinance 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.

Should the Planning Commission determine that this C.U.P. amendment and zoning change are appropriate, the following are recommended conditions of approval:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included within Parcels 6 and 6A of the amended C.U.P. shall be replatted within one year after City Commission approval and prior to issuance of any building permits in order to vacate streets, easements and lot lines, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

DISCUSSION:

BAYOUTH left the meeting.

OLIVAREZ pointed out that the reason the applicants were requesting "B" Multiple Family zoning was because they wanted to put in a nursing home, and the "B" classification was the first district which permits a nursing home. She said that this is part of an overall community unit plan which is 108 acres in size, and is a commercial and residential C.U.P. That community unit plan was approved in 1975 and has not yet been amended. The development that has occurred at this site has been confined to the commercial and office district. The residential portion of the C.U.P., although it has been platted, has not developed. She stated that the balance of the C.U.P. was not being

amended at this time, although there probably would be an amendment for the rest of the undeveloped portion within the next few months. OLIVAREZ said that staff recommended approval of the requests.

ROBERT KAPLAN, attorney representing the applicants, was present.

There was no one present in opposition to the application.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that these applications be approved subject to the following conditions:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
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Moore moved, Peters seconded and it carried unanimously. Bayouth was not present. Banzer and Crockett were absent.

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THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services DATE March 12, 1986

TO Chris Cherches, City Manager  
FROM Annie K. Montgomery, CRS Director


SUBJECT DP-~~07~~ and Z-2740: South of  
21st Street North in an area  
east of Bramblewood

On March 11, 1986, CPO Council Area "I" was to consider the above captioned case, a request for an amendment to a portion of Parcel 6 of the "Northborough C.U.P." and associated zone change from the "R-5" General Residence District to the "B" Multiple Family Dwelling District. Council members were provided the notice to adjoining property owners, a map of the area and MAPD comments.

Due to a lack of a quorum, the Council was unable to make a recommendation.

The agent, Robert Kaplan, Attorney, was present. There were no area residents in attendance to either support or oppose the request.

Please provide the Council's recommendation to the City Commission when case DP-76 and Z-2740 are considered.

  
Annie K. Montgomery  
CRS Director

AKM:BLC:dm

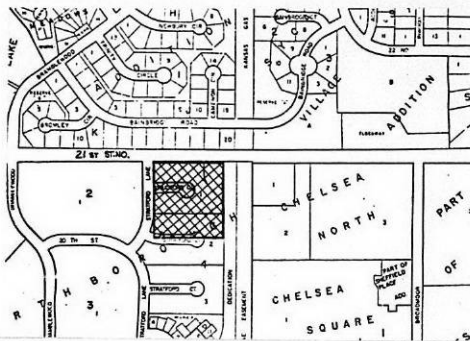
cc: Jack Galbraith, Chief Planner, Current Plans

**RECEIVED**  
MAR 17 1986  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

MARCH 6, 1986

STAFF REPORT

APPLICATION  
AREA



DP-67 Amendment #1 - REQUEST FOR AMENDMENT TO A PORTION OF PARCEL 6 OF THE NORTHBOROUGH C.U.P., AND

Z-2740 - REQUEST FOR ZONE CHANGE FROM "R-5" GENERAL RESIDENCE DISTRICT TO "B" MULTIPLE FAMILY DWELLING DISTRICT, GENERALLY LOCATED SOUTH OF 21ST STREET NORTH IN AN AREA EAST OF BRAMBLEWOOD.

Applicant: Theodore Leben, et. al., 105 S. Broadway, Suite 640, Wichita, KS 67202.

Size: 5.12 acres

	Land Use	Zoning
Application Area	Undeveloped	"R-5" w/CUP
North	Single-family houses	"AA" w/CUP
South	Undeveloped	"R-5" w/CUP
East	Offices	"BB" w/CUP
West	Undeveloped	"R-5" w/CUP

History: DP-67 & Z-1666 2/13/75 MAPC approved  
("AA" & "LC" to "LC", "BB" & "R-5") 3/11/75 BCC approved

**Background:** This 108-acre commercial and residential C.U.P. has not been amended since it was first approved in 1975. Parcel 6 was granted "R-5" zoning and was approved for development with townhouses and/or clustered detached dwellings having accommodations for 1, 2, 3, or 4 families at a density of 6 d.u.'s per acre (85 d.u.'s total). Parcels 4, 5, 6 and 7 are undeveloped to date, although the entire C.U.P. area has been platted. The owner desires to sell the north 5.12 acres of Parcel 6 to a developer for a nursing home and associated day care center for the elderly. The "B" zoning district is the first district to permit a nursing home.

**Analysis:** Properties to the north across 21st Street are developed with single-family houses. To the east, across a wide drainage easement and K G & E easement, are offices. Land to the south and west is undeveloped. We have been advised that the balance of the undeveloped portion of this C.U.P. will be amended in the near future as soon as a traffic analysis has been completed and reviewed. The 5.12 acre site for the nursing home is being designated as Parcel 6A on the amended C.U.P. The maximum number of beds in the home would be 180. A day care center for the elderly could be incorporated as part of the

DP-67 & Z-2740 SR

nursing center. The balance of the old Parcel 6 would remain, for the time being, as residential permitting the same type and density of development as originally approved. At 6 d.u.'s per acre, 54 units could be built on the remainder of Parcel 6.

In order for the Planning Commission to recommend approval of this amendment to the residential portion of this C.U.P., 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 Chapter 28.04.190.A of the Wichita Zoning Ordinance 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.

Should the Planning Commission determine that this C.U.P. amendment and zoning change are appropriate, the following are recommended conditions of approval:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included within Parcels 6 and 6A of the amended C.U.P. shall be replatted within one year after City Commission approval and prior to issuance of any building permits in order to vacate streets, easements and lot lines, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

March 7, 1986

Robert W. Kaplan  
430 North Market  
Wichita, Kansas 67202

Re: DP-67 Amendment to a portion of Parcel 6 of the NORTHBOROUGH C.U.P. and Z-2740 - "R-5" to "B". South of 21st Street North in an area east of Bramblewood.

Dear Mr. Kaplan:

At its regular meeting on March 6, 1986, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend that both of these cases be approved subject to the following conditions:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
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- d. The property included within Parcels 6 and 6A of the amended C.U.P. shall be replatted within one year after City Commission approval and prior to issuance of any building permits in order to vacate streets, easements and lot lines, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

Robert W. Kaplan  
March 7, 1986  
Page 2

Please submit ten (10) copies of the C.U.P. to this office by Wednesday, March 19, 1986.

This matter will be forwarded to the Board of City Commissioners for consideration at their regular meeting on April 1, 1986, this meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

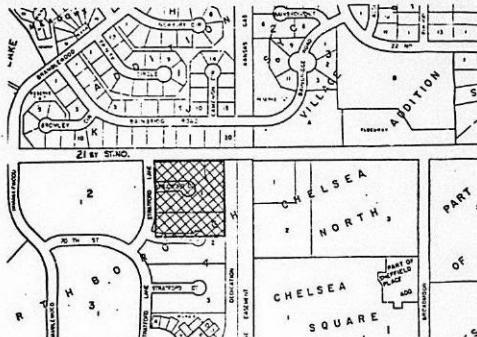
JHG/lw

cc: Theodore Leben, et. al., 105 S. Broadway, Suite 640, Wichita, KS  
67202  
Professional Engineering Consultants, Gary Wiley, 1440 E. English,  
Wichita, KS 67211  
Manor Health Care Corp., 16720 Columbia Pike, Silver Springs, MD  
20901

MARCH 6, 1986

STAFF REPORT

APPLICATION  
AREA



DP-67 Amendment #1 - REQUEST FOR AMENDMENT TO A PORTION OF PARCEL 6  
OF THE NORTHBOROUGH C.U.P., AND

Z-2740 - REQUEST FOR ZONE CHANGE FROM "R-5" GENERAL RESIDENCE DISTRICT TO "B" MULTIPLE FAMILY DWELLING DISTRICT, GENERALLY LOCATED SOUTH OF 21ST STREET NORTH IN AN AREA EAST OF BRAMBLEWOOD.

Applicant: Theodore Leben, et. al., 105 S. Broadway, Suite 640, Wichita, KS 67202.

Size: 5.12 acres

	<u>Land Use</u>	<u>Zoning</u>
Application Area	Undeveloped	"R-5" w/CUP
North	Single-family houses	"AA" w/CUP
South	Undeveloped	"R-5" w/CUP
East	Offices	"BB" w/CUP
West	Undeveloped	"R-5" w/CUP

History: DP-67 & Z-1666 2/13/75 MAPC approved  
( "AA" & "LC" to "LC", "BB" & "R-5" ) 3/11/75 BCC approved

**Background:** This 108-acre commercial and residential C.U.P. has not been amended since it was first approved in 1975. Parcel 6 was granted "R-5" zoning and was approved for development with townhouses and/or clustered detached dwellings having accommodations for 1, 2, 3, or 4 families at a density of 6 d.u.'s per acre (85 d.u.'s total). Parcels 4, 5, 6 and 7 are undeveloped to date, although the entire C.U.P. area has been platted. The owner desires to sell the north 5.12 acres of Parcel 6 to a developer for a nursing home and associated day care center for the elderly. The "B" zoning district is the first district to permit a nursing home.

**Analysis:** Properties to the north across 21st Street are developed with single-family houses. To the east, across a wide drainage easement and K G & E easement, are offices. Land to the south and west is undeveloped. We have been advised that the balance of the undeveloped portion of this C.U.P. will be amended in the near future as soon as a traffic analysis has been completed and reviewed. The 5.12 acre site for the nursing home is being designated as Parcel 6A on the amended C.U.P. The maximum number of beds in the home would be 180. A day care center for the elderly could be incorporated as part of the

DP-67 & Z-2740 SR

nursing center. The balance of the old Parcel 6 would remain, for the time being, as residential permitting the same type and density of development as originally approved. At 6 d.u.'s per acre, 54 units could be built on the remainder of Parcel 6.

In order for the Planning Commission to recommend approval of this amendment to the residential portion of this C.U.P., 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 Chapter 28.04.190.A of the Wichita Zoning Ordinance 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.

Should the Planning Commission determine that this C.U.P. amendment and zoning change are appropriate, the following are recommended conditions of approval:

- a. 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.
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- d. The property included within Parcels 6 and 6A of the amended C.U.P. shall be replatted within one year after City Commission approval and prior to issuance of any building permits in order to vacate streets, easements and lot lines, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

CASE NO. DP-67/Z-2740

24 "Notices to Adjoining Property Owners" mailed on  
2-20-86 for MAPC meeting on 3-6-86.  
2 One each to ~~Applicant and Agent.~~ *Screen or Mason Healthcare? Kaplan or Wiley?*  
3 One each to CPO, Karen Crook and Carl Gipson.  
2 One each to Louise and Glen.

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31 TOTAL

2-21-86

/

*David Leben*  
105 S. Broadway Suite 640 67202

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

February 20, 1986

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, March 6, 1986, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to a portion of Parcel 6 of the NORTHBOROUGH COMMUNITY UNIT PLAN and an associated zone change from the "R-5" General Residence District to the "B" Multiple-Family Dwelling District for property legally described as follows:

DP-67      A portion of Block 4, Northborough Addition, Wichita, Sedgwick County, Kansas, described as:  
and      Beginning at a point 1820.91 feet east and 50.00 feet south of the  
Z-2740      Northwest corner of Section 7, Township 27 South, Range 2 East of the 6th P.M.; thence bearing N90°00'00"E parallel to and 50.00 feet south of the north line of said Section 7, a distance of 455.74 feet; thence bearing S0°20'29"E a distance of 488.01 feet; thence bearing N90°00'00"W a distance of 458.59 feet; thence bearing N 0°00'00"E a distance of 488.00 feet to the point of beginning. Generally located south of 21st Street North in an area east of Bramblewood.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

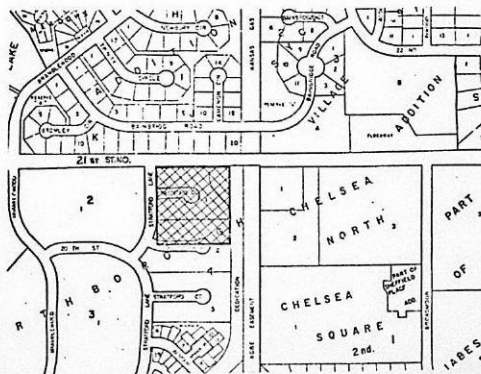
The revised Development Plan now on file proposes a change in Parcel 6 only. A new Parcel 6-A is being created in the north portion of old Parcel 6. The new parcel is for a 180-bed nursing center and associated day care center for the elderly. The "B" zoning district is required for this type of use. The balance of old Parcel 6 will remain for townhouses or clustered detached dwellings for 1, 2, 3 or 4 families (54 dwelling units maximum).

The hearing of the proposed amendment to this Development Plan and rezoning request is to be held and will there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

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

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

APPLICATION  
AREA



( ) Published in the Daily Record on February 11, 1986 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, March 6, 1986, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to a portion of Parcel 6 of the NORTHBOROUGH COMMUNITY UNIT PLAN and an associated zone change from the "R-5" General Residence District to the "B" Multiple-Family Dwelling District for property legally described as follows:

DP-67     A portion of Block 4, Northborough Addition, Wichita, Sedgwick County, Kansas, described as:  
and  
Z-2740     Beginning at a point 1820.91 feet east and 50.00 feet south of the Northwest corner of Section 7, Township 27 South, Range 2 East of the 6th P.M.; thence bearing N90°00'00"E parallel to and 50.00 feet south of the north line of said Section 7, a distance of 455.74 feet; thence bearing S0°20'29"E a distance of 488.01 feet; thence bearing N90°00'00"W a distance of 458.59 feet; thence bearing N 0°00'00"E a distance of 488.00 feet to the point of beginning. Generally located south of 21st Street North in an area east of Bramblewood.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes a change in Parcel 6 only. A new Parcel 6-A is being created in the north portion of old Parcel 6. The new parcel is for a 180-bed nursing center and associated day care center for the elderly. The "B" zoning district is required for this type of use. The balance of old Parcel 6 will remain for townhouses or clustered detached dwellings for 1, 2, 3 or 4 families (54 dwelling units maximum).

The hearing of the proposed amendment to this Development Plan and rezoning request is to be held and will there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND AND SEAL this 10th day of February, 1986.

Michael E. Lindebak, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning  
Commission

(SEAL)

DP-67 Parcel 6  
Amendment #1

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

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

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

- A. APPLICANT Theodore Leber et al ✓  
 ADDRESS 105 S. Broadway <sup>Suite 640</sup> Zip Code 67202 PHONE 264-2375  
 AGENT Robert W. Kaplan ✓  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_
- B. APPLICANT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_
- C. APPLICANT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT P.E.C. attn Gary Wiley ✓  
 ADDRESS 1440 E. English Zip Code 67211 PHONE \_\_\_\_\_

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

2. A. The applicant hereby requests approval amendment (circle appropriate word) of a Community Unit Plan on property zoned R-5 <sup>part</sup> ~~(to be zoned B)~~ and legally described as Lot(s) \_\_\_\_\_  
 Block(s) \_\_\_\_\_ of the \_\_\_\_\_  
 \_\_\_\_\_ Addition.

*Parcel 6 only  
being amended  
at this time*

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

*Same legal as for Z-2740*

*23+24+3+2+1=31*

- B. There are 5.12 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 5949D Zoning (N) AA (S) R-5 (E) BB (W) R-5 MAPC 3-6-86  
 T9-330-3 *w/cup* Revised 9/85

3. The general location is (USE APPROPRIATE SECTION):

A. At the \_\_\_\_\_ corner of \_\_\_\_\_ and \_\_\_\_\_, OR

✓ B. On the South side of 21st St. North <sup>in an area</sup> (Ave.) Street between \_\_\_\_\_ (Ave.) Street and \_\_\_\_\_ (Ave.) Street. east of Bramblewood

4. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

*see original application for vacate signature*

\_\_\_\_\_  
OFFICE USE ONLY

This application was received at the Planning Department at \_\_\_\_\_ (AM, PM) on 2-4-86 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 200.00.

*(paid as part of the original application)  
Receipt in 2-12746 file)*

L.O. \_\_\_\_\_ Name

\_\_\_\_\_ Title

\*

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

\*