

DP-96 - TALLGRASS (formerly Blue-
-cam) Amended File #2 - C.U.P.
Northeast corner of 21st St. No.
and Rock Road.

POSTED
3-24-81
[Signature]

ACTION

DATE

COMMITTEE

4-7-81

M.A.P.C. *Approved Rock to
Condition*

5-5-81

B.C.C./B.C.C. *Approved as
Recommnded*

Map No. 6050
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

AMENDED FILE #2

DP - 96
Filed 3-2-81

Associated
Case: _____

APPLICATION REQUEST: Approval of proposed Amendment to
TALLGRASS C.U.P. (formerly Bluestem)
(Residential)(Commercial) Community Unit Plan.

1. Applicant Tallgrass Company
Address P.O. Box 4046, 67204 Phone 838-9301
2. Agent Bill G. Yung
Address 1355 N. Waco, 67203 Phone 264-0676
3. General Location: Northeast corner of 21st St. North and Rock Road.
Address _____
4. Proposed Use: _____

AREA DATA:

1. Acres: 542.1 (IRREGULAR) ft. by 2610 ft.)
2. Existing Zoning "AA" Proposed Zoning _____
3. Area (is) (is not) platted. _____ Addition

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date 4-9-81 Action Approved out to condition

2. Governing Body

Date 5-5-81 Action Approved as recommended

NOTES: 9-9-82: Bill Yung requested the ownership list.
He will have Security Abstract pick it up and
update it for an amendment to Tallgrass.

CASE FILE

SHAW
No. 2153C
HASTINGS, MN
LOG ANGLE, LER, CHICAGO, UPTON, OR
MORNING, TOLSON, BROWN, CA
1984

Map No. 6060
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

AMENDED FILE #2

DP - 96
Filed 3-2-81

Associated
Case: _____

APPLICATION REQUEST: Approval of proposed Amendment to
TALLGRASS C. U. P. (formerly Bluestem)
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Address _____
4. Proposed Use: _____

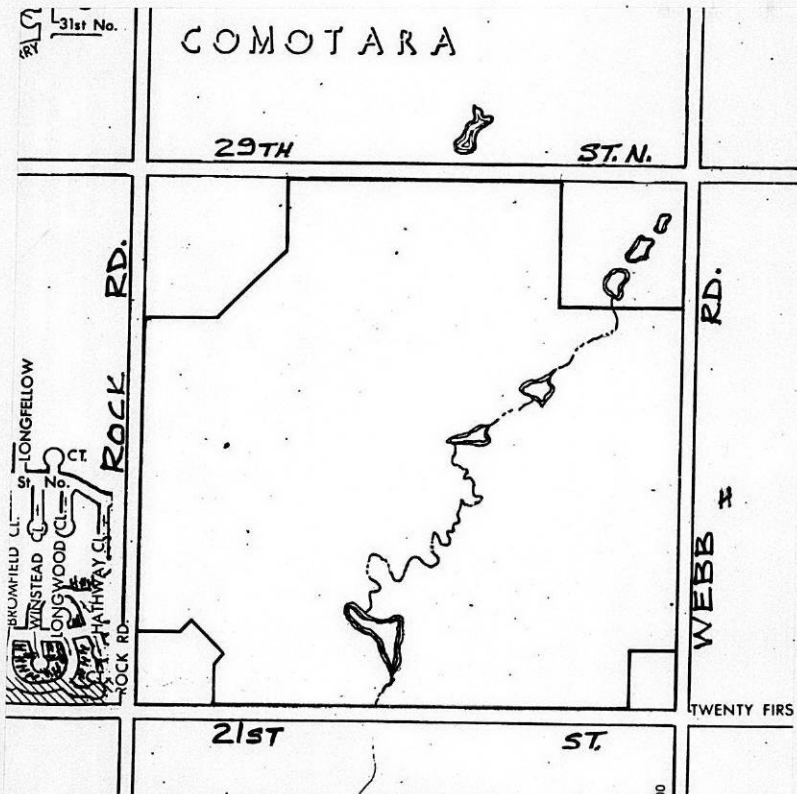
AREA DATA:

1. Acres: 542.1 (4860 (IRREGULAR) ft. by 4860 ft.)
2. Existing Zoning: "AA"
3. Land Use: East SINGLE FHM South UNDEVELOPED
West SINGLE FHM North UNDEVELOPED
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____

DP-96



PICTURE SHEET

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

March 26, 1931

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 9, 1931, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for amendment to the TALLGRASS (formerly Bluestem Village) RESIDENTIAL COMMUNITY UNIT PLAN, for property legally described as follows:

DP-96 - All of Section 5, T 27 S, R 2 E of the 6th P.M., except the following parcels: Central Christian Addition to Wichita, Sedgwick County, Kansas; AND EXCEPT: Central Christian Second Addition to Wichita, Sedgwick County, Kansas; AND EXCEPT: The northeast quarter of the northeast quarter, said Section 5, also known as Government Lot 1; AND EXCEPT: Beginning at the southwest corner, Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the west line of said Section 5 bearing N 1°01'02" W, 794.89 feet; thence N 88°55'01" E, 450.00 feet; thence N 43°53'58" E, 150.00 feet; thence S 46°01'02" E, 495.00 feet; thence S 43°53'58" W, 150.00 feet; thence S 1°01'02" E, 11.61 feet; thence N 88°58'58" E, 21.72 feet; thence S 66°32'50" E, 33.00 feet; thence along a curve to the left having a central angle of 24°28'12", a radius of 209.00 feet, a length of 89.26 feet and a chord of 83.58 feet long bearing S 11°13'04" W; thence S 1°01'02" E, 334.83 feet to the south line of said Section 5; thence westerly along said south line bearing S 89°06'26" W, 333.00 feet to the point of beginning. AND EXCEPT: Beginning at the southeast corner of Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the east line of said Section 5 bearing N 0°47'16" W, 640.00 feet; thence S 89°10'54" W, 515.00 feet; thence S 0°47'16" E, 640.00 feet to a point on the south line of said Section 5; thence easterly along said south line bearing N 89°10'54" E, 515.00 feet to the point of beginning. Generally located at the northeast corner of 21st Street North and Rock Road.

The Development Plan of this area, originally approved on June 19, 1979 and amended on June 17, 1980, has been resubmitted 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 in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes the following general amendments to the approved plan:

1. A name change from Bluestem Village to Tallgrass Residential Community Unit Plan.

Page Two
Case No. DP-96

2. An increase in the maximum number of dwelling units permitted from 1256 to 2822. The maximum density permitted would increase from 3.70 dwelling units per acre to 5.40 dwelling units per acre.
3. Reducing some building setback lines depending on the type and size of street serving the different types of dwelling units.
4. Reduced right-of-way for public streets. Some public streets could have 50 or 54 feet of right-of-way.
5. Including approximately forty additional acres at the northeast corner of the C.U.P.
- c. Changes to the text and the format to improve the readability of the Plan.

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

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and 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

T2-96

All of Section 5, T 27 S, R 2 E of the 6th P.M. except the following parcels:

✓ Central Christian Addition to Wichita, Sedgwick County, Kansas;

except
And Also:

✓ Central Christian Second Addition to Wichita, Sedgwick County, Kansas;

except
And Also:

The northeast quarter of the northeast quarter, said Section 5, also known as Government Lot 1;

except
And Also:

Beginning at the southwest corner, Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the west line of said Section 5 bearing N 1° 01' 02" W, 794.89 feet; thence N 88° 55' 01" E, 450.00 feet; thence N 43° 58' 58" E, 150.00 feet; thence S 46° 01' 02" E, 495.00 feet; thence S 43° 58' 58" E, 150.00 feet; thence S 1° 01' 02" E, 11.61 feet; thence N 88° 58' 58" E, 21.72 feet; thence S 66° 32' 50" E, 33.00 feet; thence along a curve to the left having a central angle of 24° 28' 12", a radius of 209.00 feet, a length of 89.26 feet and a chord 88.58 feet long bearing S 11° 13' 04" W; thence S 1° 01' 02" E, 334.83 feet to the south line of said Section 5; thence westerly along said south line bearing S 89° 06' 26" W, 833.00 feet to the point of beginning.

except
And Also:

Beginning at the southeast corner of Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the east line of said Section 5 bearing N 0° 47' 16" W, 640.00 feet; thence S 89° 10' 54" W, 515.00 feet; thence S 0° 47' 16" E, 640.00 feet to a point on the south line of said Section 5; thence easterly along said south line bearing N 89° 10' 54" E, 515.00 feet to the point of beginning.

X The above described real property contains 544.7 acres, more or less and includes public right of way to the centerline of all streets adjoining the property.

Northeast corner of 21st St. No. 0 Rock Rd.



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAP HEARING DATE: 4-09-81

Case No. DP-96 Request: Approval of an amendment to the Tallgrass (formerly Bluestem Village) Residential C.U.P.

Location: Generally located between 21st and 29th Streets North and between Rock Road and Webb

Acres: 542.1 Size: 4860' x 4860' (irregular)

	Land Use	Zoning
Existing	Undeveloped	"AA"
North	Church & undeveloped	"AA" & "LC"
East	Single-family & undeveloped	"R-1" & "LC"
South	Undeveloped	"R-1" & "LC"
West	Single-family & undeveloped	"AA" (C.U.P.)

Adequate Street Right-of-way will be acquired at the time of platting.

Platted: A portion has been platted.

History: DP-96	5-24-79	MAPC	Approve
	6-19-79	BCC	Approve
DP-96	5-22-80	MAPC	Approve
	6-17-80	BCC	Approve

COMMENTS:

- In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the existing Village of Bluestem Residential C.U.P. In order for the Planning Commission to recommend approval of a residential C.U.P., it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - That the property of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - That such plan is consistent with the intent and purpose of Section 28.04.190 to promote public health, safety and general welfare.
 - 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 regular channels.
 - That the average lot area per family contained in the site, exclusive of the area occupied by streets, shall not be less than the lot area per family required by the district in which the development is located.
- The proposed amendment includes a name change to Tallgrass, reformatting the text, changing and enlarging the types of dwelling units permitted in several parcels and an increase in the maximum number of dwelling units from 1856 (3.7 dwelling units per acre) to 2022 (5.48 dwelling units per acre). The development plan also includes building setbacks, number of dwelling units permitted in each parcel,

parking requirements, access control and other information relating to the proposed development. An additional 40 acres, located in the northeast corner of the C.U.P. have been included on the revised plan.

3. The staff is generally in support of the proposed changes. One area that will need additional discussion during the platting process is the reduction of public street right-of-way. The plan proposes reduced street right-of-way of 50 and 54 feet for residential streets. The applicants are also asking for a reduction in the front yard setbacks. One result of the reduced front yard setback would be that required off-street parking would be placed on street right-of-way. The plan states that the standards for street right-of-way and setbacks shown on the plan are to be reviewed and approved or changed at the time of platting.
4. Should the Planning Commission determine that the proposed amendments are appropriate and find that the four conditions listed in Comment #1 have been satisfied, the following are recommended conditions of approval:
 - a. Platting of subject property within four years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
 - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
 - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.

January 12, 1983

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-96 - Tallgrass Residential C.U.P. Generally located at the northeast corner of 21st Street North and Rock Road. Request for Administrative Adjustment and site plan review on Parcel 5.

Attached is a copy of a letter from Bill Yung requesting an administrative adjustment to the boundary of Parcel 5. The adjusted parcel boundary is shown on the attached site plan in red. Bill is also requesting approval of a site plan that shows a different use than what is illustrated on the approved C.U.P. for Parcel 5 and the southern portion of Parcel 4.

After reviewing the case file and the site plan showing the new parcel boundaries for Parcel 5, I do not feel that re-locating the boundary would be a substantial deviation from the intent and purpose of the C.U.P. provision. Although approximately 2.5 acres will be added to Parcel 5, the number of dwellings has been decreased to 40 from 47.

The site plan shows four single family houses in Parcel 5, and five single family houses in Parcel 4 that would be constructed on lots less than the 7,200 square feet required by General Provision Number 11. Bill has stated that the lots will not be less than 6,000 square feet which is the minimum size permitted in the "AA" district. In view of the reduced density for the parcel, I do not feel that permitting nine single family houses on lots as small as 6,000 square feet would be a substantial deviation of the intent and purpose of the C.U.P. provisions.

Your signature of approval will indicate that the addition of approximately 2.5 acres to Parcel 5, and the development of nine single family houses on lots not less than 6,000 square feet are not substantial deviations from the intent and purpose of the C.U.P. provisions. Your signature will also indicate that the above requests are granted subject to a maximum of forty dwelling units being permitted in the new Parcel 5.

General Provision Number 14 gives me the authority to approve the development of a parcel with different uses than what is illustrated on the C.U.P. The approved C.U.P. shows zero lot line development in Parcel 5, and fourplexes in Parcel 4, while the site plan shows four single family houses and sixteen duplexes in Parcel 5, and five single family houses and one duplex in the southern portion of Parcel 4. After


Page Two
Robert B. Feldner
January 12, 1983

reviewing the site plan, I feel that it is generally satisfactory in terms of layout, access, and circulation. I hereby approve the alternate uses as shown on the site plan dated November 19, 1982, subject to the following:

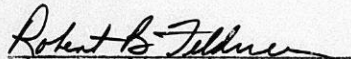
1. Platting the site to establish streets, lot lines, easements, etc., the relocation of the gas line along the north, and to resolve drainage problems.
2. Setbacks shall be in conformance with General Provision Number 4.
3. No building permits shall be issued in Parcel 4 (except for the area contained in the site plan) until the C.U.P. is amended.

One other comment that I have on the C.U.P. is that there have been several administrative adjustments granted and a portion of the C.U.P. has been deleted and added to DP-92 Tallgrass Commercial C.U.P. The amendment that Bill is working on should reflect all of the changes that have been made. Hopefully, the amended C.U.P. will reflect all of the changes and fewer administrative adjustments will be requested, which will make it easier to administer the C.U.P.

Bill, and others, will be notified of our joint action granting the increase in the size of Parcel 5 and permitting single family houses to be built on lots as small as 6,000 square feet and my approval of the alternate uses in Parcels 4 and 5. If you have any questions, please call.


Robert A. Lakin
Director of Planning

APPROVED:


Robert B. Feldner, Superintendent
of Central Inspection

RAL:ADC:sl
Attachment

cc: Bill Yung, 3225 E. 35th St. North, 67226
Dave Ritchie, Tallgrass Co., 2318 Greenleaf, 67226

January 7, 1983

Mr. Robert Lakin
Director of Planning
Metropolitan Area Planning Department
10th Floor - City Hall
Wichita, KS 67202

RE: Administrative Amendment - Tallgrass C.U.P. - Parcels 4 & 5 (Woodspring)

Dear Mr. Lakin:

Tallgrass Company is contemplating the opening of a new addition this spring called Woodspring which involves Parcel #5 and a portion of Parcel #4. As per general provision #14 we are requesting site plan approval for the attached site plan. In addition, we are requesting administrative approval for a boundary modification as detailed on the proposed site plan.

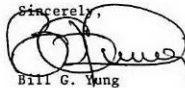
This boundary change is one of many slight changes in the relationship of a number of the parcels and the now existing golf course. Since the original C.U.P. was prepared, the course has been completed and has been sufficiently played so that we can better determine the boundary requirements for the golf course. As a result, in order to more efficiently utilize the property and to reduce the magnitude of the course maintenance, we are in the process of preparing a revised C.U.P. to clear up these discrepancies, plus to officially recognize all of the previous Administrative Amendments that you have already granted.

The urgency for this Administrative Amendment is based on the need to have Woodspring platted by early March to permit obtaining building permits on several buildings that are committed for early spring construction. The project would be adversely affected if this early construction start cannot be realized.

It will further allow the pipeline company additional lead time in designing the relocation of their line to permit this construction schedule.

We respectfully request the approval of the amendment and should you have need for any additional information, please feel free to call me.

Sincerely,



Bill G. Yung

cc: Dave Ritchie, Tallgrass Company
Ken Bengston, Mid Kansas Engineering Consultants

Enclosure



8225 E. 35th North, Wichita, Kansas 67226 316 - 683-5567

BILL G. YUNG Design Consultant

August 6, 1982

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-96 - Tallgrass Residential C.U.P.
Administrative Adjustment to Boundaries of Parcels
12, 13, 14 & 16; and,
Change in use from zero lot line to duplexes and
single family for new Parcel 12.

We have received a letter from Rob Hartman of Bill G. Yung Design Consultants, requesting an administrative adjustment to relocate the boundaries of Parcels 12, 13, 14 and 16 (see attachment 2, existing C.U.P.) in order to create a new Parcel 12 (see attachment 3, revised C.U.P.). It is our understanding that the entire C.U.P. will be amended in the near future and existing Parcels 12, 13, 14 and 16 will be redesigned into Parcels 11 (14.8 acres), 12 (11.7 acres, and 13 (12.7 acres)(see attachment 3). New Parcel 12 (attachment 3) is currently platted as Woodlands East Addition and is being replatted as Summerfield Addition (attachment 4) and is scheduled for City Commission consideration on August 10, 1982.

At the time the Woodlands East plat was submitted to us, it was determined that no formal administrative adjustment would be needed since the plat would go through public hearings. However, after discussing this with members of my staff, I feel, in order to reduce confusion, that in the future we should formally grant an administrative adjustment prior to the submission of a subdivision application for an area that is different than the parcels shown on the C.U.P.

After a review of the associated case files and after discussing this matter with my staff I do not feel that the request to relocate parcel boundaries in order to create a new Parcel 12 would be a substantial deviation of the intent and purpose of the C.U.P. provisions. Your signature of approval will indicate that you concur that the request should be granted subject to the following conditions:

1. Recording of the Summerfield Addition plat.
2. The maximum number of dwelling units in new Parcel 12 shall not exceed 44.

Page Two
Robert B. Feldner
August 6, 1982

3. Due to the changes in boundary locations and acreage, no additional building permits shall be issued on existing Parcels 14 and 16 (new Parcels 11 and 13) until the existing C.U.P. is amended to reflect new acreage, densities and parcel boundaries. In addition, new Parcel 13 will need to be replatted to reflect the revised boundaries.

Mr. Hartman also requests, in his letter for approval of a change in use for existing Parcels 12 and 13 (new Parcel 12) from zero lot line to duplexes and single family. It is my understanding that each duplex will be centered on a property line with each unit located on an individual lot. According to General Provision No. 14 of the C.U.P. any change in use from what is illustrated requires the submission of a site plan (attachment 4) to the Director of Planning for review and approval. After reviewing the site plan and discussing this with my staff, I feel that the change to duplexes and single family is appropriate. The change is granted for new Parcel 12, subject to the following:

1. The total number of dwelling units shall not exceed 44.
2. Each dwelling unit shall be built on an individual plat-
ted lot. A maximum of two dwelling units may be joined
at a common point and constructed as a duplex centered
on a lot line. When a dwelling unit is not part of a
duplex it shall maintain a minimum six-foot side yard.


The above items were discussed at a meeting attended by Jack Galbraith and Art Chambers of my staff and Bill Binter, Ken Bengtson, Bill Yung and Dennis Vanbuskirk, on July 21, 1982. Also at that meeting, the need for an administrative adjustment for some single family houses being built in Parcel 1 of this same C.U.P. in violation of the required setbacks was discussed. A site plan and a request for an adjustment were to be submitted to this department for review. Upon receipt of the request and site plan we will begin processing the adjustment.

If you have any questions regarding any of these matters,
please call.

APPROVED:


Robert B. Feldner, Superintendent
of Central Inspection

RAL:ADC:el


Robert A. Lakin
Director of Planning

Page Three
Robert B. Feldner
August 6, 1982

Attachments

cc: Bill Binter, Tallgrass Co., Inc., P.O. Box 4048, 67204

Bill Yung, 8225 E. 35th St. North, 67226

Ken Bengtson, Mid-Kansas Engineering Consultants
1260 N. Rock Road, Suite 245, 67206

Dennis Vanbuskirk, 260 N. Rock Road, 67206

July 19, 1982

Attachment 1
SEE MEMO DATED
8/6/82

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

RE: Building permit for Summerfield Addition (DP-96 Parcels 12 & 13).

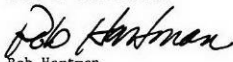
Dear Mr. Lakin:

We are currently in the process of revising and updating DP-96 Tallgrass C.U.P. to reflect all of the changes that have been made to date. One of the areas affected is Parcels 12 & 13 (Woodlands East) which has been platted as Summerfield Addition and now contains 11.7 acres instead of 8.0 acres. The land use has also been changed from zero lot line to duplex. Due to the increase in acreage we have expanded the total number of dwelling units from 40 to 48.

Enclosed is a copy of the change being made on the C.U.P. If you have any questions, please give us a call.

Sincerely,

BILL G. YUNG DESIGN


Rob Hartman

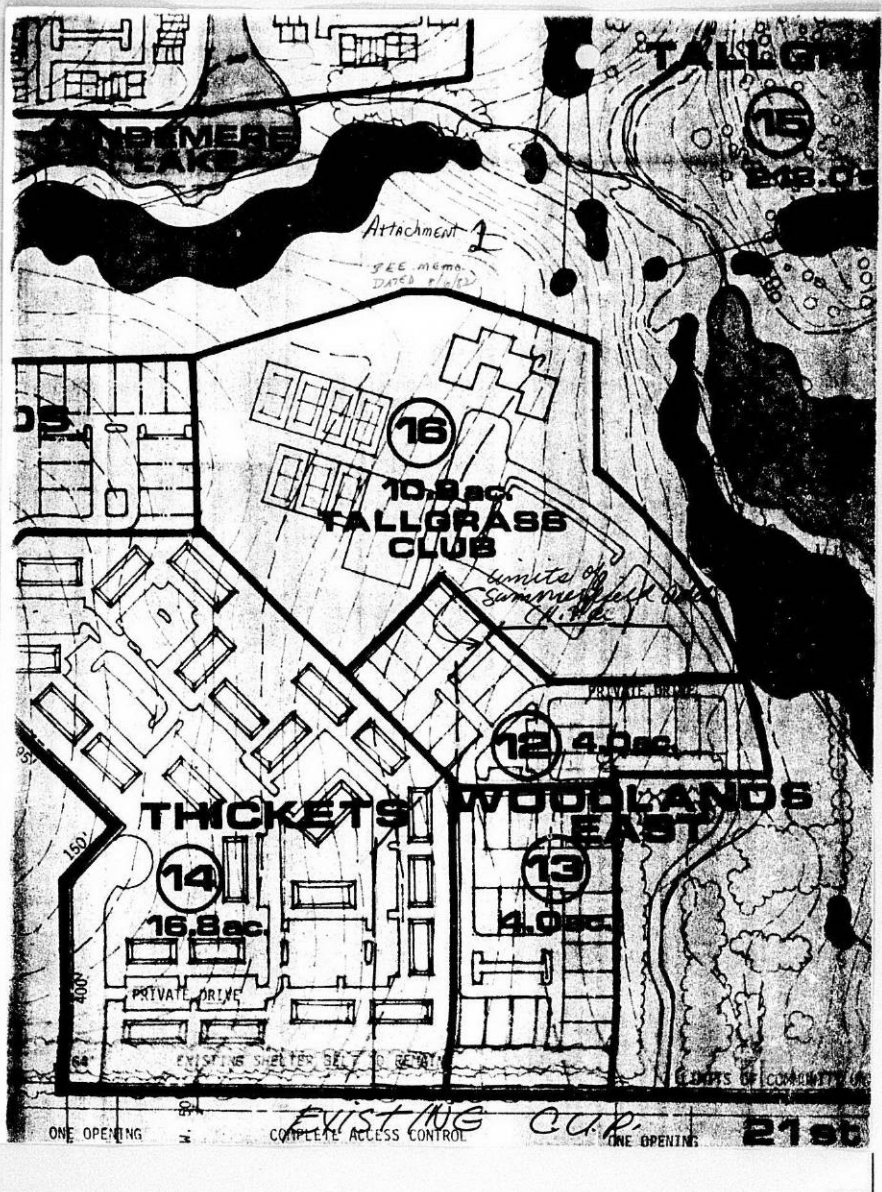
Enclosure

cc: Dave Ritchie, Tallgrass Company
Ken Bengston, Mid-Kansas Engineering Consultants



8225 E. 35th North, Wichita, Kansas 67226 316 - 683-5567

BILL G. YUNG Design Consultant

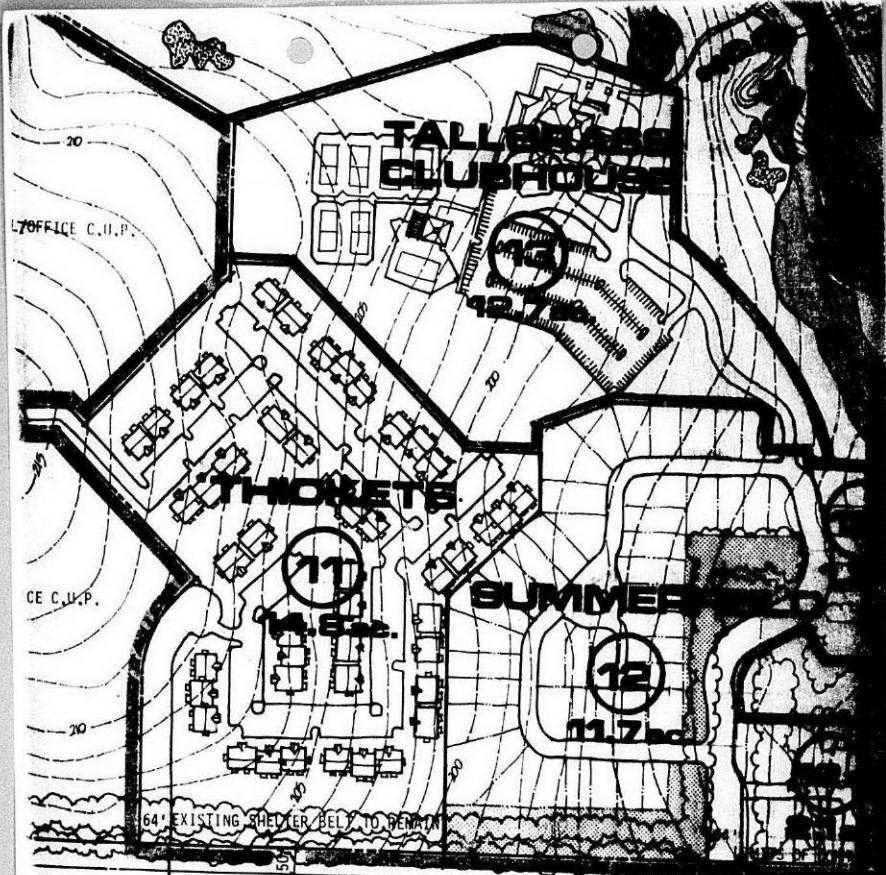


ONE OPENING

COMPLETE ACCESS CONTROL

ONE OPENING

2150



L78 OFFICE C.U.P.

CE C.U.P.

64' EXISTING SHELTER BELT TO REMAIN

R.O.W.

COMPLETE ACCESS CONTROL

COMPL

L.W. BRADLEY
RURAL RESIDENTIAL
(COUNTY)

Attachment 3

Revised C.U.P.

566 MCM
DATED 8/4/82

March 23, 1962

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

Request for Administrative Adjustment to Parcels 12 and 13,
DP-96 - Tallgrass Residential C.U.P.

Attached is a copy of a letter from Bill Yung requesting an administrative adjustment to the above referenced C.U.P. Mr. Yung is requesting that the twelve foot side yard building setback in Parcels 12 and 13 be reduced to ten feet for garages. The adjustment is needed so that the dwelling unit shown on the attached site plan can be constructed on all of the lots in the Woodlands East Addition.


After reviewing Mr. Yung's letter and the case file, I feel that the side yard setback reduction on these lots would not be inappropriate. I am somewhat reluctant to establish a precedent in reducing building separations since the zero-lot line concept is a method for increasing useable side yards. However, in this case, since only the garages will be permitted within ten feet of another building, I feel that the proposed reduction is not a substantial deviation from the intent and purpose of the provisions of the C.U.P. Hopefully, the largest proposed unit will be placed on the larger lots so that side yards can be as large as possible.

Your signature of approval will indicate that you agree that this request is not a substantial deviation from the intent and purpose of the provisions of the C.U.P. Bill Yung and others, by copy of this memorandum, will be notified of our joint action granting the request to reduce the side yard setback for Parcels 12 and 13 of DP-96, Tallgrass Residential C.U.P., to ten feet subject to the following conditions:


1. The ten foot side yard setback shall apply only to garages. There shall be a twelve foot side yard setback between dwelling units.
2. All construction shall comply with applicable building and fire codes.

Page Two
Robert B. Feldner
March 23, 1982

If you have any questions, please call.


~~Robert A. Lakin~~
Director of Planning

APPROVED:


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

RAL:ADC:el
Attachment

cc: Bill Yung, 8225 E. 35th St. North, Wichita 67226
Dave Ritchie, P.O. Box 4046, Wichita 67204

JB

March 15, 1982

Mr. Robert Lakin
Director of Planning
Metropolitan Area Planning Comm.
10th Floor - City Hall
Wichita, KS 67202

RE: Administrative Amendment to Tallgrass Community Plan; Parcels
12 and 13 (Woodlands East)

Dear Mr. Lakin:

Woodlands East will soon be progressing into the construction stage and with the final design of the proposed units now nearly complete, it is apparent we need an adjustment to the side yard setbacks as specified in the Tallgrass C.U.P.

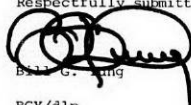
We request that the setbacks be adjusted as follows:

- A. 12' Side yard setback between dwelling units (habitable space) except for garages.
- B. 10' Side yard setback between garage and adjacent unit.

This amendment will allow for all four models to be constructed on the 50' lots as platted. Without this change, the largest unit, as illustrated, will only be accommodated on six lots within the development.

Please accept this letter as formal request for the administrative amendment to the C.U.P. for these parcels granting this variance.

Respectfully submitted,



Bill G. Yung

BGY/dlp

cc: Dave Ritchie
Ken Bengston

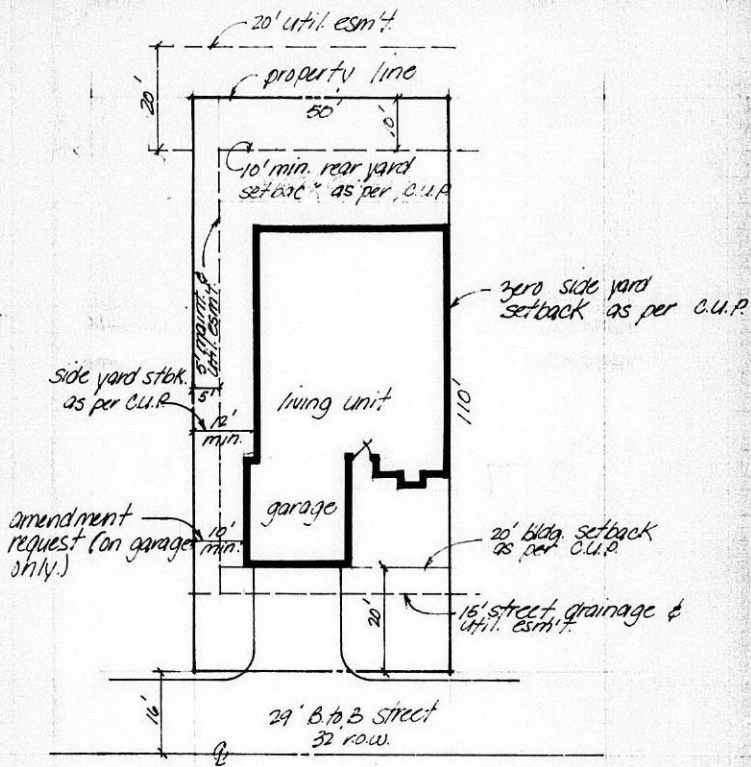
RECEIVED

MAR 16 1982

METROPOLITAN PLANNING

ROUTE





Amendment for zero lot line unit side yard setback (garage only) on parcels 12 & 13 of Tallgrass Community Unit Plan, platted as Woodlands East.

Date: Mar. 15, 1982

February 17, 1982


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

Administrative Adjustment to Parcel 7 of DP-96,
Tallgrass Residential C.U.P.

We are in receipt of a letter (copy attached) from Bill Yung requesting an administrative adjustment to reduce the lot sizes from 7,200 square feet, as required by General Provision No. 11, to 7,000 square feet for those lots in Parcel 7. The Parcel is currently being platted as Penstemon Addition. One of the conditions of the Subdivision Committee was that the lot sizes either be increased or an administrative adjustment granted.

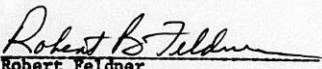
After reviewing the case file, it is my opinion that allowing lot sizes to be reduced to 7,000 square feet in Parcel 7 would not be a substantial deviation from the intent and purpose of the C.U.P. provisions. The proposed reduction will not increase the maximum number of dwelling units or density for the parcel or C.U.P.

Your signature of approval will indicate that you agree that the request is not a substantial deviation from the intent and purpose of the C.U.P. provisions and that the request is granted. If you have any questions, please call.



Robert A. Lakin
Director of Planning

APPROVED:



Robert Feldner
Superintendent of Central Inspection

RAL:ADC:el
Attachment

cc: Bill Yung, 8225 E. 35th St. North, Wichita 67226

February 16, 1982

Mr. Robert Lakin, Director
Metropolitan Area Planning Department
455 N. Main Street, 10th Floor
Wichita, KS 67202

RE: Request for Administrative Amendment for SD82-6 Preliminary
Plat of Penstemon

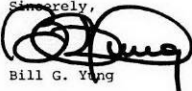
Dear Bob:

At the regular meeting of the sub-division committee of the Metropolitan Area Planning Commission on February 4, 1982, a condition of the approval of that plat required an administrative amendment to Parcel 7 of the Tallgrass Community Unit Plan. The amendment is requested for general provision number 11 decreasing the minimum size lot for single family detached units from 7,200 sq. ft. to 7,000 sq. ft.

This amendment will not affect the density nor will it increase the total number of units from those authorized by the Community Unit Plan. It will, however, provide for the open space to be slightly larger than that originally requested.

If there are any questions regarding this matter, please feel free to contact me at your convenience.

Sincerely,



Bill G. Yang

BGY/dlp

RECEIVED
FEB 16 1982
METROPOLITAN PLANNING
ROUTE _____



8225 E. 35th North, Wichita, Kansas 67228

316 - 883-5567

BILL G. YUNG Design Consultant

May 13, 1981

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

DP-96 - Tallgrass (Formerly Bluestem) Residential C.U.P.
Generally located at the northeast corner of Rock Road
and 21st Street North.

The Board of City Commissioners on May 5, 1981, considered
the above captioned C.U.P. Their action was to approve the
C.U.P. subject to the following conditions:

- a. Platting of subject property within four years 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 resub-
mitted 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 commercial 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 C.U.P. If you have any questions concerning this matter,
please contact our office.

Jack H. Galbraith
Chief Planner

JHG:ADC:el
Attachments

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR APPROVAL OF AMENDMENT TO
RESIDENTIAL COMMUNITY UNIT PLAN

CASE NO. DP-96

CONSIDERED BY MAPC: 4-9-81

REQUEST FOR: Approval of an amendment to the Tallgrass (formerly Bluestem Village) Residential C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

None stated.

GENERAL LOCATION: Between 21st and 29th Streets North and
between Rock Road and Webb.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
April 9, 1981)

APPLICANT: Tallgrass Company, P. O. Box 4046.

AGENT FOR APPLICANT: Bill G. Yung, 1355 N. Waco.

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, "AA" & "LC"; East and South, "R-1" & "LC";
West, "AA".

LAND USE: Existing and South, Undeveloped; North, Church & undeveloped;
East and West, Single-family & undeveloped.

CPO RECOMMENDATION: CPO Council Area "I" voted unanimously, 6-0,
to recommend approval of the community unit plan.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown in
the excerpt from Planning Commission minutes of April 9, 1981. Bayouth
moved, Gardner seconded and it carried unanimously. Martens was not
present. Wright and Jones were absent. One vacancy.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planning Commission and approve the Community Unit Plan subject to the
recommended conditions; or

2. Return the application 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 APRIL 9, 1981

13. Case No. DP-96 - Tallgrass Company requests approval of an amendment to the Tallgrass (formerly Bluestem Village) Residential Community Unit Plan for all of Section 5, T 27 S, R 2 E of the 6th P.M., except the following parcels: Central Christian Addition to Wichita, Sedgwick County, Kansas; AND EXCEPT: Central Christian Second Addition to Wichita, Sedgwick County, Kansas; AND EXCEPT: The northeast quarter of the northeast quarter, said Section 5, also known as Government Lot 1; AND EXCEPT: Beginning at the southwest corner, Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the west line of said Section 5 bearing N 1°01'02"W, 794.89 feet; thence N 88°55'01"E, 450.00 feet; thence N 43°58'58"E, 150.00 feet; thence S 46°01'02"E, 495.00 feet; thence S 43°58'58"W, 150.00 feet; thence S 1°01'02"E, 11.61 feet; thence N 88°58'58"E, 21.72 feet; thence S 66°32'50"E, 33.00 feet; thence along a curve to the left having a central angle of 24°28'12", a radius of 209.00 feet, a length of 89.26 feet and a chord of 88.58 feet long bearing S 11°13'04"W; thence S 1°01'02"E, 334.33 feet to the south line of said Section 5; thence westerly along said south line bearing S 89°06'26"W, 833.00 feet to the point of beginning. AND EXCEPT: Beginning at the southeast corner of Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the east line of said Section 5 bearing N 0°47'16"W, 640.00 feet; thence S 89°10'54"W, 515.00 feet; thence S 0°47'16"E, 640.00 feet to a point on the south line of said Section 5; thence easterly along said south line bearing N 89°10'54"E, 515.00 feet to the point of beginning. Generally located at the northeast corner of 21st Street North and Rock Road.

JONES and MARTENS were excused from the meeting.

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

COMMENTS:

1. In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the existing Village of Bluestem Residential C.U.P. In order for the Planning Commission to recommend approval of a residential C.U.P., it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - a. That the property 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 Section 28.04.190 to promote public health, safety 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 regular channels.
 - d. That the average lot area per family contained in the site, exclusive of the area occupied by streets, shall not be less than the lot area per family required by the district in which the development is located.
2. The proposed amendment includes a name change to Tallgrass, reformatting the text, changing and enlarging the types of

dwelling units permitted in several parcels and an increase in the maximum number of dwelling units from 1856 (3.7 dwelling units per acre) to 2822 (5.48 dwelling units per acre). The development plan also includes building setbacks, number of dwelling units permitted in each parcel, parking requirements, access control and other information relating to the proposed development. An additional 40 acres, located in the northeast corner of the C.U.P. have been included on the revised plan.

3. The staff is generally in support of the proposed changes. One area that will need additional discussion during the platting process is the reduction of public street right-of-way. The plan proposes reduced street right-of-way of 50 and 54 feet for residential streets. The applicants are also asking for a reduction in the front yard setbacks. One result of the reduced front yard setback would be that required off-street parking would be placed on street right-of-way. The plan states that the standards for street right-of-way and setbacks shown on the plan are to be reviewed and approved or changed at the time of platting.
4. Should the Planning Commission determine that the proposed amendments are appropriate and find that the four conditions listed in Comment #1 have been satisfied, the following are recommended conditions of approval:
 - a. Platting of subject property within four years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
 - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
 - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.

CHAMBERS stated that staff was supportive of the proposed changes to the C.U.P. He said that one area that would need additional discussion during the platting process is the proposed street right-of-way widths, pavement widths, and front yard setbacks. CPO Council Area "I" did not have a recommendation, and they deferred discussion until their April 21 meeting because the agent nor the applicant was present.

There was no one present in opposition to the application.

BILL YUNG, agent, representing the applicants, stated that he would be writing a letter to the CPO apologizing for not attending their meeting. He said that he would attend their next meeting to show them proper courtesy and to explain the project. YUNG said that he had no quarrel with the staff comments.

MOTION: Having considered the factors as contained in Policy Statement No. 10, taking into account the developing residential character of the neighborhood; the residential zoning and uses of nearby property; the suitability of the subject site for development as shown on the C.U.P.; staff's recommendation of approval and finding that the four conditions in Item 1 of the staff report have been satisfactorily met; I move that we recommend to the governing body that this application be approved subject to the following conditions:

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

Bayouth moved, Gardner seconded and it carried unanimously. Martens was not present. Wright and Jones were absent. One vacancy.

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE April 23, 1981


TO E.H. Denton, City Manager

FROM Dean Kruthof, Administrative Aide III

SUBJECT DP-96: Tallgrass Residential
CUP, northeast corner of 21st
Street North and Rock Road

On April 7th, CPO Council "I" considered the captioned case. Bill Yung, the agent for the applicant, did not receive the notice of the meeting because of a delay in his mail delivery. Due to Mr. Yung's absence at the meeting, the Council deferred action on the case until they could meet with him.


Mr. Yung attended the April 21st Area "I" meeting to discuss this case with the Council. The Council voted unanimously, 6-0, to recommend approval of the community unit plan. Please inform the Board of City Commissioners of the Council's recommendation when this case is considered by them on May 5th. Thank you.


Dean Kruthof
Administrative Aide III

DK:ml

cc: Jack Galbraith, Chief Planner, Current Plans

Noted:


Sarah Gilbert
CP Coordinator

April 10, 1981

Bill G. Yung
1355 North Waco
Wichita, Kansas 67203

Re: DP-96 - Approval of an amendment to the
Tallgrass (formerly Bluestem
Village) Residential C.U.P.
Located between 21st & 29th Streets
North & between Rock Road & Webb

Dear Mr. Yung:

At its regular meeting on April 9, 1981, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

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

Please submit 10 copies of the C.U.P. to our office by April 24, so that subject case can be scheduled for consideration by the Board of City Commissioners at their regular meeting on May 5, 1981. This meeting to

be held in the City Commission Meeting Room, First Floor, City Hall,
455 North Main, Wichita, Kansas. We would remind you that Planning items
are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad

cc: Tallgrass Company, P. O. Box 4046, Wichita 67204

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 8, 1981

TO Jack Galbraith, Chief Planner, Current Plans

FROM Dean Kruthof, Administrative Aide III

SUBJECT DP-96: Tallgrass Residential
Community Unit Plan, Northeast
corner of 21st Street North
and Rock Road

At its April 7th meeting, CPO Council Area "I" considered the captioned project. The agent was invited to discuss this case with the Council, however; he did not attend the meeting.

The Council voted unanimously, 8-0, to request that the MAPC defer consideration of this case. The Council agreed by consensus that they could not make an informed recommendation on this case until a meeting was held with a representative of the applicant. This case will appear on the April 21st Council "I" agenda at which time the agent may appear before the Council.

Please inform the MAPC of the Council's action when this case is considered by them on April 9th. Thank you.

Dean Kruthof
Dean Kruthof
Administrative Aide III

DK:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 4-09-81

Case No. DP-96 Request: Approval of an amendment to the Tallgrass (formerly Bluestem Village) Residential C.U.P.

Location: Generally located between 21st and 29th Streets North and between Rock Road and Webb

Acres: 542.1 Size: 4860' x 4860' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA"
North	Church & undeveloped	"AA" & "LC"
East	Single-family & undeveloped	"R-1" & "LC"
South	Undeveloped	"R-1" & "LC"
West	Single-family & undeveloped	"AA" (C.U.P.)

Adequate Street Right-of-way will be acquired at the time of platting.

Platted: A portion has been platted.

History: DP-96	5-24-79	MAPC	Approve
	6-19-79	BCC	Approve
DP-96	5-22-80	MAPC	Approve
	6-17-80	BCC	Approve

COMMENTS:

1. In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the existing Village of Bluestem Residential C.U.P. In order for the Planning Commission to recommend approval of a residential C.U.P., it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - a. That the property 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 Section 28.04.190 to promote public health, safety 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 regular channels.
 - d. That the average lot area per family contained in the site, exclusive of the area occupied by streets, shall not be less than the lot area per family required by the district in which the development is located.
2. The proposed amendment includes a name change to Tallgrass, reformatting the text, changing and enlarging the types of dwelling units permitted in several parcels and an increase in the maximum number of dwelling units from 1856 (3.7 dwelling units per acre) to 2022 (5.48 dwelling units per acre). The development plan also includes building setbacks, number of dwelling units permitted in each parcel,

parking requirements, access control and other information relating to the proposed development. An additional 40 acres, located in the northeast corner of the C.U.P. have been included on the revised plan.

3. The staff is generally in support of the proposed changes. One area that will need additional discussion during the platting process is the reduction of public street right-of-way. The plan proposes reduced street right-of-way of 50 and 54 feet for residential streets. The applicants are also asking for a reduction in the front yard setbacks. One result of the reduced front yard setback would be that required off-street parking would be placed on street right-of-way. The plan states that the standards for street right-of-way and setbacks shown on the plan are to be reviewed and approved or changed at the time of platting.
4. Should the Planning Commission determine that the proposed amendments are appropriate and find that the four conditions listed in Comment #1 have been satisfied, the following are recommended conditions of approval:
 - a. Platting of subject property within four years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
 - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
 - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential development and be binding upon the present owners, their successors and assigns, unless amended.

DP-96 - 132 "Notice to Adjoining Property Owners" mailed 3-27-81 for
the MAPC meeting for 4-9-81

1 Including map to CPO Office
1 " " for "Neighbors" newspaper

134 TOTAL

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

March 26, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 9, 1981, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for amendment to the TALLGRASS (formerly Bluestem Village) RESIDENTIAL COMMUNITY UNIT PLAN, for property legally described as follows:

DP-96 - All of Section 5, T 27 S, R 2 E of the 6th P.M., except the following parcels: Central Christian Addition to Wichita, Sedgwick County, Kansas; AND EXCEPT: Central Christian Second Addition to Wichita, Sedgwick County, Kansas; AND EXCEPT: The northeast quarter of the northeast quarter, said Section 5, also known as Government Lot 1; AND EXCEPT: Beginning at the southwest corner, Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the west line of said Section 5 bearing N 1°01'02" W, 794.89 feet; thence N 88°55'01" E, 450.00 feet; thence N 43°58'58" E, 150.00 feet; thence S 46°01'02" E, 495.00 feet; thence S 43°58'58" W, 150.00 feet; thence S 1°01'02" E, 11.61 feet; thence N 88°58'58" E, 21.72 feet; thence S 66°32'50" E, 33.00 feet; thence along a curve to the left having a central angle of 24°28'12", a radius of 209.00 feet, a length of 89.26 feet and a chord of 88.58 feet long bearing S 11°13'04" W; thence S 1°01'02" E, 334.83 feet to the south line of said Section 5; thence westerly along said south line bearing S 89°06'26" W, 333.00 feet to the point of beginning. AND EXCEPT: Beginning at the southeast corner of Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the east line of said Section 5 bearing N 0°47'16" W, 640.00 feet; thence S 89°10'54" W, 515.00 feet; thence S 0°47'16" E, 640.00 feet to a point on the south line of said Section 5; thence easterly along said south line bearing N 89°10'54" E, 515.00 feet to the point of beginning. Generally located at the northeast corner of 21st Street North and Rock Road.

The Development Plan of this area, originally approved on June 19, 1979 and amended on June 17, 1980, has been resubmitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes the following general amendments to the approved plan:

1. A name change from Bluestem Village to Tallgrass Residential Community Unit Plan.

Page Two
Case No. DP-96

2. An increase in the maximum number of dwelling units permitted from 1856 to 2822. The maximum density permitted would increase from 3.70 dwelling units per acre to 5.48 dwelling units per acre.
3. Reducing some building setback lines depending on the type and size of street serving the different types of dwelling units.
4. Reduced right-of-way for public streets. Some public streets could have 50 or 54 feet of right-of-way.
5. Including approximately forty additional acres at the northeast corner of the C.U.P.
6. Changes to the text and the format to improve the readability of the Plan.

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

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and 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

March 20, 1981

Ray Bruggeman, Director of Engineering

Jack H. Galbraith, Chief Planner

Request for "0" front yard setbacks and for required parking spaces to be permitted from curb line to property line.

Section 28.04.140.1 of the zoning ordinance provides, in part, that required off-street parking spaces in residential districts shall not occupy any part of a required front yard. Subsection d. of this section further provides that additional accessory off-street parking for one-family and two-family dwellings shall be permitted within the required yards in residential zoning districts when the yard of the zoning lot is adjacent to a street having on-street parking limitations. This would be applicable to the 50 and 58 foot R.O.W. standards in the sub regs.

Specifically, the developers of "Tallgrass" have proposed that they not only be permitted to provide their required parking in the front yard setback area, but they also want to be able to place required spaces in the driveway area in a street R.O.W. from the curb line to the property line.

For some of the parcels in "Tallgrass" where "0" lot line or patio homes are proposed, the developer is requesting a 6 foot front yard on 50, 54 or 58 foot right-of-way streets. His intent is to then place two of the required spaces in the garage and the other two in the 6 foot front yard. The required parking would then extend out into the street right-of-way near the curb.

They have also suggested a "0" front yard setback. They have asked to be able to apply this setback next to frontage roads where residential lots are only on one side. Their request here is that the street be constructed off center so that 2 of the required 4 spaces can go in front of the garage in the "parking area" between the front of the garage and the curb (approximately 20 feet).

If this is not supported by staff, their next suggestion is that they be required to dedicate only the necessary area to construct the street. Necessary utility easements would be granted on either side of the pavement which would remain in their ownership so that they can use it for their off-street parking area, accomplishing the same intent.

Page Two
Ray Bruggeman
March 20, 1981

One other section of the City Code that may apply is 11.52.020 where it is unlawful to park a car on a sidewalk or in a sidewalk area. I have always felt that whether or not there is a sidewalk, the parking area (from curb to property line) is the sidewalk area as well as an area for other street related purposes. It would seem then that parking as proposed would be a violation of Chapter 11.52, Parking.

This is provided to you and those receiving a copy of this memo for information purposes. Mike Lindebak heard their initial proposal and the related C.U.P. will be considered by M.A.P.C. on April 9th. These proposals will have to be finally determined at the time of platting. However, I wanted all of you to at least be aware that these setbacks are being requested on the C.U.P. and the purpose and intent of the lesser setback requests.

If any of you have a position on their proposals, we would appreciate your comments.

Jack H. Galbraith
Chief Planner

JHG:el

cc: Robert A. Lakin, Director of Planning
Don Anderson, Director of Housing & Economic Development
Robert B. Feldner, Superintendent of Central Inspection
Paul Graves, Chief Engineer
Bill McKinley, Traffic Engineer
Mike Lindebak, Program Development Engineer

THE CITY OF WICHITA

OFFICE OF Department of Engineering

DATE February 19, 1981

TO Arthur D. Chambers, Senior Planner

FROM Mike Lindebak, Program Development Engineer

SUBJECT CUP Comments

Tallgrass CUP:

The limits of the floodways should be identified. It appears portions of parcel 6 will be in the floodway. It was my understanding that the golf course area would be maintaining the floodways. This can be resolved at the time of platting.

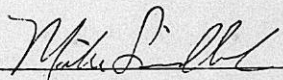
The major entrance proposed to serve parcels 8, 9, and 10 would require an accel-decel lane and 10 feet of additional right-of-way. The location of KG&E structures and easement restrictions may prevent an opening in the north 50 feet at this location.

Parcels 18 & 18A CUP:

No comments.

ABKO 14 CUP:

Drainage will be a major consideration at the time of platting.



Mike Lindebak
Program Development Engineer

ML:ck

RECEIVED

FEB 20 1981

METROPOLITAN PLANNING

ROUTE _____

February 16, 1981

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

Arthur D. Chambers, Senior Planner

DP-96 - Tallgrass (formerly Village of Bluestem) Residential
C.U.P. Generally located between Rock Road and Webb Road and
between 21st Street North and 29th Street North.

We have received a proposed amendment to the above referenced
C.U.P. A copy is attached for your review and comment. The
changes include the addition of property in Parcels 4 and 6,
changes to the formatting of the general provisions and
parcel descriptions, revised permitted uses list and other
changes relating to streets, access, density, open space, etc.
We would appreciate any comments you might have regarding the
proposed changes by February 20, 1981.

If you have any questions, please call.

Arthur D. Chambers
Senior Planner

ADC:el

Attachment

*Map 6050
D.P. 96
Tallgrass (Company)
Amended File #*

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 Tallgrass Company
Address P.O. Box 4046 Wichita Ks. 67204 Phone 838-9301
Agent Bill G. Yung
Address 1355 N. Waco Wichita, Ks. 67203 Phone 264-0676
- b. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____
- c. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

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

2. a. The applicant hereby requests Community Unit Plan approval on property zoned AA and legally described as Lot(s) NA, Block(s) _____, Addition. _____
(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet.) SEE ATTACHED SHEET

*N "AA" #10"
W "AA" (CUP)
E "R1" #10"
S "R-1" #10"*

2. b. There are 542.1 acres (round to nearest tenth) in the above described property.

DESCRIPTION FOR
TALLGRASS C.U.P.

All of Section 5, T 27 S. R 2 E of the 6th P.M. except the following parcels:

✓ Central Christian Addition to Wichita, Sedgwick County, Kansas;

except
And Also:

✓ Central Christian Second Addition to Wichita, Sedgwick County, Kansas;

except
And Also:

✓ The northeast quarter of the northeast quarter, said Section 5, also known as Government Lot 1;

except
And Also:

Beginning at the southwest corner, Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the west line of said Section 5 bearing N 1° 01' 02" W, 794.89 feet; thence N 88° 55' 01" E, 450.00 feet; thence N 43° 58' 58" E, 150.00 feet; thence S 46° 01' 02" E, 495.00 feet; thence S 43° 58' 58" W, 150.00 feet; thence S 1° 01' 02" E, 11.61 feet; thence N 88° 58' 58" E, 21.72 feet; thence S 66° 32' 50" E, 33.00 feet; thence along a curve to the left having a central angle of 24° 28' 12", a radius of 209.00 feet, a length of 89.26 feet and a chord 88.58 feet long bearing S 11° 13' 04" W; thence S 1° 01' 02" E, 334.83 feet to the south line of said Section 5; thence westerly along said south line bearing S 89° 06' 26" W, 833.00 feet to the point of beginning.

except
And Also:

Beginning at the southeast corner of Section 5, T 27 S, R 2 E of the 6th P.M.; thence northerly along the east line of said Section 5 bearing N 0° 47' 16" W, 640.00 feet; thence S 89° 10' 54" W, 515.00 feet; thence S 0° 47' 16" E, 640.00 feet to a point on the south line of said Section 5; thence easterly along said south line bearing N 89° 10' 54" E, 515.00 feet to the point of beginning.

X The above described real property contains 544.7 acres, more or less and includes public right of way to the centerline of all streets adjoining the property.



*

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

Roll #1

*