

DP-97 - WESTWOOD HILLS CUP - South
east corner of Maybelle and Maple

Albion

ACTION

POSTED
3-25-79
D-1

DATE

COMMITTEE _____

M.A.P.C. *Approved as to conditions* 4-12-79

B.C.C./B.C.C. *Approved as amended* 5-8-79

DP-97 WESTWOOD HILLS CDP - South
east corner of Myrtle and Maple

Map No. 4846
Sec. 29
Twp. 27
Range 1W

DATA SHEET

DP- 97

WESTWOOD HILLS COMMERCIAL CUP Filed 3-13-79

(Assoc. Z-2125)

APPLICATION DATA:

1. Applicant: Ron Hall, et al 685-9285(Office)
Address 133 S. Oakwood, 67218 Phone 685-1697(Home)
2. Agent: William L. Korber
Address 330 Laura, 67211 Phone 262-7271
3. General Location: Southeast corner of Maybelle & Maple
Address _____
4. Proposed Use: _____

AREA DATA:

1. Acres: 6.79 (_____ ft. by _____ ft.)
2. Existing Zoning: "LC"
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

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

March 29, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 12, 1979, 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 COMMERCIAL DEVELOPMENT, known as "WESTWOOD HILLS" for property legally described as follows:

DP-97 - Block E, Callahan Addition, Sedgwick County, Kansas, except the north 145 feet and the east 236 feet. Generally located at the southeast corner of Weybelle and Manle.

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 6.79 acre commercial development consisting of two parcels. A maximum gross floor area of 33,768 square feet is proposed for the total development with proposed uses listed as shopping center and/or offices, professional services, restaurants, bakery, bank, theater, comparison and convenience shopping. A total of 3 buildings is proposed on parcel one and two buildings are proposed on parcel two, however, no building permits are to be issued on parcel two until such time as sanitary sewer is available. 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 ECC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 266-4515.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 266-4421.

Robert A. Lakin
Secretary

May 16, 1984

Don Arnold, Jr.
Sutton Place
209 East William
Wichita, Kansas 67202

Dear Don:

As per your request, this is to inform you that an administrative adjustment has been approved for the Westwood Hills C.U.P. (DP-97). It is my understanding that the Central Inspection Division would not issue building permits on the Quik Trip site until it was replatted. The administrative adjustment, dated January 31, 1984, permitted the platting of a piece of property in the C.U.P. with the Quik Trip, site subject to the piece in the C.U.P. being limited to parking until the C.U.P. is amended. A second condition of requiring the C.U.P. to be amended prior to recording the plat, was later eliminated. As you are aware, the Quik Trip site is currently being platted as the LAMAR'S ADDITION and should be recorded in the next week or two.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP
Senior Planner

ADC:blw



DP97

March 7, 1984

City Planning Department
Wichita, KS

Dear Sirs:

We, QuikTrip Corporation, as Lessee and acting agents for Gibraltar Investments, owner of the property at 301 S. Tyler, Wichita, Kansas, acknowledge and agree to the proposed C.U.P. plating.

If you have any questions, please feel free to call us.

Thank you,

John R. Scott
Kansas Division Manager
QuikTrip Corporation

JRS/dh

RECEIVED

MAR 9 1984

METROPOLITAN PLANNING

ROUTE _____



Art Chambers
Metropolitan Area Planning Commission
City Hall - Tenth Floor
455 North Main Street
Wichita, Kansas 67202

JOHN T. ARNOLD ASSOCIATES, INC.
Sutton Place / 209 E. William / Wichita, Kansas 67202

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 5, 1984

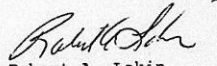
TO Robert B. Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning
SUBJECT RE: DP-97 - WESTWOOD HILLS COMMERCIAL C.U.P.

A copy of a letter from R. Kell Hawkins is attached for your information. Mr. Hawkins is requesting that we eliminate condition number 2 of our approval of an administrative adjustment to permit a portion of the C.U.P. to be platted with a piece of property outside of the C.U.P. (see my memo dated January 31, 1984). Condition number 2 required that an amended C.U.P. be approved by the MAPC prior to releasing the plat tracing for recording.


Art Chambers of my staff has met with Bill Korber to discuss a preliminary plan to amend the C.U.P. The proposed amendment includes the Quik Trip site. It is our understanding that the amendment will be filed in a week or two.

Apparently, Mr. Hawkins's contract to sell the 55-foot wide property is contingent on platting being completed by the middle of April. Based on our closing and hearing dates, it will be difficult for the MAPC to consider the C.U.P. in order to allow the plat to be recorded by mid-April. Since building permits cannot be issued on the balance of the C.U.P. until it is replatted and with the understanding that Bill Korber is preparing an amended C.U.P. (including the Quik Trip site) that will be submitted in the next two weeks, I feel that we could eliminate condition number 2 in my memo dated January 31, 1984.

Your signature of approval will indicate that you concur that condition number 2 is eliminated. Mr. Hawkins and others will be notified of our joint action by copy of this memorandum.


Robert A. Lakin
Director of Planning

APPROVED


Robert B. Feldner
Superintendent of Central Inspection

PAL:ADC:blw

cc: R. Kell Hawkins, P.O. Box 12084, Wichita, KS. 67277
William L. Korber, 330 Laura, Wichita, KS. 67211
Don Arnold, Jr., Sutton Place, 209 E. William, Wichita, KS. 67202

R. Kell Hawkins
President

Inter-Americas Insurance Corporation
PO Box 12084
429 Westfield Ct. / Wichita, Kansas 67277 / (316) 722-5351

February 21, 1984

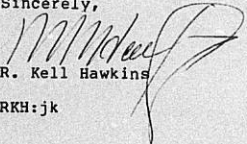
Mr. Art Chambers
Metropolitan Area Planning Department
455 N. Main
Wichita, Kansas 67202

Dear Mr. Chambers:

In view of the fact that I am under contract with Quiktrip Corporation to sell a 55 ft. frontage on Tyler Rd. and that my contract is contingent upon the platting of the property and upon an administrative amendment to the C.U.P. by March 15, 1984, I request that such an administrative amendment be made to the existing C.U.P. and that the Quiktrip Plat be recorded.

I request this in view of the fact that it is my intent to completely revise Westwood Hills C.U.P. in the near future. Mr. Korber of the Baughman Company has been instructed to proceed with the revision.

Sincerely,


R. Kell Hawkins

RKH:jk

February 21, 1984

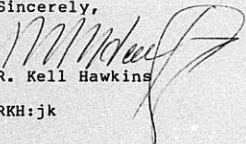
Mr. Art Chambers
Metropolitan Area Planning Department
455 N. Main
Wichita, Kansas 67202

Dear Mr. Chambers:

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I request this in view of the fact that it is my intent to completely revise Westwood Hills C.U.P. in the near future. Mr. Korber of the Baughman Company has been instructed to proceed with the revision.

Sincerely,


R. Kell Hawkins

RKH:jk

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

January 31, 1984

TO Robert B. Feldner, Superintendent of Central Inspection

FROM Robert A. Lakin, Director of Planning

SUBJECT DP-97 - WESTWOOD HILLS C.U.P. (Parcel 2)

A copy of a letter from John R. Scott is attached for your information. Mr. Scott is requesting permission to replat an area in the above referenced C.U.P. (shaded in pink) with an area outside of the C.U.P. (shaded in red). Quik Trip Corporation currently has a store on the red shaded tract. That tract was not included in the C.U.P. that was approved in 1979. Now, they wish to purchase a 55' X 175' tract (area shaded pink) that is in the above referenced C.U.P. They have indicated that most of the pink shaded tract would be used for parking and circulation with the balance held for future parking needs. Currently the pink shaded area is in the C.U.P. and can only be used for parking, except for a very small portion in the southwest corner.

It is our policy that plats conform to C.U.P. parcel boundaries unless there are unique circumstances associated with the proposed development. In this situation, I feel that it requires both of us to concur that platting a tract in the C.U.P. with a tract outside the C.U.P. is not a substantial deviation from the intent and purpose of the C.U.P. provisions. From a platting standpoint, I feel that it would be appropriate to replat the areas shaded pink and red into one lot. From a C.U.P. standpoint, I would prefer that the C.U.P. be amended prior to replatting the Quik Trip site. That would allow the Quik Trip site to be brought into the C.U.P. and be shown as a separate parcel.

We have been advised that the owners of the balance of Block Z intend to amend the C.U.P. and to replat in order to develop the site differently than permitted by the current C.U.P. It is my understanding that there is a "timing" problem with selling the area shaded pink. They have stated that they need to proceed with the replatting as soon as possible.

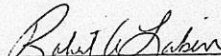
After reviewing Mr. Scott's letter, the C.U.P. file and discussing the matter with my staff, I feel that it would not be a substantial deviation from the intent and purpose of the C.U.P. provisions to permit the replatting of the Quik Trip site with the area shaded pink provided that the C.U.P. is amended to bring the Quik Trip site into the C.U.P. Until the C.U.P. is amended, the pink shaded area can only be used for parking. Bringing the Quik Trip site into the C.U.P. would make it easier to handle setbacks, access control, etc. I do not see any negative restrictions or impacts on Quik Trip if their site is brought into the C.U.P.

Your signature of approval will indicate that you concur that it would not be a substantial deviation from the intent and purpose of the C.U.P. provisions to permit the replatting of the area shaded


pink with the Quik Trip tract. Your signature of approval will also indicate that the area shaded pink may be replatted with the Quik Trip tract subject to the following conditions:

1. The area shaded pink shall be used only for parking until the C.U.P. is amended.
2. Prior to recording the plat, an amended C.U.P., that includes the Quik Trip site, shall be submitted and approved by the Metropolitan Area Planning Commission.

Mr. Scott and others will be notified, by copy of this memorandum, of our joint action regarding the replatting of the Quik Trip site. If you or any one else have questions regarding the replatting, amending the C.U.P., or scheduling, please contact Jack Galbraith or Art Chambers at 268-4421.


Robert A. Lakin
Director of Planning

APPROVED


Robert B. Feldner
Superintendent of Central Inspection

RAL:ADC:blw

cc: John R. Scott, Kansas Division Manager, Quik Trip Corp.
2778 South Seneca, P.O. Box 7720, Wichita, Kansas 67277

Don G. Arnold Jr., Sutton Place, 209 East William, Wichita, 67202

R. Kell Hawkins, 429 Westfield Court, Wichita, 67212

William L. Korber, Baughman Company, 330 Laura, Wichita, 67211

Louise Olivarez, Senior Planner, Current Plans, MAPD



January 23, 1984

City Of Wichita
Planning Department
10th Floor
Wichita, KS 67201
Attention: Art Chambers

Mr. Chambers:

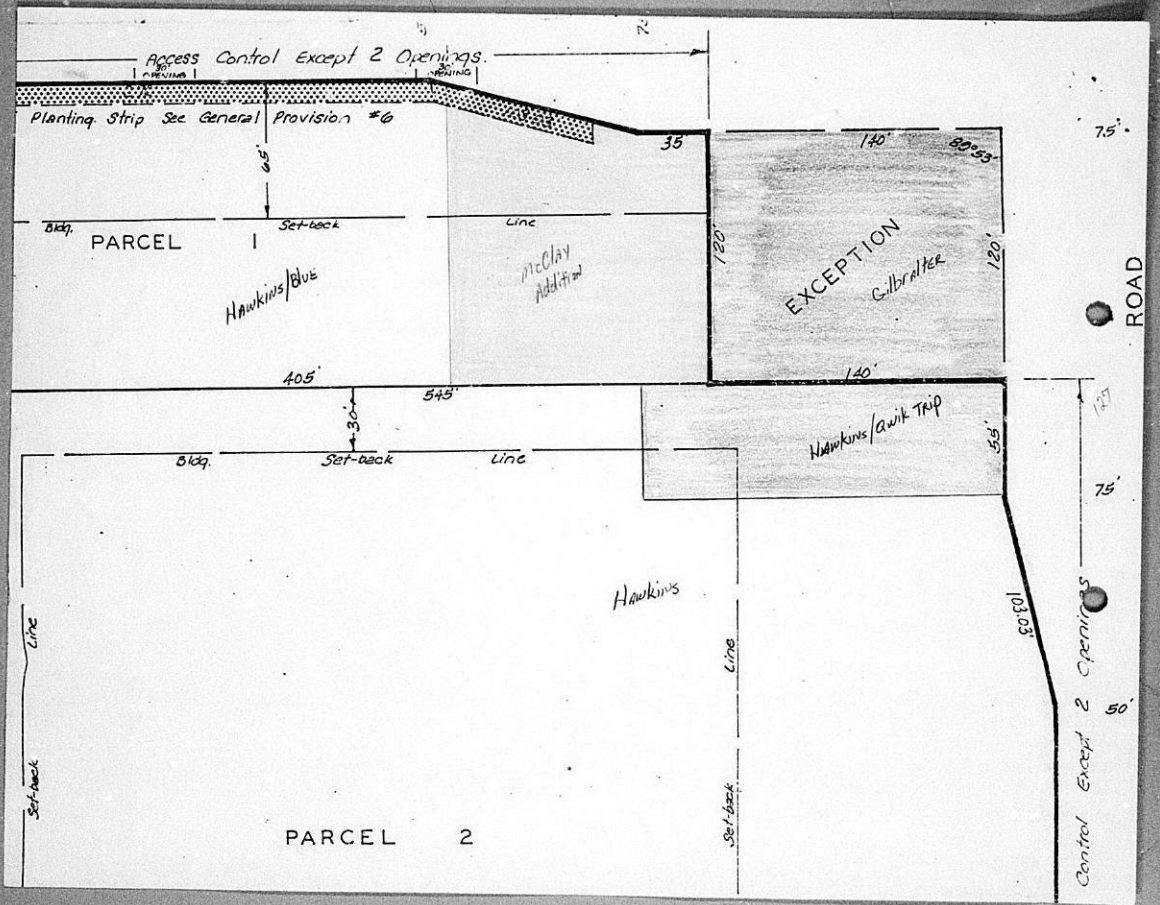
QuikTrip Corporation is a contract buyer of a 55' X 175' parcel of land South of the existing QuikTrip property at Tyler and Maple. QuikTrip desires an Administrative Amendment to the Westwood Hills Community Unit Plan in order to develop the 55' X 175' parcel in conjunction with the attached site plan.

Thank you,

A handwritten signature in black ink that reads "John R. Scott".

John R. Scott
Kansas Division Manager
QuikTrip Corporation

JRS/dh
encl.



1-23-84

Marlin Penner re Kel Hawkins CUP
DP 97

site plan

holdings

access points - 1 split between Hawkins & Quik

what quick trip plan to do

Trip

request for adjustment

taking 55' strip in C.U.P. & allowing this
to add to Quik Trip

Talked to Jack & he agreed

Set

11/16/83

Jim Jorgensen CID
Art Chambers MDD
Marlin Penner
Don Arnold

DP-97

Discussion about CUP and platting.

I told them that because of the different legal descriptions and the number of owners that the ^{entire} lot would need to be replatted. Jorgensen concurred that the lots would need to be replatted before they would issue any additional bldg permits for any sites in the original lot that the original lot would have to be replatted.

I also stated that I thought that an administrative adjustment would be approved to permit Quik Trip to get a parking lot in, ~~so~~ however the parking lot would remain in the CUP. ~~and~~ until the CUP was amended. I encouraged them to include the Quik Trip's property in the C.U.P.

Penner & Arnold were to meet with their clients to determine what they would do.

Mr. McCloy also came property in the C.U.P.

Art

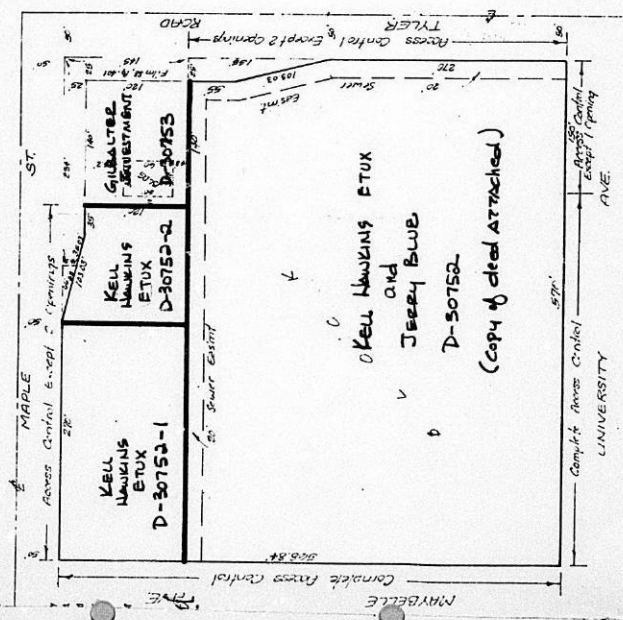
FILM 391 REC 462

LOT SPLIT

Block Z, Callahan Addition, Sedgwick County, Kansas, except beginning at the N.E. Corner thereof, thence south along the east line of said Block Z, 145 feet, thence west parallel with the north line of said Block Z, 165 feet, thence north parallel with the east line of said Block Z, 120 feet, thence west parallel with the north line of said Block Z, 35 feet, thence northwesterly 35.03 feet to a point 234 feet west and 16.5 feet south of the N.E. Corner of said Block Z, thence north 16.5 feet to a point on the north line of said Block Z, said point being 234 feet west of the place of beginning, thence east 234 feet to the place of beginning.

Revised 21 September 1972
Awarded 4 April 1979
Revised 11 June 1979
22 MAY 79

BAUGHMAN COMPANY, P.A.



Kell Hawkins ETUX
and
Jerry Blue
D-50752
(copy of deed attached)

City Clerk
009

300-20-010

700 400 222

State Substantive, Made this 17th day of August, A.D. 1981, between R. KELL HAWKINS and NORMA JEAN HAWKINS, husband and wife, and V. JERRY BLISS and BEVERLY R. BLISS, husband and wife, of Sedgwick County, in the State of Kansas, of the first part, and R. KELL HAWKINS and NORMA JEAN HAWKINS, husband and wife, and V. JERRY BLISS,

This case referred to
County of Sedgwick
State of Kansas
FILED FOR RECORDING
AUG 24 1981
5 31003
BY
DORIS J. HANCOCK
County Clerk

of Sedgwick County, in the State of Kansas, of the second part.

WITNESSETH That said part 1st of the first part, in consideration of the sum of TWO DOLLARS and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby present, release and quit claim

an undivided one-half (1/2) interest to R. Kell Hawkins and Norma Jean Hawkins, husband and wife; and an undivided one-half (1/2) interest to V. Jerry Bliss in the following described real estate situated in the County of Sedgwick and State of Kansas, to-wit:

Lot 1, except the North One Hundred Forty-five (145) Feet, Block 2, Callahan Addition to Sedgwick County, Kansas.

RECORDED BY
DORIS J. HANCOCK
AUG 24 1981
Sedgwick County, Kansas

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining, forever.

IN WITNESS WHEREOF, the said part 1st of the first part have hereunto set their hands the day and year first above written.

R. KELL HAWKINS
NORMA JEAN HAWKINS
V. JERRY BLISS
BEVERLY R. BLISS

STATE OF KANSAS, SEDGWICK COUNTY, ss:

The foregoing instrument was acknowledged before me this 17th day of August, A.D. 1981, by R. KELL HAWKINS and NORMA JEAN HAWKINS, husband and wife.

DORIS J. HANCOCK
COUNTY CLERK
My appointment expires 9-28-81



By Doris J. Hancock
County Clerk

PF1-MENU, PF2-BCK, PF3-FRWRD, PF4-NEW ID, PF5-DEED, PF6-SPEDX, PF7-SPECLS, PF8-LND TYP
KEY: -D -30752- - RE 17 RLB

HAWKINS, R. KELL ETAL
X JERRY BLUE

PROPERTY ADDRESS

10701 W. KELLOGG
WICHITA KS 67209 6714
BLOCK Z EXC N 145 FT E 234 FT & EXC
N 145 FT W 278 FT & EXC PT DED FOR
STS. CALLAHAN ADD.

8-24-81 - Deed date

492/332

PF1-MENU, PF2-BCK, PF3-FRWRD, PF4-NEW ID, PF5-DEED, PF6-SPEDEX, PF7-SPECLS, PF8-LND TYP
KEY: -D -30752-0001- RE 17 RLB

HAWKINS, R. KELL ETUX

429 WESTFIELD CT.
WICHITA KS 67212 6714
N 145 FT BLOCK Z EXC E 431 FT
CALLAHAN ADD.

PROPERTY ADDRESS
8925 W MAPLE ST

PF1-MENU,PF2-BCK,PF3-FRWRD,PF4-NEW ID,PF5-DEED,PF6--SPEDX,PF7-SPECLS,PF8-LND TYP
KEY: -D -36753- - RE 17 RLB

GILBALTER INV., INC.
Z AVTAX, INC. #343
PO BOX 35527

PROPERTY ADDRESS
301 S TYLER

RD

TULSA OK 74153 6714
N 145 FT E 234 FT BLOCK Z EXC REG
NE COR'S 145 FT W 25 FT N 120 FT W
175 FT NWLY 35 FT N 16.5 FT E TO
REG DED FOR ST. CALLAHAN ADD.

PF1-MENU, PF2-BCK, PF3-FRWRD, PF4-NEW ID, PF5-DEED, PF6-SPEDX, PF7-SPECLS, PF8-LND TYP
KEY: -D -30752-0002- RE 17 RLB

HAWKINS, R. KELL ETUX

429 WESTFIELD CT.
WICHITA KS 67212 6714
W 139 FT E 431 FT N 145 FT BLOCK Z
EXC PT DED FOR ST.
CALLAHAN ADD.

PROPERTY ADDRESS
8911 W MAPLE ST



JEFF KREHBIEL
ASSOCIATES, aia
architecture · planning

December 17, 1980

RECEIVED
DEC 22 1980
METROPOLITAN PLANNING
ROUTE 1007

Capt. R. E. Camfield
City of Wichita
Fire Department
455 North Main
Wichita, Kansas 67202

Re: Westwood Hills, Community Unit Plan Parcel #1, Track #3
Legal Description: The west 127 feet of the east 292 feet
of the north 145 feet of Block Z, Callahan Addition,
Sedgwick County, Kansas, except that part dedicated for
street recorded on Film 88, Page 401.

Dear Sir:

Per our meeting 15 December, 1980 item #5 of the general provisions
of the C.U.P. as described below may be deleted as a requirement
for the development of the above referenced track of land:

A fire lane, a minimum of 20 feet in width (with sufficient
turning radii at corners to accomodate standard fire apparatus
) shall be provided around all main structures. Said
fire lane or lanes shall have a minimum of five inches of
asphalt thickness. No parking shall be allowed in such fire
lanes, although it may be used for general traffic circulation
and passenger loading and unloading. Prior to the final approv-
al of the parking plan, the Fire Chief or his designated representa-
tive shall approve the plan as to the location of the fire lane or
lanes.

Other items as discussed with the department of planning were as follows:

1. The 65' setback as described by the C.U.P. might be reduced provided
a letter of requesting a variance be submitted to review.
2. Curb openings shall remain as located on the C.U.P. unless a
revision to the C.U.P. is applied for and granted.

1021-1 east waterman wichita, kansas 67211 (316) 267-8233

Capt. R. E. Camfield
December 17, 1980
Page Two

The above mentioned items were also reviewed with Central Inspection and found to be acceptable.

Capt. Camfield, if you are in agreement with our understanding of your interpretation of item #1 of this letter (the deletion of general provision #5 of the C.U.P.) please sign one copy of this letter and return to Jeff Krehbiel Associates. If there has been any misunderstanding please contact JKA immediately.

Sincerely,

JEFF KREHBIEL ASSOCIATES


Gregory F. White
Architect

GFW:ro

cc: Jim Jorgensen
Art Chambers

SIGNED _____

DATED _____

October 9, 1979

Mr. Ron Hall
133 South Oakwood
Wichita, Kansas 67218

Re: Landscape Plan for Parcel No. 1
of the Westwood Hills C.U.P.
(DP-97)

Dear Mr. Hall:

We have received and reviewed your landscape plan for the planting strip required on Parcel No. 1 of the Westwood Hills Community Unit Plan.

On the basis of our review, we find the proposed plant materials and their intended locations to be acceptable. We did note, however, that the means of providing water to the proposed materials is not indicated on the face of the landscape plan. There is also no indication of the type of ground cover intended for the landscape strip. It is suggested that hose bibbs on no more than 200 foot centers be installed along the planting strip and that a variety of grass or other vegetative material suitable to the local climate be used as a ground cover.

We, therefore, approve your landscape plan on the condition that a means of watering be provided and suitable ground cover be established throughout the planting strip.

We will, by copy of this letter, advise the Superintendent of Central Inspection of the conditional approval of your landscape plan with the full understanding that this landscape plan approval applies only to Parcel No. 1 of the Westwood Hills Community Unit Plan. The issuance of permits for the development of Parcel No. 2 will require the submission of another landscape/screening plan relating to Parcel No. 2. If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:RLY:EL

cc: Robert B. Feldner
Superintendent of Central Inspection

October 3, 1979

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

DP-97 - Westwood Hills CUP - Southeast corner of
Maybelle and Maple

The Board of City Commissioners on May 8, 1979, considered the above captioned CUP. Their action was to approve the CUP subject to the following conditions:

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

Please note that no building permits are to be issued until a landscape plan has been reviewed and approved by the Planning Department. We will forward a copy of the approved landscape plan when it is available.

Also please note that under General Provision #11, no building permits can be issued on Parcel 2 until sanitary sewer is available.

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

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

JHG:AC:el
Attachments (2)

Jack H. Galbraith
Chief Planner

Lynn,

Sept. 28, 1979

Ron Hall's lot split at Tybr
and Maple has been approved.
The lot split approval was a
condition of approval for the
Westwood Hills C.U.P. Since the
lot split has been approved,
Jack has advised that the
C.U.P. file should be so adjusted.

Forrest

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONE CHANGE
AND APPROVAL OF COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. Z-2125 and Dp-97

CONSIDERED BY MAPC: 4-12-79

REQUEST FOR: Zone change, "AA" to "LC"; and approval of Commercial
Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT): None stated

GENERAL LOCATION: Between Maple and University, and Tyler Road and Maybelle.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
April 12, 1979)

APPLICANT: Ron Hall, et al, 133 S. Oakwood.

AGENT FOR APPLICANT: William L. Korber, 330 Laura.

PROTESTORS (LIST AGENT) IF ANY: None

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

LAND USE: Existing, Undeveloped; North, Single Family, Quik Trip, Service
Station; East, Multi-Family, Quik Trip, Service Station; South, County Fire
Station, Single family; West, Single Family.

CPO RECOMMENDATION: CPO Council Area "A" recommended 6-0 that these
applications be approved.

PLANNING COMMISSION RECOMMENDATION:

That these applications be approved subject to conditions as shown in the
excerpt from Planning Commission minutes of April 12, 1979. Cole moved,
Taylor seconded and it carried unanimously.

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 a lot split application has been approved; 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 APRIL 12, 1979:

- 33a. Case No. Z-2125 - Ron Hall, et al request zone change from "AA" to "LC" for part of Block Z, Callahan Addition, Sedgwick County, Kansas, described as follows: Beginning at the S.E. Corner of said Block Z; thence north 20 feet to a point 550 feet south of the N.E. Corner of said Block Z; thence west parallel with the north line of said Block Z, 550 feet; thence north 550 feet to the north line of said Block Z; thence west 20 feet to the W.W. Corner of said Block Z; thence south 568.94 feet to the S.W. Corner of said Block Z; thence east 570 feet to beginning. Generally located at the southeast corner of Maybelle and Maple.
- 33b. Case No. DP-97 - Ron Hall, et al request approval of Commercial Community Unit Plan for Block Z, Callahan Addition, Sedgwick County, Kansas, except the north 145 feet and the east 234 feet. Generally located at the southeast corner of Maybelle and Maple.

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

COMMENTS:

1. In compliance with Section 28.04.190 of the Code of the City of Wichita which requires a Community Unit Plan to be submitted on commercial ownerships in excess of six acres, the applicants have submitted a development plan for review on subject property located at the southeast corner of Maple and Maybelle. A majority of subject property was zoned the "LC" Light Commercial District with the establishment of County zoning in 1958 when 600 foot squares (measured from the section lines) of "LC" zoning were established at major street intersections. This 600 foot measurement left a 20 foot strip of "AA" Single Family zoning on the south and west edge of subject property, and a zone change request to "LC" has been submitted for those strips in conjunction with the development plan.
2. The development plan indicates the required information pertaining to gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and landscaping provisions. The plan proposes a two parcel development, one parcel of which is limited to offices, comparison shopping, and professional services, with the other parcel proposed for shopping center, restaurants, bakery, theatre, offices and other retail uses. A total of 88,768 square feet of gross floor area is proposed, with a maximum number of five buildings permitted on the site.
3. Sanitary sewer is available for only parcel one at this time and general provision #11 provides that no permits can be issued on parcel two until such time as sewer is available (approximately 3 to 5 years). Subject property is only a portion of a platted lot and a lot split is necessary before permits can be issued on parcel one.
4. Should the Planning Commission recommend approval of the zone change and Community Unit Plan, the following are suggested conditions of approval:
 - a. Approval of a lot split on subject property within one year of the date of approval by the Board of City Commissioners, in order to secure paving guarantees, drainage plan, access control, and adequate street rights-of-way; or the case be considered denied and closed.
 - b. 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.

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

GALBRAITH stated that CPO Council Area "A" recommended 6-0 that this application be approved. He said that staff recommended approval of both the zone change and CUP subject to the staff comments.

There was no one present in opposition to the applications.

MOTION; Having considered the factors as contained in Policy Statement No. 10, in conjunction with zoning case no. Z-2125 and DP-97, I move that we recommend to the Governing Body that the application be approved for the following reasons:

The character of the neighborhood and the recommendation of professional staff; said approval subject to the following conditions:

- a. Approval of a lot split on subject property within one year of the date of approval by the Board of City Commissioners, in order to secure paving guarantees, drainage plan, access control, and adequate street rights-of-way; or the case be considered denied and closed.
- b. 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.
- c. 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.
- d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Cole moved, Taylor seconded and it carried unanimously.

April 16, 1979

William Korber
Baughman Company
330 Laura
Wichita, Kansas 67211

Re: Z-2125 and DP-97 "AA" to "IC"
Westwood Hills CUP - southeast
corner of Maybelle & Maple

Dear Mr. Korber:

At its regular meeting on April 12, 1979, the Metropolitan Area Planning Commission considered the above-captioned zone change and commercial Community Unit Plan. The action of the Planning Commission was to recommend approval of the zone change and the Community Unit Plan, subject to the following conditions:

- a. Approval of a lot split on subject property within one year of the date of approval by the Board of City Commissioners, in order to secure paving guarantees, drainage plan, access control, and adequate street rights-of-way; or the case be considered denied and closed.
- b. 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.
- c. 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.

April 16, 1979
Page 2
Z-2125 & DP-97

- d. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.

It is necessary that you provide us with ten (10) copies of the Community Unit Plan by Friday, April 27, 1979, in order that this case might be forwarded to the Board of City Commissioners for consideration at their regular meeting on May 8, 1979. 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: Ron Hall, 133 S. Oakwood 67218
Milton McClay, 8720 W. Central 67212

THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE April 9, 1979

TO Jack Galbraith, Chief Planner

FROM Gail Williams, CPO Administrative Aide

SUBJECT Z-2125 and DP 97: "Westwood
Hills" at Maybelle and Maple

On April 4, CPO Council "A" discussed the captioned zoning case and Community Unit Plan, and voted 6-0 to recommend approval of the requested "LC" zoning and approval of the CUP.

Council members regarded approval of the twenty additional feet of "LC" zoning to be a technicality, and felt that the resulting expansion of the "LC" zoning would not be detrimental to the surrounding neighborhood.

Council members were satisfied that the provisions of the proposed CUP will minimize commercial traffic on adjacent residential streets, and will guarantee a properly screened and reasonably attractive development. Some concern was expressed about the impact of the development on drainage. However, the requirements for submittal of a grading or drainage plan prior to lot splits on the larger parcel was felt to be a sufficient solution at this time.

Gail Williams

Gail Williams
CPO Administrative Aide

GW:al

Noted:

Evelyn Pittman
Evelyn Pittman
Assistant CPO Coordinator



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 4-13-79

Case No. Z-2125 <u>DP-37</u>	Request: "AA" to "LC" Approval of Commercial Community Unit Plan
---------------------------------	--

Location: Between Maple and University, and Tyler Road and Maybelle

Acres: 6.73	Size: 570' x 570' (irregular)
-------------	-------------------------------

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA" & "LC"
North	Single Family, Quik Trip, Service Station	"AA" & "LC"
East	Multi-Family, Quik Trip, Service Station	"LC"
South	County Fire Station, Single Family	"AA"
West	Single Family	"AA"

Adequate street right-of-way is depicted on plan; dedications to be secured with lot split.

Platted: A portion of a platted lot.	History: None.
--------------------------------------	----------------

COMMENTS:

1. In compliance with Section 26.04.190 of the Code of the City of Wichita which requires a Community Unit Plan to be submitted on commercial ownerships in excess of six acres, the applicants have submitted a development plan for review on subject property located at the southeast corner of Maple and Maybelle. A majority of subject property was zoned the "LC" Light Commercial District with the establishment of County zoning in 1958 when 600 foot squares (measured from the section lines) of "LC" zoning were established at major street intersections. This 600 foot measurement left a 20 foot strip of "AA" Single Family zoning on the south and west edge of subject property, and a zone change request to "LC" has been submitted for these strips in conjunction with the development plan.
2. The development plan indicates the required information pertaining to gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts,

Case No. Z-2125 & DP-97
MAPC AGENDA
4-21-79
Page 2

sign controls, minimum building setbacks and landscaping provisions. The plan proposes a two parcel development, one parcel of which is limited to offices, comparison shopping, and professional services, with the other parcel proposed for shopping center, restaurants, bakery, theatre, offices and other retail uses. A total of 88,768 square feet of gross floor area is proposed, with a maximum number of five buildings permitted on the site.

3. Sanitary sewer is available for only parcel one at this time and general provision #11 provides that no permits can be issued on parcel two until such time as sewer is available (approximately 3 to 5 years). Subject property is only a portion of a platted lot and a lot split is necessary before permits can be issued on parcel one.
4. Should the Planning Commission recommend approval of the zone change and Community Unit Plan, the following are suggested conditions of approval:
 - a. Approval of a lot split on subject property within one year of the date of approval by the Board of City Commissioners, in order to secure paving guarantees, drainage plan, access control, and adequate street rights-of-way; or the case be considered denied and closed.
 - b. 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.
 - c. 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.
 - d. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.

ROUTE SLIP
(PLEASE CIRCLE DESTINATION)

City Manager	Dir. of Adm.	Planning Dept.
City Clerk	Auditing	Police Dept.
Community Dev.	Budget	Motor Pool
Housing	Data Proc.	Dir. of Public Works
Human Res. Dev.	Industrial Dev.	Administration
Model Cities	Man. Coord. Center	Central Insp.
Community Facilities	Personnel	Project Betty
Credit Union	P.S. Careers	Engineering
Fire Department	Public Inf.	Traffic Engr.
Health Department	Purchasing	Maintenance
Director of Law	Duplicating	Flood Control
Prosecutor's Office	Ret. & Group Ins.	Sanitation
Municipal Court	Treasury	Urban Renewal
Transit Authority	Library	Water Department
	Park Department	Water Pol. Control

For: Michael Wick
 For your information _____ Reply sending me _____ copies
_____ For your comments _____ Prepare reply for my signature
_____ Note and return _____ You handle. No report required.

MESSAGE:

Signed Greene Date 7-2-79
000-013 Flood Control

WICHITA-SEDGWICK COUNTY

DATE

March 13, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

TO Max Greene, Flood Control Engineer
Dick Linn, City Engineer
Paul Graves, Traffic Engineer
Robert Feldner, Superintendent of Central Inspection

FROM Mike Meek, Senior Planner, Current Plans Division

SUBJECT Commercial Community Unit Plan proposed at the southwest corner of Maple and Tyler Road

Attached is a copy of "Westwood Hills" proposed commercial CUP located at the southwest corner of Maple and Tyler Road.

We would appreciate any comments you may have in regards to drainage, traffic, access points, etc. by Monday March 19, 1979.

Mike Meek by [Signature]
Mike Meek, Senior Planner
Current Plans Division

4-2-79

MM:bp
Attachments

1. Area is in need of street paving & storm sewer roadside ditches in area are already covered.
2. Storm Sewer in area is dependent on US 54 Improvements. Need to clear with City Engineers office for drainage of the lots.



[Signature]

Received

MAR 14 1979

April 2, 1979

Mr. William L. Korber
Baughman Company
330 Laura
Wichita, Kansas 67211

Re: DP-97 Westwood Hills Community
Unit Plan - southeast corner
of Maybelle and Maple

Dear Mr. Korber:

We have reviewed the 6.79 acre commercial community unit plan proposed for the southwest corner of Maple and Tyler Road. The following comments are a result of that review as well as consultation with other City departments regarding the project.

We would concur in your basic proposals and after consultation with the Division of Central Inspection have suggested some changes in the screening provisions to clarify the requirements. In addition, the Traffic Engineer suggested that you may not want to exactly locate the two drive locations on Tyler Road unless you are certain what will be developed.

In addition to the above comments the following additions or changes should be made on the plan:

1. General provision #9 should be amended to read as follows:

"A solid or semi-solid wall to prevent the passage of debris or light shall be constructed of brick, stone, masonry, or similar material at least five feet high but not more than eight feet high if buildings are developed on parcel two in which the rear, service, or storage areas face directly the residentially zoned property across Maybelle and University Streets. Said wall shall be required for the length of the parcel boundary; however, required walls shall be reduced to three feet in height within twenty-five feet of any street intersection. The rear of the building is the side designed for service rather than

April 2, 1979
Page 2
William Korber
Re: DP-97

public access and may encompass such items as loading docks, lack of display windows, trash receptacle areas, and the architectural facade may be dissimilar to the sides and front of the building. Where buildings are designed without a rear, service, or storage area which directly faces the residential districts, no wall shall be required.

A financial guarantee for required screening (walls) shall be made prior to the issuance of any occupancy permit if the required wall has not been constructed."

2. You may (at your option) eliminate the precise locations of the drives on Tyler Road with the plan merely depicting "access control except for two openings".

These are the comments which we have at this time. We have scheduled this item for consideration by the Metropolitan Area Planning Commission at their regular meeting of April 12, 1979 and it is necessary that we receive fourteen (14) amended copies of the plan by Tuesday, April 3, 1979. Should you have questions regarding this matter, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:bbc

cc: Ron Hall, 133 S. Oakwood 67218
Dr. Milton McClay, D.D.S., 8720 W. Central 67212

GENERAL PROVISIONS

1. Total Land Area: 295,894 or 6.79 acres
 2. Curb Cuts:
 - 2 curbs openings to Maple
 - 3 curbs openings to Tyler Rd.
 - 1 curbs openings to University
 - No curbs openings to Maybelle
 3. On site signs as permitted by zoning district.
 4. All utilities shall be installed underground.
 5. A fire lane, a minimum of 20 feet in width (with sufficient turning radii at corners to accomodate standard fire apparatus), shall be provided around all main structures. Said fire lane or lanes shall have a minimum of five inches of asphalt thickness. No parking shall be allowed in such fire lanes, although it may be used for general traffic circulation and passenger loading and unloading. Prior to the final approval of the parking plan, the Fire Chief or his designated representative shall approve the plan as to the location of the fire lane or lanes.
 6. Planting screens as indicated on the plan shall be provided and maintained and shall consist of low shrubbery and trees not less than ten (10) feet in width and shall be of such a type, and maintained in such a manner as to not constitute a traffic hazard.
- A landscape plan shall be prepared by a landscape architect for the planting screens, indicating the location, type and specifications of planting materials, shall be submitted to the Planning Department for their review and approval prior to issuance of any building permits.
7. Failure to properly maintain the planting strips shall be considered a violation of the C.U.P. after a joint determination by the Director of Planning and the Superintendent of Central Inspection that the planting strips are not properly maintained. A financial guarantee for the plant materials approved for the landscape plan shall be required prior to the issuance of any occupancy permit if the required
 8. All lights shall be directed so as not to shine directly toward the adjacent residential properties.
 9. A solid or semi-solid wall to prevent the passage of debris or light shall be constructed of Brick, Stone, Masonry or similar material at least 5 feet high but not more than 8 feet high shall be constructed adjacent to the planting strip along Maybelle and University, provided the rear of any building is adjacent to said streets. Said wall shall be reduced to 3 feet in height for the first 25 feet from Maple and Maybelle, and Maybelle and University, and University, and Tyler.
 10. Minimum building setbacks shall be indicated on the plan.
 11. No building permits shall be issued on Parcel No. 2, until sanitary sewer is available.

subj. to lot split or replant



where?

Storage area or SERVICE AREA or

How about parcel 1

lot grading
 drainage plan
 Topography
 Boundary
 accel decel
 major approach?

Access to Tyler is being reviewed with Trappi.
 Setbacks are to be changed as plan.

PARCEL DESCRIPTIONS

Parcel No. 1

1. Net area: 56,600 sq. ft.
2. Maximum building coverage: 30% or 16,980 sq. ft.
3. Maximum building height: 40 feet
4. Maximum floor area: 16,980 sq. ft.
5. Floor area ratio: 30%
6. Proposed uses: Offices, professional personal services, comparison and convenience shopping. ?
7. Maximum number of buildings: 3

Parcel No. 2

1. Net area: 239,294 sq. ft.
2. Maximum building coverage: 30% or 71,788 sq. ft.
3. Maximum building height: 45 feet
4. Maximum floor area: 71,788 sq. ft.
5. Floor area ratio: 30%
6. Proposed uses: Shopping center and/or offices, professional personal services, restaurants, bakery, bank, theatre, comparison and convenience shopping.
7. Maximum number of buildings: 2

- ① Curb cuts on Maple & Tyler need to be reduced to 2. General locations for curb cuts need to be indicated by access controls on drawing.
- ② GP #7 needs additional wording:
"A financial guarantee for the plant materials approved for the landscape plan shall be required prior to the issuance of any occupancy permit if the required landscaping has not been planted"
- ③ GP #9 needs to have the following phrase amended:
"provided the storage area, service area, or the rear of any building faces said streets."
- ④ ~~GP #8~~ Additional GP is needed as follows:
"A lot grading ~~GP~~ or drainage plan shall be submitted for approval at the time the lot split is requested."
- ⑤ Topography lines should be shown
- ⑥ The border of the CUP area needs to be delineated so it stands out.
- ⑦ setbacks are needed on parcel 2
- ⑧ Is parcel #1 proposed for commercial use i.e. comparison and convenience shopping. We thought these were to be office type uses.

✓ DP-97 &)
Z-2125) 59 "Notice to Adjoining Property Owners" mailed 3-29-79 for
the MAPC meeting for 4-12-79

1 Including map) to CPO Office

—
60 TOTAL

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

March 29, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 12, 1979, 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 COMMERCIAL DEVELOPMENT, known as "WESTWOOD HILLS" for property legally described as follows:

DP-97 - Block 2, Callahan Addition, ^{of} Sedgwick County, Kansas, except the north 145 feet and the east 234 feet. Generally located at the southeast corner of Maybelle and Maple.

The Development Plan of this area has been submitted 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 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 6.79 acre commercial development consisting of two parcels. A maximum gross floor area of 33,763 square feet is proposed for the total development with proposed uses listed as shopping center and/or offices, professional services, restaurants, bakery, bank, theater, comparison and convenience shopping. A total of 3 buildings is proposed on parcel one and two buildings are proposed on parcel two, however, no building permits are to be issued on parcel two until such time as sanitary sewer is available. 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 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 268-4515.

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

March 29, 1979

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 April 12, 1979 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. E-2125

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

Part of Block Z, Callahan Addition, Sedgwick County, Kansas, described as follows: Beginning at the S.E. Corner of said Block Z; thence north 20 feet to a point 550 feet south of the N.E. Corner of said Block Z; thence west parallel with the north line of said Block Z, 550 feet; thence north 50 feet to the north line of said Block Z; thence west 20 feet to the N.W. Corner of said Block Z; thence south 50.04 feet to the S.W. Corner of said Block Z; thence east 570 feet to beginning. Generally located at the southeast corner of Maybells and Maple.

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 preceding 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 buildings; 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.

TO: MIKE MEEK, Senior Planner Current Plans

FROM: ROBERT FELONER, Superintendent

§ SUBJECT: COMMERCIAL Community unit
Plan proposed at the southwest
corner of Maple & Tyler Road.

Item #9 of the General Provisions
is very ~~vague~~ ^{vague} for ~~an~~ ^{an} example if
a development on Parcel #1 and the
rear of the building is adjacent to
university ave. will a wall be
required on university ave. also what
is the definition of the rear of a building

~~to the extent~~ I would like to have
clarified if a building proposed on
parcel #1 & the rear of the building
is adjacent to Maybelle, would the
screen wall have to be provided
on parcel #2, or just the width
of the proposed building on Parcel #1?

a provision ^{item} similar to #7 should also
be required for item #9 concerning
financial guarantee & maintenance

see me

99

Meek

THE CITY OF WICHITA
OFFICE OF TRAFFIC ENGINEER

DATE March 16, 1979

TO Mike Meek, Senior Planner, Current Plans Division
FROM William G. McKinley, Assistant Traffic Engineer
SUBJECT Westwood Community Unit Plan

We agree with the access control as established on Maple and Tyler for this proposed Community Unit Plan. We would suggest that maybe the developer would like to keep those two openings flexible pending his actual development. As the CUP shows now, it looks like the two openings are definitely located and this ~~will~~ not fit his proposed building.

W.G. McKinley
William G. McKinley
Assistant Traffic Engineer

WGM/gl
cc: R. W. Bruggeman



WICHITA-SEDGWICK COUNTY

DATE

March 13, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

TO Max Greene, Flood Control Engineer
Dick Linn, City Engineer
Paul Graves, Traffic Engineer
Robert Feldner, Superintendent of Central Inspection

FROM Mike Meek, Senior Planner, Current Plans Division

SUBJECT Commercial Community Unit Plan proposed at the southwest corner of Maple and Tyler Road

Attached is a copy of "Westwood Hills" proposed commercial CUP located at the southwest corner of Maple and Tyler Road.

We would appreciate any comments you may have in regards to drainage, traffic, access points, etc. by Monday March 19, 1979.

Mike Meek by esa

Mike Meek, Senior Planner
Current Plans Division

MM:bp
Attachments

4846
29-27-1W

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

DP-97
(area Z-3125)

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 Ron Hall 685-9285 (Office)
Address 133 S. Oakwood 67218 Phone 685-1697 (home)
Agent _____
Address _____ Phone _____
- b. Applicant Milton McClay
Address 8720 W. Central 67212 Phone 722-7331
Agent William L. Korber
Address 330 Laura 67211 Phone 262-7271
- c. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

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

II.A The applicant hereby requests Community Unit Plan approval on property zoned _____ and legally described as Lot(s) _____, Block(s) Block Z, _____ Callahan Addition _____ Addition.

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

*see legal from
ownership list*

II.B There are 6.79 acres (round to nearest tenth) in the above described property.

T9-330-3

S.E. cor. of maybelle & maple

III. This property is located at (address) _____.

The general location is (use appropriate section)

a. at the southwest corner of Maple
and Tyler; or

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

IV. I (we), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (we) realize that this application cannot be processed unless it is completely filled in and accompanied by a current abstractor's certificate as required in the instruction sheet.

Ronald + Hall _____
By _____ Authorized Agent (if any) By _____ Authorized Agent (if any)

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

V. OFFICE USE ONLY

This application was received at the Planning Department at
11:25 (AM) on March 13, 1979 (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

J. Lynn Shinker Name
J. C. Planner Title

*Same as list
in Z-2125*

OWNERSHIP LIST

Lot	Addition	Property Owner
lot 1	Devonshire Addition	✓ Southwest Investments Ltd. P. O. Box 1362 67201
lot 4	Westfield Acres	✓ W. H. Ridley and Virginia C. 8910 Maple 67209
lot 5	Same	✓ Paul Allen Dodson & Viola Faye 8924 Maple 67209
lots 6 & 7 except North 183 feet	Same	✓ Paul A. Lightner & Leone A. 9010 Maple 67209
lots 1 and 2 Block 1	Floyd Bailey 4th Add.	✓ Rolland E. Klaassen and Mildred V. Klaassen 401 Paula 67209
lot 1, Block 2	Same	✓ Glenn C. Hershaw 1024 South Walnut 67213
lot 1, Block N	Callahan Addition	✓ Mildred R. Clarke and Patrick Clarke 300 Cheryl 67209
lot 2, Block N	Same	✓ Gerda M. Slagle 310 Cheryl 67209
lot 3, Block N	Same	✓ Edwin J. Calvert & Beverly J. 318 Cheryl 67209
lot 4, Block N	Same	✓ James A. Hancock and Janice M. Hancock 326 Cheryl 67209
lot 14, Block N	Same	✓ John L. Herrmann and Lena M. 401 Maybelle 67209
lot 5, Block N	Same	✓ Lawrence R. Martin & Elaine 330 Cheryl Street 67209
lot 15, Block N	Same	✓ James R. Rogers & Cathy M. 3821 Cornelison 67203
lot 16, Block N	Same	✓ Robert E. Kruse & Barbara M. 319 Maybelle 67209
lot 17, Block N	Same	✓ Joseph W. Crabtree & Mary C. 4300 South Seneca 67217
lot 18, Block N	Same	✓ Gilbert C. Jackson & Emily B. 301 Maybelle 67209
lot 1, Block Q	Same	✓ Sedgwick County Kansas 525 North Main 67202

Lot	Addition	Property Owner
lot 1 exc N 120'	Park Acres	✓ Ron Groves 4900 East Lincoln 67218
N 120' lot 1	Same	✓ John R. Carnahan & Minnie E. 8015 Peach Tree 67207
lot 1	Park Acres 2nd Addition	✓ J. Harold Ashton and W. Pauline Ashton 6917 Stonegate Lane 67206
S½ lot 50	Westfield Acres	✓ Lloyd Lee Harp and Florence 215 South Tyler 67209
lot 33	Same	⊖ Lloyd L. Harp, 215 S. Tyler 67209
North 125 ft lot 1	Westfield Acres	✓ Jack Caldwell & Evelyn 803 South Broadway 67211
South 125 ft of North 250 ft lot 1	Same	✓ Gerald J. Woydziak and Marie 1747 N. Nevada 67212
South 125 ft lot 1	Same	✓ AMPCO Corp., 400 N. Woodlawn 67208
lot 2 exc. N 175'	Same	✓ Michael Lawrence Herndon and Peggy Lou Herndon 8820 W. Maple 67209
North 175 ft lot 2	Same	⊖ Lloyd Lee Harp, 215 S. Tyler 67209
North 150 ft lot 3	Same	⊖ Lloyd L. Harp, 215 S. Tyler 67209
lot 3 except N 150'	Same	✓ Doris Kippes, 8826 Maple 67209 <i>Returned - no other address</i>
North 183 feet lots 6 and 7	Same	⊖ Lloyd L. Harp & Karen L. Harp 215 S. Tyler 67209
lot 8	Same	✓ John Baskett Kilmer and Madlyn Tyler Kilmer 9030 Maple 67209
lot 9	Same	✓ John M. Callender and Evelyn 235 South Byron Road 67209

*Recent:
3901 SE 32
Edmond, OK 73034*

Lot	Addition	Property Owner
lots 3,4,5, Blk 1	Floyd Bailey 4th Addition	✓ Rolland E. Klaassen and Mildred V. Klaassen 401 Paula 67209
lots 2,3,4, Block 2	Same	✓ Glenn C. Hershaw 1024 South Walnut 67213
lots 1,2,3,4, Blk 3	Same	✓ Bill E. Mesker, Robert J. Moore, James Duane Schwada, James A. Loeffler, Robert L. Kasha, 400 N. Woodlawn 67208
lot 29, Block 3	Same	✓ Charles H. Brodie and Mary V. 1640 N. Byron Road 67212
lot 30, Block 3	Same	✓ Clifford L. Kennedy and Wanda L. Kennedy 539 South Byron Road 67209
The West 193 feet of the North 200 feet of the NW¼ of Section 28-27-1W, except the West 50 ft. and North 50 ft. for road and except any excess land adjacent to this property owned by sellers		✓ Daniel M. Carney 201 Lynwood Blvd. 67218
lot 10, Blk K	Callahan Addition	X Howard K. Troy and Grace E. a401 Cheryl 67209
lot 11, Block K	Same	✓ Thomas W. Wiggins and Marilyn J. Wiggins 331 Cheryl 67209
lot 12, Block K	Same	✓ Robert G. Pennington and Patricia A. Pennington 321 Cheryl 67209
lot 13, Block K	Same	✓ Johnnie Bell & Laurestine M. 311 Cheryl 67209
lot 14, Block K	Same	✓ Elvin J. Bell & Laurestine M. 311 Cheryl 67209
lot 6, Block N	Same	✓ Virgil W. Quick & Lucille 336 Cheryl 67209
lot 7, Block N	Same	✓ Francis C. Davis & Lavera P. 420 Cheryl 67209
lot 12, Block N	Same	✓ Lawrence A. Jacobs & Mildred A. 435 Maybelle 67209
lot 13, Block N	Same	✓ Eugene E. Ellis and Mary L. 341 Maybelle 67209

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Lot	Addition	Property Owner
lot 5, Block Q	Callahan Addition	✓ Aubrey N. Ginest & Joan H. 332 Maybelle 67209
lot 6, Block Q	Same	✓ Robert L. Hendrix & Linda L. 342 Maybelle 67209
lot 7, Block Q	Same	✓ Jerry L. Krob and Cheryl 352 Maybelle 67209
lot 13, Block Q	Same	+ Robert E. Wayne & Dwala H. Address Unknown
lot 14, Block Q	Same	✓ Joe D. McLeland & Jennifer L. 431 S. Westfield 67209
lot 15, Block Q	Same	✓ Stephen F. Gonzales & Kathleen 425 S. Westfield 67209
lots 16 & 17 Block Q	Same	✓ Home Mission Board of Church of the Nazarene, 421 S. Tyler 67209
lot 1, Block V	Same	Recent: 403 S. Westfield 67209 ✓ John J. Shaffer & Roberta E. 1944 N. Gow 67203
lot 2, Block V	Same	✓ A. Teddy Razook & Wilma M. 420 S. Westfield 67209
lot 3, Block V	Same	✓ Stanley L. Schmidt and Marilyn K. Schmidt 430 S. Westfield 67209
Block Z, except the North 145 ft of the East 234 ft	Same	✓ Ronald F. Hall & Shirley J. 3414 E. Zimmerly 67218 ✓ 133 S. Oakwood 67218
North 145 ft of East 234 ft, Block A	Same	✓ Gibraltar Investment Inc. Address Unknown
lot 2, Block Q	Same	D District Advisory Board of Church of the Nazarene 421 South Tyler Road 67209
lot 3, Block Q	Same	✓ Dean I. Redger & Rose Marie 8901 University 67209
lot 4, Block Q	Same	✓ Claire E. Maddox & Mearle A. 330 Maybelle 67209

We hereby certify the foregoing to be a true
and correct list of the property owners of:

*use for
legal*

A 500 foot radius of [Block Z,
Callahan Addition, Sedgwick County,
Kansas, except the North 145 feet
of the East 234 feet]

as shown by the last deeds of record on file in the Office of the Register
of Deeds of Sedgwick County, Kansas, on the 26th day of January, 1979 at
7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable
Vice President

Order No. 273264
wh

1/10/79

Trink Smith and I met with Ron Hall and Dr. Sue Clay this date and discussed again the procedure necessary to develop the balance of the SW corner of Tyler Rd and Engle.

Specifically we discussed the zoning of the 20' strip, a 2 year CUP and a lot split. Contained therein that a permit might be required. We specifically discussed complete access control adjacent to both residential streets, that 60' of half ROW might be required on Tyler, greater than 35' setback, limiting the number of buildings, landscaping and walls. They described a 2 year CUP, that their two office buildings proposed for Engle had to have a lateral field on the balance of the area that additional building permits would not be issued until they could hook into City Sewer.

Job

Call - McClure
7901 on Monday

1/22

~~Mac~~ Dr Mc Clays office at
Mupler + Tyle. I don't know what
his interest is. I explained my
conflict & said Milley has been
told what do but apparently ~~either~~
does not understand or does not wish
to comply.

Called Mac's Office on ~~1/22~~
Nov 27, 78, left word for him to call on
~~the~~ matter.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT
COMMUNITY DEVELOPMENT DIVISION

Public Inquiry Slip

NAME Dr. Mac Clay DATE 10/30/78
PHONE 722 7331 PHONE _____ COUNTER _____
PROPERTY LOCATION SW Corner of Maple and Taylor Rd. MAP # 4846

NATURE OF REQUEST:

CITY ZONING COUNTY ZONING _____ CONDITIONAL USE _____
PLAT _____ LOT SPLIT BZA _____ CUP
VACATION _____ DEDICATION _____ STREET NAME CHANGE _____

REMARKS: Dr. Mac Clay was in Bob Fehin's office and questioned what was needed to construct two office buildings on this corner. Lot Split 0169 was approved for this corner of this site in 1974. Ron Hall had been in the office in August of this year and Fehin discussed with him the need for a Lot Split, a CUP if this site was over 6 acres and the possibility of a zone change from "AA" to "LC" on the 301.

ROUTE TO:

CALBRAITH _____ SHIRKEY _____ NEWBY _____ RICHTER _____ DOBSON _____ MEEK _____
LAKIN _____ STOCKWELL _____ RETURN TO _____

COMMENTS:

strip adjacent to University and
Sragbelle. The "LC" minus the
strip of "AA" and the area in the
lot split in the corner is 6.16
acres. A portion of the approved
lot split area is now in Dr
McClay ownership.

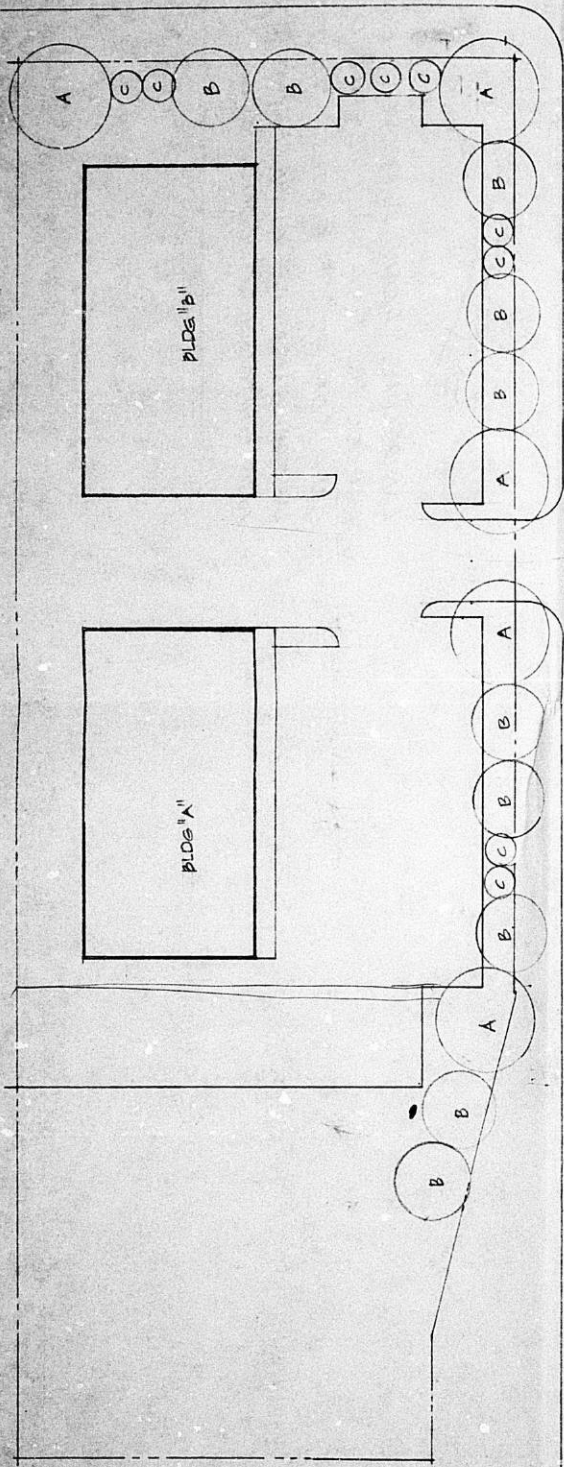
Suggest we process a lot split
on the balance of the block and
let the two lot split areas
change boundaries.

Building Plans have been in the
Office of Central Inspection since
July 20, and Hall was advised
by phone that he submitted an
incorrect legal.

Called the Dr this afternoon
and advised him all the information
I found and advised him what
was needed. Lot Split, CUP and
a possible zone change. We discussed
what a CUP was, what was
needed on one, who did them, who
was notified, etc. Offered to
meet with him and whoever he
selects to do a plan. He said he
would get back with me and thanked
me for the information.

10/31/75

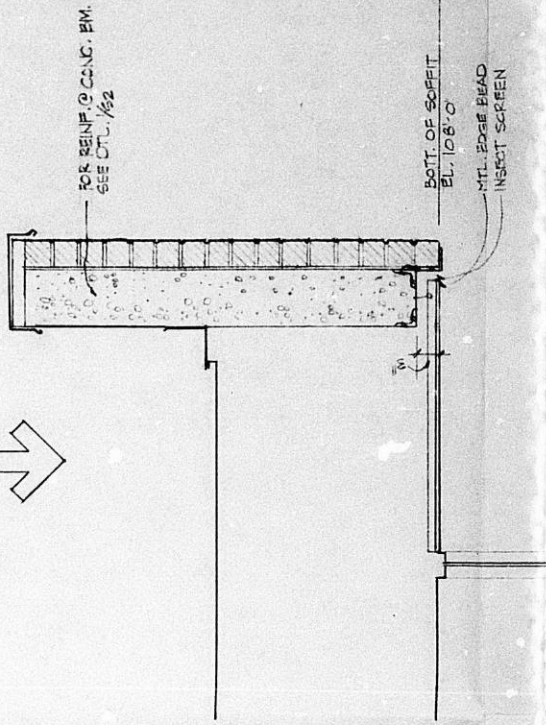
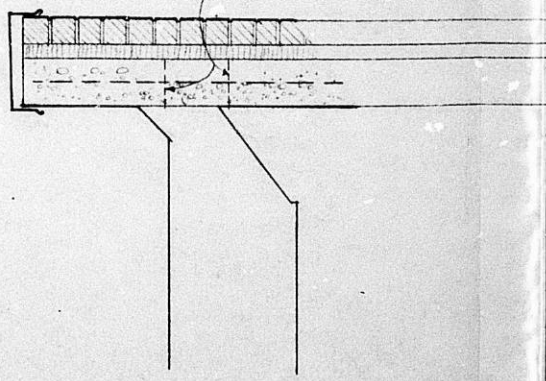
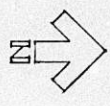
JL2



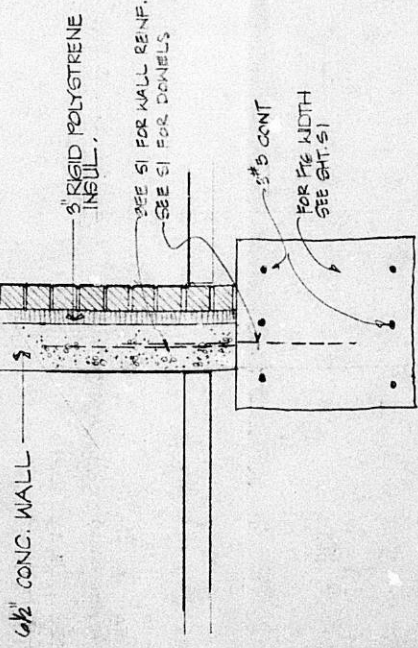
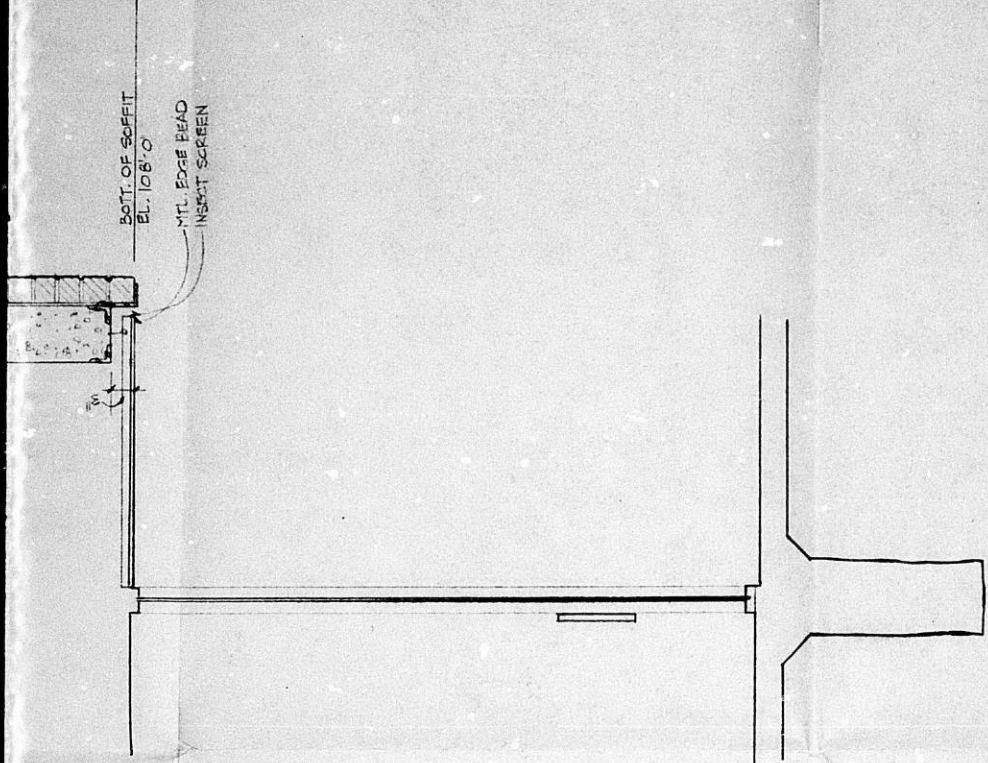
PLANT SCHEDULE

- A — PIN OAK
- B — RED BUD
- C — SAVIN JUNIPER
- QUERCUS PALUSTRIS • B+B
- CEBOTIS CANADENSIS • B+B
- 6' TOT 1'
- CONTAINER • 5 GAL

LANDSCAPE PLAN
1/8" = 30'



DRAWN: B-2-18
REVISED: B-2-19
SUB. TO CITY 8/21/78
9/14/79
10/8/79



* FOR SIM. NOTES SEE ORIGINAL DING.
AND DTLS. ON SHIT. S-2

REVISED SECTION 'B-B'
3/4" = 1'-0"

* FOR SIM. NOTES SEE ORIGINAL DING.

REVISED SECTION 'A-A'
3/4" = 1'-0"

*

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

Roll # 1

*