

*POSTED
9-29/78*

ACTION

DATE

COMMITTEE

M.A.P.C. *Approved go to committee* 11-9-78

B.C.C./B.C.C. *Approved go* 12-5-78
Recommended

DP-90 - B.F.P. Inc. requests commercial CUP for TV-CEN. located in the general area of the southeast corner of Central & Tyler Road.

Map No. 4947
Sec. 21
Twp. 27
Range 1W

DATA SHEET
COMMUNITY UNIT PLAN

DF -90
Z-
Filed 9-7-78
(Assoc. 2-2078)

APPLICATION REQUEST: Approval of proposed planned Commercial development. TY-CEN C.U.P.

1. Applicant B.F.P. Inc.
Address 1901 W. 13th St. 67203 Phone 262-1169
2. Agent Ohlinger-Smith Corporation
Address 625 1st Nat'l Bank Bldg 67202 Phone 262-0451
3. General Location in the general area of the southeast corner of
Central and Tyler Road Address _____
4. Proposed Use _____

AREA DATA

1. Acres 30.4 (_____ ft. by _____ ft.)
2. Existing Zoning "AA" Proposed Zoning "R-6" "BB" & "LC"
3. Area (is) (is not) platted. _____ Addition
4. Existing R/W _____ ft. _____ ft. _____ ft.
Proposed R/W _____ St. _____ St. _____ St.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:
Date 11-9-78 Action Approved and to continue
2. Governing Bcdy
Date 12-5-78 Action Approved as Recorder

SHAW
Mk. 2153C
DASTINE, INC. LOS ANGELES
COPIED ON MICROFILM BY U. S. A.

Map No. 4947
Sec. 21
Twp. 27
Range 1W

DATA SHEET

DP- 90

Filed 9-7-78

TY-CEN C.U.P. (Commercial)

(Assoc. Z-2078)

APPLICATION DATA:

1. Applicant: B.F.P., Inc.
Address 1901 W. 13th St., 67203 Phone 262-1169
2. Agent: Oblinger-Smith Corporation
Address 625 1st Nat'l. Bank Bldg. 67202 Phone 262-0451
3. General Location: in the general area of the southeast corner of
Central and Tyler Road Address _____
4. Proposed Use: _____

AREA DATA:

1. Acres: 30.± (_____ ft. by _____ ft.)
2. Existing Zoning: "AA"
3. Land Use: East _____ South _____
West _____ North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____

PICTURE SHEET

May 30, 1979

DP-90 ✓

Donald C. Gisick, City Clerk

Jack H. Galbraith, Chief Planner

Z-2078 - Zone change "AA" to "R-6", "BB" & "LC"; and
S/D 79-14 - TY-CEN ADDITION

At the regular meeting of the Board of City Commissioners on December 5, 1978, the above captioned request for zone change was considered and approved, and the City Clerk was instructed to withhold publication of the ordinance effectuating the zone change until such time as the plat had been recorded. The associated plat was approved by the Board of City Commissioners on May 8, 1979.

This is to advise you that the final plat of TY-CEN Addition was recorded with the Register of Deeds on May 16, 1979 and, therefore, the ordinance effectuating the zone change may now be published.

Jack H. Galbraith
Chief Planner

JHG:el

January 12, 1979

Robert Feldner, Superintendent of Central Inspection
Jack H. Galbraith, Chief Planner

DP-90 - TY-CEN Community Unit Plan -
Southeast corner of Central and Tyler Road.

The Board of City Commissioners on December 5, 1978, considered the above captioned CUP. Their action was to approve the CUP subject to the following conditions:

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

Please note that prior to the issuance of any building permits, and in accordance with condition "a" above, the property must be platted.

Attached for your information and files are two approved copies of the CUP.

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

Jack H. Galbraith
Chief Planner

JHG:MM:el
Attachments

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONING
APPROVAL OF RESIDENTIAL AND COMMERCIAL CUP

CASE NO. Z-2078 & DP-90 CONSIDERED BY MAPC: 11-9-78

REQUEST FOR: Change from "AA" to "R-6", "BB" and "LC"
Approval of Residential and Commercial CUP

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To develop subject property with commercial, office,
and multiple family uses."

GENERAL LOCATION: General area of the southeast corner of Central
and Tyler Road.

LEGAL DESCRIPTION:

(See attached excerpt from Planning Commission
minutes of November 9, 1978)

APPLICANT: B.F.P., Inc., 1901 W. 13th St.

AGENT FOR APPLICANT: John Gist, Oblinger & Smith Corp., 625 1st National
Bank Bldg.

PROTESTORS (LIST COUNSEL) IF ANY: Ken Hall, 427 Tyler Road.

SURROUNDING ZONING: North and West, "AA" & "LC"; East and South, "AA".

LAND USE: Existing, undeveloped; North, Carpet Center, Animal Hospital,
undeveloped; East, Bishop Carroll High School; South, Drainage right-of-way,
Wilbur Jr. High; West, single family, service station, shopping center.

CPO RECOMMENDATION: CPO Council Area "A" voted 7-0 to recommend approval
of the requested zone change and the CUP.

PLANNING COMMISSION RECOMMENDATION:

That Z-2078 be approved, and the associated DP-90 be approved subject to
conditions a. through e. as shown in the minutes (see attached excerpt
from Planning Commission minutes of November 9, 1978 for conditions).
Jones moved, Hennessy seconded and it carried unanimously. Cole and
Taylor were absent.

ACTION: 1. Approve the zone change and CUP as recommended by the Metro-
politan 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:

EXCERPT FROM PLANNING COMMISSION MINUTES OF NOVEMBER 9, 1978:

21a. Case No. Z-2078 - B.F.P., Inc. requests zone change from "AA" to "R-6", "BB" & "LC" for that part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, Twp. 27-S, R-1-W, Sedgwick County, Kansas, described as beginning at a point 565 feet east of the SW Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, thence north parallel with the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 260 feet; thence east parallel with the south line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 165 feet; thence northeasterly, 726.9 feet more or less to a point, 546 feet south and 75 feet west of the NE Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence north parallel with the east line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 90 feet; thence east parallel with the north line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 75 feet; thence south along the east line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 862 feet more or less to the SE Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence west 756.5 feet more or less to the point of beginning. AND, the north 456 feet of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, Twp. 27-S, R-1-W, Sedgwick county, Kansas, except the west 600 feet thereof; and, except right-of-way for Central Avenue. AND, that part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, Twp. 27-S, R-1-W, Sedgwick County, Kansas, described as beginning at a point 600 feet south of the NW Corner thereof; thence south along the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ 717.25 feet to the SW Corner thereof; thence east along the south line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 565 feet; thence north parallel with the west line of the NW $\frac{1}{4}$, of said NW $\frac{1}{4}$, 260 feet; thence east parallel with the south line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 165 feet; thence northeasterly 726.9 feet more or less to a point 546 feet south and 75 feet west of the NE Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence north parallel with the east line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 90 feet; thence west parallel with the north line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 646.4 feet more or less to a point 600 feet east of the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence south parallel with the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 144 feet; thence west 600 feet to the point of beginning; except, right-of-way for Tyler Road. All generally located in the general area of the southeast corner of Central and Tyler Road.

21b. Case No. DP-90 - B.F.P., Inc. requests approval of a Commercial Community Unit Plan for: (See legal description above for Case No. Z-2078).

MIKE MEEK, Senior Planner, showed slides of the area and surrounding area and reviewed the following staff report:

COMMENTS:

1. The applicant has requested a zone change and Commercial Community Unit Plan approval on an approximate 30 acre tract generally located at the southeast corner of Central and Tyler Road. The proposed development surrounds a previously approved Commercial C.U.P. (DP-19, West Center) which has been developed with a bank, savings and loan, carpet sales outlet, and an animal hospital.
2. As required by Section 28.04.190 of the Code of the City of Wichita (C.U.P. Regulations), a commercial development plan has been submitted for review and approval by the Planning Commission and Board of City Commissioners. The plan proposes an eight parcel development: two parcels of office development, four commercial parcels, one residential parcel, and one parcel to be developed either as residential or commercial or a mixture thereof. Included on the development plan is information concerning building setbacks, maximum height limitations, screening provisions, and proposed general land use. A total gross floor area of 187,060 square feet of commercial, 81,908 square feet of office, and garden apartment development at a maximum density of 29 dwelling units per net acre is proposed.

3. The planning staff has been meeting with the developers in an attempt to provide the level of specificity and control which the Planning Commission and Board of City Commissioners have indicated is desirable to protect surrounding neighborhoods and street network, yet permit the developer some flexibility in planning and marketing his project. These meetings have resulted in several features on this plan:
 - a. The substitution of a ten (10) foot planting strip on the south lines of parcels 7 and 8, and the east line of parcel 8, in lieu of the five (5) to eight (8) foot masonry wall normally required by code. As noted in general provision #4, this substitution is proposed because of the drainage ditch and Junior High School athletic fields existing to the south and is similar to other wall waivers which have been granted on other C.U.P.'s adjacent to drainage rights-of-way.
 - b. The plan permits 45 foot front yard building setback lines on the commercial parcels adjacent to Ridge Road provided that a specific site plan is submitted for review and approval by the Planning Department. Without such site plan approval, 75 foot front yard setbacks are required.
 - c. The flexibility to develop parcel 3 either as commercial, as residential, or a combination of the two. If a combination residential/commercial development is planned, then the commercial floor area potential is reduced as residential units are added. The parcel description also provides for site plan review and approval by the Planning Department if a "village concept" of multiple buildings is proposed on the parcel.
 - d. The ten (10) foot planting strip on the north line of parcels 4 and 5 may be waived provided that a landscape plan covering the entire site of the of the parcels is submitted for review and approval.
 - e. The office and commercial parcels are permitted two (2) openings to the major streets provided that a raised medial exists adjacent to the parcel. Parcel 7 where no medial exists, is limited to one (1) access point and parcel 1 is permitted one way in and one way out subject to site plan review and approval by the Planning Department.
4. The one area of concern to the staff which remains is the large number of buildings proposed on the various parcels. A total of ten buildings on four commercial parcels and eight buildings on two office parcels are proposed, with the residential and the "village character" commercial parcels unspecified as to number of buildings. The limitations of number of buildings has been a topic of discussion on previous C.U.P.'s without any real policy direction from the Commissions, resulting in some C.U.P.'s required to limit numbers of buildings and others not containing such limitations. Developers generally believe that such requirements unduly restrict their proposals whereas the staff feels that unlimited or excessive numbers of buildings leads to strip commercial and small selloffs with internal circulation problems rather than a total integrated development. One possible compromise which is proposed elsewhere on this plan in conjunction with setbacks and other requirements would be to require final site plan approval by the Planning Department prior to issuance of building permits. It should be emphasized, however, that such site plan review does not encompass architectural review but rather is proposed to permit overall parking lot design and circulation aisle review to insure that adequate stacking distances are contained on-site for high traffic generators such as fast food

restaurants, and that potential problems in multiple building parcel development are avoided.

5. The Department of Public Works has reviewed the proposed plan and has indicated that drainage rights-of-way as indicated on the plan may not be adequate. General provision #8 provides that final drainage rights-of-way shall be determined at time of platting.
6. Should the Planning Commission determine that the zone change requests and Community Unit Plan proposals are appropriate, the following are recommended conditions of approval:
 - a. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
 - b. Either some reduction in the proposed number of buildings on parcels 2, 4, 5, 7, and 8, or a general provision requiring final site plan approval by the Planning Department for those parcels.
 - 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 development and be binding upon the present owners, their successors and assigns, unless amended.
 - d. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - e. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

BELL stated in reading the recommendations and suggestions that staff would have the site plan review and possibly adding to it to decide how many buildings were sufficient, he began to have fears that maybe they were delegating improperly the Planning Commission's function to the staff.

GALBRAITH stated that the staff's interest was not to regulate the number of buildings as much as it was to review an overall site of the parcels to make sure there was continuity between their parking lots and circulation. He said that quite often on a large parcel such as this, they would start selling off by metes and bounds and would not provide adequate interior circulation. GALBRAITH referred to other Community Unit Plans where individual owners had appeared before the Commission and complained of circulation and access problems created by multiple selloffs with no overall review of the site.

BARRIER said she presumed that the school systems that were to be neighbors of this development and that they were informed of this plan and have no objections to it.

MEEK said that both Wichita public schools and the Catholic Diocese were notified of this application.

JOHN GIST, Oblinger & Smith Corp., representing the applicant, stated that on the west side of Tyler Road only a portion of that area was developed as a shopping center. To the east is a large 40 acre tract belonging to the Bishop Carroll Catholic High School. Between the applicant and the 40 acres there would be a north-south improved drainage system, and there are no

interconnecting streets from this land to the 40 acres to the east. Along the east side of the presently zoned light commercial area there has already been established a half street right-of-way for Robin Road which was standard for a commercial street leading into this area. The street was not yet open and improved as a commercial street. GIST said that one of the things he had discussed with the applicant was to make a change within the text and reduce the number of permitted buildings on parcels 2, 4, 5, 7, and 8, to no more than two buildings with the added provision that in the event that there are additional buildings requested, a site plan would be submitted to the Planning staff for their review and approval. He said the number of buildings had always been a very touchy and difficult situation. The question of drainage, he said there was drainage that did meander north and south through the tract at the present time. There was a drainage right-of-way proposed along the east side of the property. He mentioned that the applicants have retained a firm to work on the drainage and have had meetings with both the Flood Control and Engineering Divisions of the Department of Public Works to resolve this matter. He added that the land has been purchased from the Catholic Diocese and in the negotiations, the Diocese has been fully apprised of the applicants' plans and what they were trying to accomplish. He said they did meet with the Area CPO Council and the project did get compliments, and they recommended unanimously that both the zone change and the C.U.P. be approved.

BARRIER asked if the apartment complexes would accommodate a family.

GIST said the preliminary plans had a mixture of a small amount of studios and the balance would be one and two bedroom units.

KEN HALL, 427 Tyler Road, was opposed to the removal of the wall along the south line because he would be looking at the back side of the buildings.

GIST stated that the plan does not require a wall, but in lieu of the wall there would be a planting strip.

HALL also pointed out that there would be a traffic problem, and if this project was not done right, it would devalue their property to the south.

MOTION: That the Planning Commission recommend to the City Commission approval of the zone change request and the C.U.P. subject to the following conditions:

- a. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
- b. Amend general provision number 9 to read as follows:

"9. Should parcels 2, 4, 5, 7 and 8 be developed with more than two main or principal buildings, specific site plans shall be submitted to the Planning Department for review and approval prior to the issuance of building permits in excess of two main buildings on these parcels."
- 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 development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as

determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

- e. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Jones moved, Hennessy seconded and it carried unanimously. Cole and Taylor were absent.

November 13, 1978

Mr. John Gist
Oblinger-Smith Corporation
625 First National Bank Bldg.
Wichita, Kansas 67202

Re: Z-2078 - "AA" to "R-6", "BB"
& "LC", southeast corner of
Central and Tyler Road

DP-90 - TY-CEN Commercial
Community Unit Plan, southeast
corner of Central and Tyler Road

Dear Mr. Gist:

At its regular meeting on November 9, 1978, the Metropolitan Area Planning Commission considered the above-captioned zone change request, and the Commercial Community Unit Plan. The action of the Planning Commission was to recommend approval of the zone change request and the C.U.P., subject to conditions "a" through "e" as recommended in the Planning Department report, with condition "b" being changed to read as follows:

"Amend general provision number 9 to read as follows:

9. Should parcels 2, 4, 5, 7 and 8 be developed with more than two (2) main or principal buildings, specific site plans shall be submitted to the Planning Department for review and approval prior to the issuance of building permits in excess of two (2) main buildings on these parcels.

Page 2
November 13, 1978
Re: Z-2078 & DP-90
Mr. John Gist

In addition, parcels 2, 4, 5, 7 and 8 need to have parcel descriptions amended to add the following phrase:

"See general provision number nine (9)"

on their maximum number of building limitations statement.

Prior to these cases being scheduled for consideration by the City Commission, it is necessary that you provide us with ten (10) corrected copies of the Commercial Community Unit Plan prior to Monday, November 27, 1978. If we receive the copies subject cases will be scheduled for consideration at the Board of City Commissioners regular meeting on December 5, 1978, said meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc
cc: B.F.P., Inc., 1901 W. 13th St., 67203

WICHITA-JEDCHICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 11-9-78

Case No. Z-2078 DP-90	Request: "AA" to "R-6", "BB" and "LC" Approval of Residential and Commercial Community Unit Plan
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Location: General area of the southeast corner of Central
and Tyler Road

Reason: "To develop subject property with commercial, office,
and multiple family uses."

Acres: 30	Size: 1000' x 1100' (irregular)
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA"
North	Carpet Center, Animal Hospital, Undeveloped	"AA" & "LC"
East	Bishop Carroll High School	"AA"
South	Drainage Right-of-Way, Wilbur Jr. High School	"AA"
West	Single Family, Service Station, Shopping Center	"AA" & "LC"

Adequate street rights-of-way to be secured
at time of platting.

Platted: No
History: None

COMMENTS:

1. The applicant has requested a zone change and Commercial Community Unit Plan approval on an approximate 30 acre tract generally located at the southeast corner of Central and Tyler Road. The proposed development surrounds a previously approved Commercial C.U.P. (DP-19, West Center) which has been developed with a bank, savings and loan, carpet sales outlet, and an animal hospital.

2. As required by Section 28.04.190 of the Code of the City of Wichita (C.U.P. Regulations), a commercial development plan has been submitted for review and approval by the Planning Commission and Board of City Commissioners. The plan proposes an eight parcel development: two parcels of office development, four commercial parcels, one residential parcel, and one parcel to be developed either as residential or commercial or a mixture thereof. Included on the development plan is information concerning building setbacks, maximum height limitations, screening provisions, and proposed general land use. A total gross floor area of 187,060 square feet of commercial, 61,908 square feet of office, and garden apartment development at a maximum density of 29 dwelling units per net acre is proposed.
3. The planning staff has been meeting with the developers in an attempt to provide the level of specificity and control which the Planning Commission and Board of City Commissioners have indicated is desirable to protect surrounding neighborhoods and street network, yet permit the developer some flexibility in planning and marketing his project. These meetings have resulted in several features on this plan:
 - a. The substitution of a ten (10) foot planting strip on the south lines of parcels 7 and 8, and the east line of parcel 6, in lieu of the five (5) to eight (8) foot masonry wall normally required by code. As noted in general provision #4, this substitution is proposed because of the drainage ditch and Junior High School athletic fields existing to the south and is similar to other wall waivers which have been granted on other C.U.P.'s adjacent to drainage rights-of-way.
 - b. The plan permits 45 foot front yard building setback lines on the commercial parcels adjacent to Ridge Road provided that a specific site plan is submitted for review and approval by the Planning Department. Without such site plan approval, 75 foot front yard setbacks are required.
 - c. The flexibility to develop parcel 3 either as commercial, as residential, or a combination of the two. If a combination residential/commercial development is planned, then the commercial floor area potential is reduced as residential units are added. The parcel description also provides for site plan review and approval by the Planning Department if a "village concept" of multiple buildings is proposed on the parcel.

MAPC AGENDA

Case No. Z-2078 & 190 11-9-78

Page 3

- d. The ten (10) foot planting strip on the north line of parcels 4 and 5 may be waived provided that a landscape plan covering the entire site of the parcels is submitted for review and approval.
 - e. The office and commercial parcels are permitted two (2) openings to the major streets provided that a raised medial exists adjacent to the parcel. Parcel 7 where no medial exists, is limited to one (1) access point and parcel 1 is permitted one way in and one way out subject to site plan review and approval by the Planning Department.
4. The one area of concern to the staff which remains is the large number of buildings proposed on the various parcels. A total of ten buildings on four commercial parcels and eight buildings on two office parcels are proposed, with the residential and the "village character" commercial parcels unspecified as to number of buildings. The limitations of number of buildings has been a topic of discussion on previous C.U.P.'s without any real policy direction from the Commissions, resulting in some C.U.P.'s required to limit numbers of buildings and others not containing such limitations. Developers generally believe that such requirements unduly restrict their proposals whereas the staff feels that unlimited or excessive numbers of buildings leads to strip commercial and small selloffs with internal circulation problems rather than a total integrated development. One possible compromise which is proposed elsewhere on this plan in conjunction with setbacks and other requirements would be to require final site plan approval by the Planning Department prior to issuance of building permits. It should be emphasized, however, that such site plan review does not encompass architectural review but rather is proposed to permit overall parking lot design and circulation aisle review to insure that adequate stacking distances are contained on-site for high traffic generators such as fast food restaurants, and that potential problems in multiple building parcel development are avoided.
 5. The Department of Public Works has reviewed the proposed plan and has indicated that drainage rights-of-way as indicated on the plan may not be adequate. General provision #8 provides that final drainage rights-of-way shall be determined at time of platting.
 6. Should the Planning Commission determine that the zone change requests and Community Unit Plan proposals are appropriate, the following are recommended conditions of approval:

- a. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
- b. Either some reduction in the proposed number of buildings on parcels 2, 4, 5, 7, and 8, or a general provision requiring final site plan approval by the Planning Department for those parcels.
- 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 development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- e. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

✓ Z-2078 &)
DP-90)

43 "Notice to Adjoining Property Owners" mailed 10-26-78
(DOUBLE STUFFED) for the MAPC meeting for 11-9-78.

1 of each notice (including map) to CPO Office

—
44 TOTAL of each application.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

October 26, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, November 9, 1978, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for a COMMUNITY UNIT PLAN - PLANNED RESIDENTIAL AND COMMERCIAL DEVELOPMENT, known as 'TY-CEN', for property legally described as follows:

DP-97- The Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 21, Township 27 South, Range 1 West of the 6th Principal Meridian, Wichita, Sedgwick County, Kansas; except a tract in the northwest corner thereof described as the north 600 feet of the west 600 feet of said NW $\frac{1}{4}$; and, except road right-of-way for Tyler Road and Central Avenue.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 23.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file at the Planning Department Office, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, and is available for public inspection and review.

The Development Plan on file proposes a 35.05 acre commercial and residential development consisting of eight parcels; two parcels of office development, four commercial parcels, one residential parcel, and one parcel to be developed either as residential or commercial or a mixture thereof. A total gross floor area of 137,060 square feet of commercial, 81,903 square feet of office, and garden apartment development at a maximum density of 29 dwelling units per net acre is proposed for the development. Included in the Development Plan is information concerning building setbacks, maximum height limitations, screening provisions, and proposed general land use on two specific designated parcels.

The hearing of this Development Plan, as provided in Section 23.04.190 of the City Zoning Ordinance of the City of Wichita, is to be held and the same will there be discussed and considered by said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

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

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

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

October 26, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a zoning change in your area. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support or in opposition to this request for a zoning change. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on Nov. 9, 1978, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

CASE NO. Z-2078

Zone Change from the "AA" One Family Dwelling District
to the "R-6" General Residence District

AND

Zone Change from the "AA" One Family Dwelling District
to the "BB" Office District

AND

Zone Change from the "AA" One Family Dwelling District
to the "LC" Light Commercial District

SEE LEGAL DESCRIPTION ATTACHED HERETO

The following is a sequence of events in the processing of a request for zone change: Notification of adjoining property owners (this notice); then Neighborhood Citizen Participation Organization CPO meeting; then Metropolitan Area Planning Commission (MAPC) meeting (scheduled above); and then Board of City Commission (BCC) meeting to concur with MAPC action, defer, or refer back to MAPC. On a return of the case to the BCC, they may approve or deny or modify the change requested.

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 BCC. 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.

It should be noted that the MAPC meeting constitutes the 'Public Hearing' on this matter, and therefore the City Commission has adopted the following policy with regard to consideration of zoning change requests:

"All applications for change of zoning or amendments to the zoning text shall be based on the written record of the Planning Commission, including staff recommendations, which shall be forwarded to the City Commission. The Commission may inquire of staff, proponents or opponents for clarification of any matter before the Commission. Requests for introduction of new evidence or facts shall be in writing and filed with the City Clerk prior to the closing of the City Manager's Agenda (by 5:00 p.m., on the Wednesday preceeding the scheduled Tuesday BCC hearing). In all cases where such requests are submitted, the Board of City Commissioners may refer said case to the Planning Commission for rehearing."

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

Robert A. Lakin
Secretary

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" One-Family Dwelling District
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" Two-Family Dwelling District
Permits two-family dwellings and uses permitted in "AA".
- "RB" Four-Family Dwelling District
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "R-5" General Residence District
Permits Multiple-family dwellings at a density of 12.4 dwelling units per acre, off-street parking areas and uses permitted in "A".
- "R-6" General Residence District
Permits Multiple-family dwellings at a density of 29 dwelling units per acre, and uses permitted in "R-5".
- "B" Multiple-Family Dwelling District
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" Office District
Permits apothecaries, clinics, hospitals; medical, business and professional offices; hotels and motels under certain conditions; and all residential uses.
- "LC" Light Commercial District
Permits all purely retail businesses conducted within enclosed building; service stations, all residential and office uses.
- "C" Commercial District
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" Central Business District
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" Light Industrial District
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" Heavy Industrial District
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District
Permits mobile home parks and associated uses.
- "U" University District
Permits Universities, Colleges, Seminaries and other institutions of learning and related uses.

CASE NO. Z-2078

Zone Change from the "AA" One Family Dwelling District
to the "R-6" General Residence District

That part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, Twp. 27-S, R-1-W, Sedgwick County, Kansas, described as beginning at a point 565 feet east of the S.W. Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, thence north parallel with the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 260 feet; thence east parallel with the south line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 165 feet; thence northeasterly, 726.9 feet more or less to a point, 546 feet south and 75 feet west of the N.E. Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence north parallel with the east line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 90 feet; thence east parallel with the north line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 75 feet; thence south along the east line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 362 feet more or less to the S.E. Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence west 756.5 feet more or less to the point of beginning. AND

Zone Change from the "AA" One Family Dwelling District
to the "BB" Office District

The north 456 feet of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, Twp. 27-S, R-1-W, Sedgwick County, Kansas, except the west 600 feet thereof; and, except right-of-way for Central Avenue. AND

Zone Change from the "AA" One Family Dwelling District
to the "LC" Light Commercial District

That part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, Twp. 27-S, R-1-W, Sedgwick County, Kansas, described as beginning at a point 600 feet south of the N.W. Corner thereof; thence south along the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 717.25 feet to the S.W. Corner thereof; thence east along the south line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 565 feet; thence north parallel with the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 260 feet; thence east parallel with the south line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 165 feet; thence northeasterly 726.9 feet more or less to a point 546 feet south and 75 feet west of the N.E. Corner of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence north parallel with the east line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 90 feet; thence west parallel with the north line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 646.4 feet more or less to a point 600 feet east of the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; thence south parallel with the west line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$, 144 feet; thence west 600 feet to the point of beginning; except, right-of-way for Tyler Road. All generally located in the general area of the southeast corner of Central and Tyler Road.

September 27, 1978

Mr. John Gist
Oblinger-Smith Corporation
625 First National Bank Bldg.
Wichita, Kansas 67202

Re: DP-90 - TY-CEN Commercial Community Unit Plan, generally located in the area of the southeast corner of Central and Tyler Road.

Z-2078 - B.F.P., Inc. requests zone change from "AA" to "R-6", "BB" and "LC" for property generally located in the area of the southeast corner of Central and Tyler Road.

Dear Mr. Gist:

We have reviewed the 35.05 acre Commercial Community Unit Plan proposed in the general area of the southeast corner of Central and Tyler Road. The following comments are a result of that review, as well as consultation with other City Departments on the project.

We agree in concept with placing the commercial parcels on Tyler across from "LC" and providing the "BB" Office parcels on Central as a buffer adjacent to existing "LC", however, we have some problems with the proposal regarding uses, setbacks, and number of buildings. We are still struggling with the problem of how to adequately describe the proposed uses so as to let the Citizen Participation Organization and the Board of City Commissioners know what is being approved yet retain enough flexibility that the developers will not have to constantly obtain administrative interpretations or C.U.P. amendments. The phrase "as permitted in 'LC'" has been interpreted to be all inclusive of Light Commercial uses and, as such, is unacceptable to staff. Such wording as "service oriented", "comparison retail", and "convenience retail" also appears to have little meaning unless further defined on the plan. I realize that such wording has previously been approved on development plans, yet we have

Page Two
Mr. John Gist
September 27, 1978

learned from experience that such wording provides little, if any, control over the land use and we question whether these phrases permit such uses as auto repair or fast food drive-in restaurants. We would again request that you attempt to define proposed uses.

The setbacks as proposed for 45 feet are unacceptable for large scale commercial development and without provision of a third lane, a fast food operation placed at a 45 foot building setback might not be able to provide enough stacking distance to avoid blocking the through traffic on Tyler Road. Again I must bring up the problem of no limitation on number of buildings and the problems this causes in trying to design a site circulation plan as each portion of the parcel is utilized for separate free standing building. I am well aware that Tulsa, Denver, and Kansas City have shopping areas of small, quaint, architecturally compatible shops but I haven't really seen much evidence of that type of development here, and combined with the open ended use list and the inadequate setbacks, I would envision this proposal resulting in a further "strip commercial" effect of several fast food restaurants and other small high traffic generators. Although such development might well be appropriate for this location, it is the responsibility of the staff to point out to the Commissions that "strip commercial" will be the anticipated result of this proposal. I might point out that 888,056 square feet of commercial development has previously been approved at the Tyler/Central Intersection and your proposal of an additional 187,060 square feet of commercial and 81,908 square feet of office could seriously undermine the capacity of the existing service systems unless appropriate safeguards are insured through use limitation, setbacks, etc.

Another major problem is the proposal for two access points per parcel adjacent to the major street. All of these parcels have access to interior commercial streets and we cannot see why one access point to the major street per parcel would not be adequate. Again, the proposed number of access points lends one to the conclusion that "strip commercial" is the intended result of this application. Should two access points per parcel be granted as proposed, the Division of Traffic Engineering of the Department of Public Works suggests that the existing medial on Tyler Road be extended to the south line of parcel 8 except for provision of left turns in and out of Shade Avenue. This medial extension would be at the developers expense.

Page Three
Mr. John Gist
September 27, 1978

The landscaping as proposed does not comply with the existing C.U.P. regulations in that there is no planting strip proposed where the "BB" Office District parcels are across the street from residentially zoned property. Section 28.04.190.3.b requires such a planting strip where the planned commercial development lies adjacent (separated by a street) from such districts. In our opinion, the "BB" Office District parcels are a part of the "planned commercial development" and should be landscaped on the north and east. The south 104 feet of parcel 2 also needs to depict a ten foot landscape area inasmuch as it is located across from the "AA" Single Family District. Another point is that while the wall requirement has been waived in other instances where the commercial parcels abut drainage right-of-way, we have generally required that a planting strip be substituted in return for waiver of the wall (i.e. Cobblestone Alley at Central and Rock Road and Westlink Center at Tyler and Central). The landscaping statement in general provision number 4 also needs to be amended to reflect that the landscape plan shall depict methods providing water to the required plant materials.

Both the Engineering and Maintenance/Flood Control Divisions of the Department of Public Works have noted that the proposed drainage right-of-way on the eastern portion of the site is not located where the drainage structure crosses Central (about midway in parcel 5) and question whether the developer proposes underground piping to carry the drainage to the proposed right-of-way. Public Works has also stated that the proposed drainage rights-of-way are inadequate and that additional dedications must be secured at time of platting. Although the drainage plan is a platting requirement, we would suggest that you contact Public Works regarding this matter in that parcel configuration and street layout will be affected by the drainage requirements. The general provisions of the plan should also be amended to make some reference to drainage.

I am somewhat confused by general provision number three. We assume this means a 15 foot setback on each parcel or a total of 30 feet. As I recall, a similar situation occurred on the Rock Road C.U.P. but I don't remember how it was resolved; perhaps you could explain further your reasons for this wording.

Page Four
Mr. John Gist
September 27, 1978

Several other minor problems include the need to differentiate between the proposed density for garden apartments and for townhouses on parcel six as well as providing a suggested density for the potential apartment units in conjunction with the commercial on parcel 3. We would assume that if a combination commercial/residential development is utilized on parcel 3, then the maximum gross square footage of commercial would be less than if developed for commercial alone and we would like to see the residential densities combined with commercial listed as a separate figure from commercial alone. The alternate proposal for parcel 3 needs to differentiate between garden apartment and townhouse densities and a landscaping statement needs to be added to reflect the different landscaping requirements should parcel 3 be developed residentially.

In addition to the aforementioned comments, the following additions or changes shall be indicated on the plan:

1. The proposed uses for parcels one, two, and three shall be defined in a more exacting manner and the phrase "as permitted in 'LC'" shall be deleted from the plan.
2. The plan shall be amended to reflect a maximum of one access point from the major streets to parcels one, two, four, five, and eight.
3. The 45 foot building setbacks proposed adjacent to Tyler Road and Central Avenue shall be increased to a minimum 75 foot setback.
4. The proposed ten foot planting strips shall be extended to include the north lines of parcels four and five, the east line of parcel five, the south lines of parcels seven and eight, and the south 104 feet of parcel two.
5. The zoning districts surrounding subject property shall be indicated on the plan.
6. The following sentence shall be added to the first paragraph of Parcel #4:

"The landscape plan shall also depict proposed methods of providing water to the required plant materials."

Page Five
Mr. John Gist
September 27, 1978

7. An additional general provision #8 shall be added as follows:

"8. Final drainage rights-of-way shall be determined at time of platting and a drainage plan shall be submitted for approval by the Department of Public Works at time of platting. Drainage costs shall be guaranteed by the developer at time of platting."

8. The following statement shall be added to Parcels four and five as well as alternate Parcel three:

"Should parcel three be developed under the residential alternate, ten foot planting strips shall be required on the west line of parcel three and the south lines of parcels four and five in lieu of the strip depicted for commercial development on the southeast edge of parcel three.

9. Separate densities shall be listed for townhouses and garden apartments in the parcel descriptions on parcels six and alternate parcel three.

10. The fourth paragraph of general provision number 4 shall be amended to add the following:

"A ten foot planting strip shall be required on the south lines of parcels seven and eight in lieu of the wall which is waived."

11. Different maximum gross floor area potentials shall be listed on parcel 3 for commercial development alone and a combination of residential/commercial development. Maximum residential densities shall also be listed for the residential/commercial development.

12. A maximum number of buildings shall be proposed for each parcel.

13. The parcel description for parcel 3 shall be amended to add the words "and approval" after the word "review" in "village character" statement of the parcel provision.

Page Six
Mr. John Gist
September 27, 1978

These are the comments which we have at this time. We have included a "marked copy" of the C.U.P. with the suggested revisions for your review. We have scheduled these cases for consideration by the Planning Commission on November 9, 1978, and it is necessary that we receive 14 amended copies of the Community Unit Plan by Wednesday, October 11, 1978.

If you have questions regarding this matter, please call.

Sincerely,

Mike Meek
Senior Planner

MM:el
Enclosure

cc: B.F.P., Inc., 1901 W. 13th St., 67203

WICHITA-SEDGWICK COUNTY

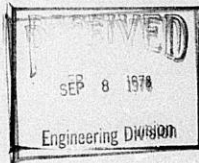
DATE *meek*
September 8, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Paul Graves, Traffic Engineer
✓ Dick Linn, City Engineer
Max Green, Flood Control/Maintenance

FROM Mike Meek, Senior Planner

SUBJECT DP-90 - TY-CEN Community Unit Plan



Attached is a Community Unit Plan proposed to border the existing C.U.P. at the southeast corner of Tyler and Central. The basic plan is for commercial development adjacent to the Tyler Road frontage and office development on the parcels adjacent to Central. We are somewhat concerned about the requested two openings per parcel and would appreciate your comments regarding such. Also, is the existing drainage ROW to the south sufficient, or are additional dedications/improvements needed from these applicants?

We would like to receive any comments which you might have by September 18, 1978, if possible.



Mike Meek
Mike Meek
Senior Planner

MM:el
Attachment

9-25-78

Regarding drainage for this site, no means is shown to handle the existing drainage from the inlets on Central located in the center of Parcel 5. Maintenance access easment should, ^{be} shown as drainage R/W. Additional dedications would be required on the south and probably on the east. We suggest that Evergreen Lane be moved to the west & a storm water sewer be provided in lieu of drainage ditches. *Mike Lillard*

ROUTE SLIP
(PLEASE CIRCLE DESTINATION)

- | | | |
|-------------------------|-------------------------|----------------------------|
| Administration | Community Services | <u>Planning Department</u> |
| Budget | Contracts Admin. | Graphics |
| Controller | Job Terms | Empl. & |
| Data Processing | Local Housing Authority | Training Center |
| Purchasing | Community Facilities | Police Department |
| Duplicating | Building Services | Motor Pool |
| Stationery Stores | Community Arts | Public Works |
| Ret. & Insurance | Omnisphere | Administration |
| Treasury | Credit Union | Central Inspection |
| Airport Authority | Economic Development | Engineering |
| Art Museum | Energy Resources | Flood Control |
| City Manager | Industrial Development | Maintenance |
| C. P. O. | Emergency | Sanitation |
| City Clerk | Communications | Traffic Engineering |
| City Commission | Fire Department | Urban Renewal |
| Com. Status of Women | Grievance Office | Water Department |
| Personnel | Health Department | Accounting |
| Personnel Training | Law Department | Engineering |
| Public Affairs | Library | Sales/Paint |
| Civil Rights & E. E. O. | M. T. A. | Gas Utility |
| Community | Municipal Court | Mains & Services |
| Development | Park Department | Water Pol. Control |
| Administration | Forestry | |
| Community Action | Recreation | |

For: Mike Webb
 For your information For your comments

MESSAGE:

Signed: Greene/Flood Date: 9-11-78
#000-013 1178 Cont'd.

WICHITA-SEDGWICK COUNTY

DATE

September 8, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Paul Graves, Traffic Engineer
Dick Linn, City Engineer
✓ Max Green, Flood Control/Maintenance

FROM Mike Meek, Senior Planner

SUBJECT DP-90 - TY-CEN Community Unit Plan



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We would like to receive any comments which you might have by September 18, 1978, if possible.

Mike Meek
Mike Meek
Senior Planner

MM:el

Attachment

9-11-78

Drainage R/W is not where drainage structure crosses Central. Need to submit drainage plan to be approved by City Engineer - Cannot use Maintenance access anymore all right 2 way must be dedicated because of screening. All drainage costs to be guaranteed by developer. Need minimum 3 at least 80 feet 3 R/W.

SEP 8 1978
License

September 8, 1978

Paul Graves, Traffic Engineer
Dick Linn, City Engineer
Max Green, Flood Control/Maintenance

Mike Meek, Senior Planner

DP-90 - TY-CEN Community Unit Plan

Attached is a Community Unit Plan proposed to border the existing C.U.P. at the southeast corner of Tyler and Central. The basic plan is for commercial development adjacent to the Tyler Road frontage and office development on the parcels adjacent to Central. We are somewhat concerned about the requested two openings per parcel and would appreciate your comments regarding such. Also, is the existing drainage ROW to the south sufficient, or are additional dedications/improvements needed from these applicants?

We would like to receive any comments which you might have by September 18, 1978, if possible.

MRM

Mike Meek
Senior Planner

MM:el

Attachment

4947
21-27-1W

DP-90
amc 2-2078

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

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

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

- a. Applicant B.F.P., Inc.
 Address 1901 W. 13th Street 67203 Phone 262-1169
 Agent OBLINGER - SMITH CORPORATION
 Address 625 1st Nat'l Bank Bldg. 67202 Phone 262-0451
- b. Applicant N.A.
 Address _____ Phone _____
 Agent _____
 Address _____ Phone _____
- c. Applicant N.A.
 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 proposed for "LC", "BB" and "R-6" property zoned / _____ and legally described as Lot(s) _____, Block(s) _____

* (See Below) _____ Addition.

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

THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION 21, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH PRINCIPLE MERIDIAN, WICHITA, SEDGWICK COUNTY, KANSAS; EXCEPT, A TRACT IN THE NORTHWEST CORNER THEREOF DESCRIBED AS THE NORTH 600 FEET OF THE WEST 600 FEET OF SAID NW $\frac{1}{4}$; AND, EXCEPT ROAD RIGHT-OF-WAY FOR TYLER ROAD AND CENTRAL AVENUE.

II.B There are 30.± acres *OK for legal* (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 southeast corner of Cental
and Tyler Road; or
- b. on the _____ side of _____ (Ave.,
Street) between _____ (Ave., Street) and
_____ (Ave., Street).

IV. (we), the applicant(s), 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 and accompanied by a current abstractor's certificate as required in the instruction sheet.

B.F.P., INC.
By Jared M. Tallack 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
4:05 (AM, PM) on September 7, 1978 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ None required

G. Lynn Shirley Name
Jr. Planner Title

OWNERSHIP LIST

*Duplicate list
in 2-2078*

Lot	Addition	Property Owner
Lot 1	Rolling Hills Addition, Sedgwick County, Kansas	Karl K. Richardson, 2 Rolling Hills, Dr. 67212, Martin D. Rich- ardson, & Judith Ann McClard
Lot 2	" " "	Richard S. Powelson & Delma T. Powelson, address unknown
Lot 3	" " "	Max C. Rankin & Isabel N. Rankin, 6 Rolling Hills Dr., 67212
Lot 24	" " "	Roy R. Whetstone & Florence T. Whetstone, 1 Rolling Hills Dr., 67212
Lot 1, Block 1	Rolling Hills 4th Addition, Sedgwick County, Kansas	Carol I. Levy, 429 N. Westlink Ave. 67212
Lot 2, Block 1	" "	Michael C. Molz, 3801 W. 13th, Apt. 508 67203
Lot 3, Block 1	" "	Dale Maxwell Holyoak & Illena R. Holyoak, 409 N. Westlink Ave. 67212
Lot 4, Block 1	" "	Corp. of the Presiding Bishop of the Church of Jesus Christ of Latter- Day Saints, 7011 E. 13th 67209
Lot 5, Block 1	" "	John Blake Gladfelter & Reona J. Gladfelter, 414 Pamela St. 67212
Lot 6, Block 1	" "	Dale D. Lott & Geraldine B. Lott, 420 Pamela St. 67212
Lot 1, Block 2	" "	City of Wichita, 455 N. Main 67202
Lot 2, Block 2	" "	City of Wichita, 455 N. Main 67202
Lot 3, Block 2	" "	City of Wichita, 455 N. Main 67202
Lot 4, Block 2	" "	City of Wichita, 455 N. Main 67202
Lot 5, Block 2	" "	City of Wichita, 455 N. Main 67202
Lot 6, Block 2	" "	City of Wichita, 455 N. Main 67202

Lot	Addition	Property Owner
Lot 7, Block 2, exc. tract deeded to Raymond C. & Venda M. Hemken, desc. below	Rolling Hills 4th Addition, Sedgwick County, Kansas	X City of Wichita, 455 N. Main 67202
Part of Lt. 7 desc. as Beg. at pt. on S. line Lt. 7, 70' W SE/c Lt. 7 NW'17 to pt. 25' N. & 95' W of SE/c, W. par. to & 25' N. of S. line to W. line Lt. 7; S'ly. along W. line to SW/c Lt 7, E. to beg., and all of Lot 8, Block 2	" "	Raymond C. Hemken & Venda M. Hemken, 354 Wood Lane 67212
Lot 2, Block 3	" "	Russell I. Baker & Viola M. Baker, 9718 W. Murdock Ave. 67212
Lot 3, Block 3	" "	Raymond B. Henderson, II & Kathleen E. Henderson, 409 Pamela St. 67212
Lot 4, Block 3	" "	Michael L. Weimer & Marilyn K. Weimer, address unknown
Lot 5, Block 3	" "	Ronald G. Ogden & Virginia Ogden, 401 Pamela St. 67212
Lot 6, Block 3	" "	Thomas W. Sanders & Ramona Sue Sanders, 357 Wood Lane, 67212
Lot 13, Block F	Rolling Hills 5th Addition, Sedgwick County, Kansas	John W. Shively & Mary Lu Shively, address unknown
Lot 14, Block F	" "	Elizabeth Hayden Adams, 447 N. Westlink Ave. 67212
Lot 1	Joy Addition, Sedgwick County, Kansas	Carroll M. Joy & Marion L. Joy, 549 N. Tyler Rd. 67212
Lot 1	4-H Club Addition, Wichita Kansas, Sedgwick County, Kansas	Board of County Commissioners, Sedgwick Co., Kansas, 510 N. Main 67202
All Lot 1, exc. E. 200'	Ascension Lutheran Church Addition, Wichita, Kansas Sedgwick County, Kansas	Kansas District of the Lutheran Church-Missouri Synod, 842 N. Tyler 67212
E. 200' of Lot 1	" "	X City of Wichita, 455 N. Main, 67202
Lot 1	St. Francis of Assisi Park, Wichita, Sedgwick County, Kansas	Catholic Diocese of Wichita, 424 N. Broadway 67202

Lot	Addition	Property Owner
Lot 2,	Tyler Acres 1st Addition, an Addition in Sedgwick County, Kansas	D Catholic Diocese of Wichita, 424 N. Broadway 67202
Lot 1, exc. W. 135'	Tyler Acres 2nd Addition to Wichita, Kansas, Sedgwick County, Kansas	Edward T. Neville & Rita A. Neville, Trustees for Gregory Alan Neville, 1/4 int., 9625 Maple 67209
Lot 1, exc. W. 135'	" "	Edward T. Neville & Rita A. Neville, Trustees for Alvin Leon Neville, 1/4 int., 9625 Maple 67209
Lot 1, exc. W. 135'	" "	D Edward T. Neville & Rita A. Neville, Trustees for Alvin Leon Neville, 1/4 int., 9625 Maple 67209
Lot 1, exc. W. 135'	" "	D Edward T. Neville & Rita A. Neville, Trustees for Gregory Alan Neville, 1/4 int. 9625 Maple 67209
The W. 135' of Lot 1, & Lot 2	" "	D Edward T. Neville, 9625 Maple 67209
The E. 30 acres of SE $\frac{1}{4}$	SE $\frac{1}{4}$, Sec. 17-27S-1W	D Sedgwick County, Kansas, 510 N. Main 67202
Beg. 250' N. SE/cor., N. 1077.4' m/1 to NE cor S $\frac{1}{2}$ SW $\frac{1}{4}$, W along N. line of S $\frac{1}{2}$ SW $\frac{1}{4}$ 607', S. at r. ang. 300', W at r. ang. 131.05' to inter. of cur., SW'ly along sd. curve 354.63' to pt. of tang., th. cont. on tan. to sd. cur. 160' to pt. of curvature, th. 328.41' to pt. of tang. of sd. cur., S. 160.8' to pt. 50' N of S. line SW $\frac{1}{4}$, E. par. with & 50' N. of S. line sd. SW $\frac{1}{4}$, 655.07' to pt. 230' W of E. line of sd SW $\frac{1}{4}$, N. par. with the E. line sd. SW $\frac{1}{4}$, 200', E. 230' to beg.	S $\frac{1}{2}$ of SW $\frac{1}{4}$, 16-27S-1W	D Edward T. Neville & Rita A. Neville, trustees for Gregory Allen Neville & Alvin Leon Neville, 1/2 und. int. each, 9625 Maple 67209
All S $\frac{1}{2}$ SW $\frac{1}{4}$, exc. Ascension Lutheran Church Add., St. Francis of Assisi Park, Tyler Acres 1st Add, Tyler Acres 2nd Add., Tyler Acres 4th Add., & Tyler Acres 3rd Add., as platted	S $\frac{1}{2}$ SW $\frac{1}{4}$, 16-27S-1W	D Edward T. Neville, 9625 Maple, 67209

Lot	Addition	Property Owner
Lot 1	Tyler Acres 4th Addition Wichita, Kansas, Sedgwick County, Kansas	Edward T. Neville & Rita A. Neville, 9625 Maple, 67209
That part of Lt. 1, Block A, desc. as: Beg. at SW/c Lt. 1, E. 255', N. 350', W. 230', S. 100', W. 25', S. 250' to beg.	West Center Addition, Sedgwick County, Kansas	Richard J. Hatstrup, 610 N. Tyler 67212
Lot 2, Block A	" "	Eldon A. Terrel, 9112 Bekemeyer 67212
All Lot 1, exc. Beg. NW/c Lt. 1, E. 331' along N. line Lt. 1, S. at r. angles 220', W. at r. angles to W. line Lt. 1, N'ly along W. line Lt. 1 to p.o.b.	Westlink Center Addition, Sedgwick County, Kansas	J. Ernest Talley, 535 W. Shore Dr. 67209
Lot 1	Notre Dame High School, an Addition to Wichita, Sedgwick County, Kansas	Catholic Diocese of Wichita, 424 N. Broadway 67202
Lot 1	Higgins-Andeel Addition, Wichita, Sedgwick County, Kansas	Littell, Inc. 9007 W. Central 67012
Lot 1	Madonna Addition, Wichita, Sedgwick County, Kansas	Unified School District #259, Wichita, 324 N. Emporia 67202
Lot 1	First Place West Addi- tion, Wichita, Sedgwick County, Kansas	First National Bank in Wichita, 105 N. Main 67202
SW $\frac{1}{2}$ NW $\frac{1}{2}$, exc. Madonna Addition	NW $\frac{1}{2}$ 21-27S-1W	Unified School District #259, 324 N. Emporia 67202
SE $\frac{1}{2}$ NW $\frac{1}{2}$	" "	Catholic Diocese of Wichita, 424 N. Broadway 67202
NE $\frac{1}{2}$ NW $\frac{1}{2}$, exc. Notre Dame Addition	" "	Catholic Diocese of Wichita, 424 N. Broadway 67202
NW $\frac{1}{2}$ NW $\frac{1}{2}$, exc. N. 600' of W. 600'	" "	B.F.P., Inc., c/o Bill Bachman, 1901 W. 13th 67202
Beg. 794.2' N of SE/c NE $\frac{1}{2}$, W. 230', N. 94.7', E. 230', S. 94.7' to beg.	E $\frac{1}{2}$ NE $\frac{1}{2}$, 20-27S-1W	John Paul Moskel & Albina Moskel, address unknown
Beg. at pt. E. line 983.6' N SE/c NE $\frac{1}{2}$, W. par. with S. line NE $\frac{1}{2}$, 230', N. 94.7', E. 230', S. 94.7' to beg	" "	Thomas J. Updegrove & Barbara Roden, 437 N. Tyler Rd. 67212

Lot	Addition	Property Owner
Beg. 637.5' N SE/c NE $\frac{1}{4}$, W. 230', N. 156.7', E. 230', S. to beg	E $\frac{1}{2}$ NE $\frac{1}{4}$, 20-27S-1W	Kenneth D. Hauschild & Phullis E. Hauschild, 403 N. Tyler Rd. 67212
Beg. 1243.85' S NE/c NE $\frac{1}{4}$, W. par. to N line NE $\frac{1}{4}$ 230', S. par. to E. Line NE $\frac{1}{4}$ 123.92' to pt. 1268' N. of S. line NE $\frac{1}{4}$, E. par. to S. line NE $\frac{1}{4}$, 230' to E line, N. 122.65' to beg.	" "	J. Ernest Talley, 535 W. Shore Dr. 67209
Beg. 495' N SE/c NE $\frac{1}{4}$, W. 230', N. 142.5', E. 230', S. 142.5' to beg.	" "	John J. Appelhans Jr., & Dorothy Jean Appelhans 357 N. Tyler Rd. 67212
Beg. at pt. E. line 888.9' N SE/c NE $\frac{1}{4}$, W. par. with S. line NE $\frac{1}{4}$ 230', N. 94.7', E. 230', S. 94.7' to beg.	" "	Spencer B. Long & Dora E. Long, 427 N. Tyler Rd. 67212
Beg. 1161.85' S NE/c NE $\frac{1}{4}$, W. par. with N line 230', S. 82', E. 230', N. 82' to beg	" "	Woodrow W. Wise & Constance K. Wise, 529 N. Tyler Rd. 67212
Beg. 783.05' S NE/c NE $\frac{1}{4}$, W. par. with N line 230', S. 94.70', E. 230', N. 94.70' to beg	" "	Gilbert F. Fox & Rosann C. Fox. 545 N. Tyler Rd. 67212
Beg. 1173' N SE/c NE $\frac{1}{4}$, W. 230', S. 94.7', E. 230', S. 94.7' to beg.	" "	Edward E. Boyles & Wanda L. Boyles, address unknown
Beg. 877.75' S. NE/c NE $\frac{1}{4}$, W. par. with N. line 230', S. 94.70', E. 230', N. 94.70' to beg.	" "	Elgin T. Rainer & Alberta Inez Rainer, 541 N. Tyler Rd. 67212
Beg. 1067.15' S. NE/c NE $\frac{1}{4}$, W. 230', S. 94.7', E. 230', N. to beg.	" "	Harry Barsamian & Alice M. Barsamian, 531 N. Tyler Rd. 67212
Beg. 972.45' S. NE/c NE $\frac{1}{4}$, W. 230', S. 94.7', E. 230', N. to beg.	" "	Walter R. Overeem & Guyneth Rae Casey, 535 N. Tyler Rd. 67212
The N. 200' of E. 200' of NE $\frac{1}{4}$	" "	Mobil Oil Corporation, Augusta, Kansas 67101

We hereby certify the foregoing to be a true and correct list of the property owners of the above referenced property as shown on the last deeds of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on this 6th day of September, 1978, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Debb
Vice President

Order No. 268430
keb

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