

WICHITA-SEDGWICK COUNTY

DATE
November 15, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

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

FROM Mike Meek, Senior Planner

SUBJECT DP-93 - SPENCER GARDENS COMMUNITY UNIT PLAN

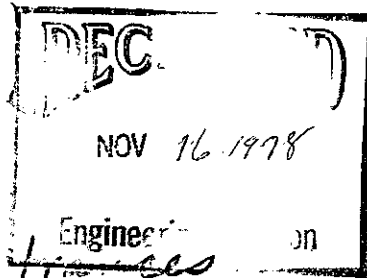
Attached are copies of the above referenced residential Community Unit Plan proposed for the southwest corner of Pawnee and George Washington Boulevard. Would appreciate your comments by Wednesday, November 22, 1978, regarding need for acceleration/deceleration lanes, access control, drainage, etc. One question regards the two 20 foot drainage easements, e.g. are there currently pipes in these easements, or are they intended for surface runoff? Also, should minimum building pad elevations be established?

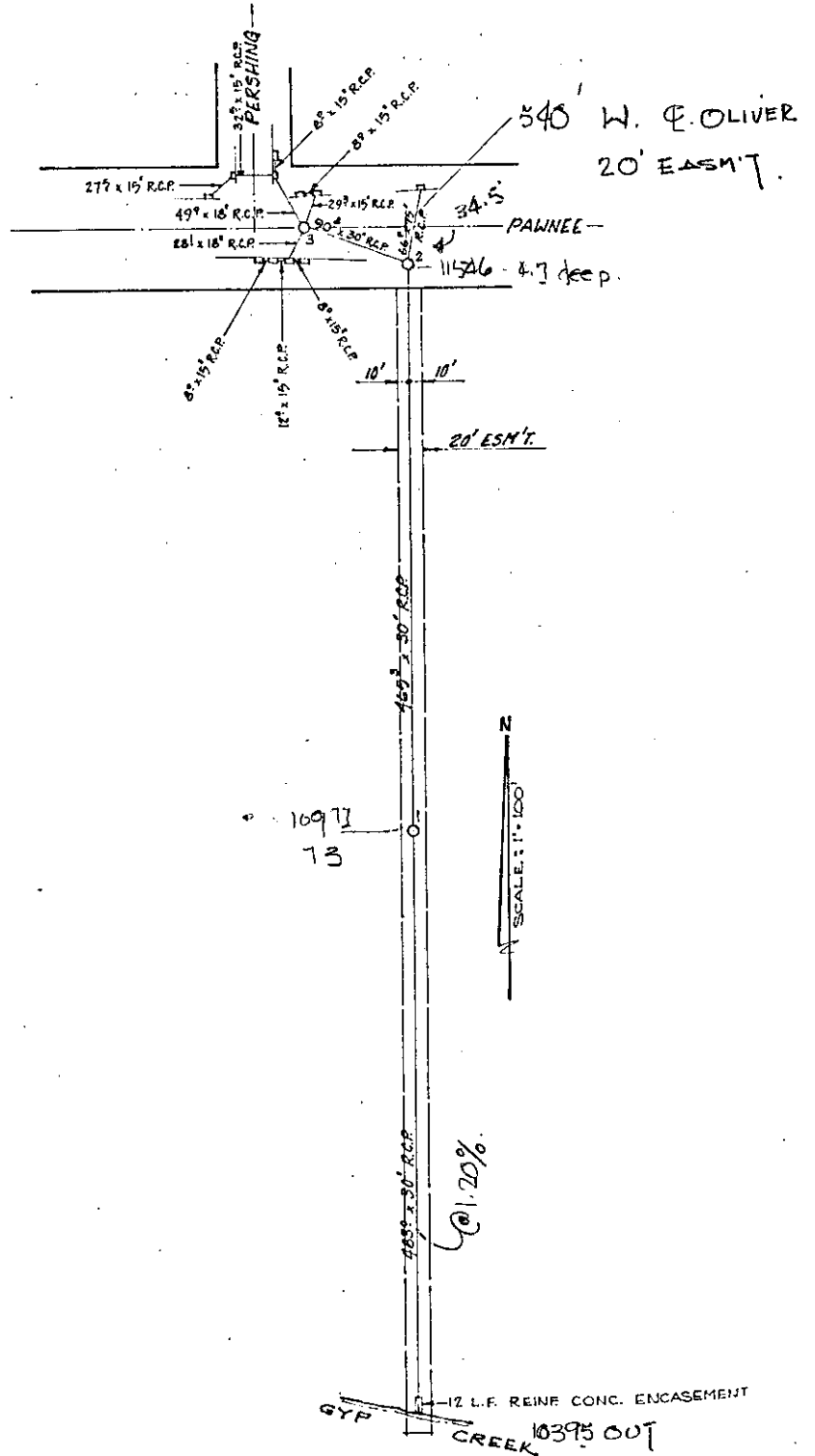

 Mike Meek
 Senior Planner

MM:el
Att.

① R/W Corner GWS & Pawnee

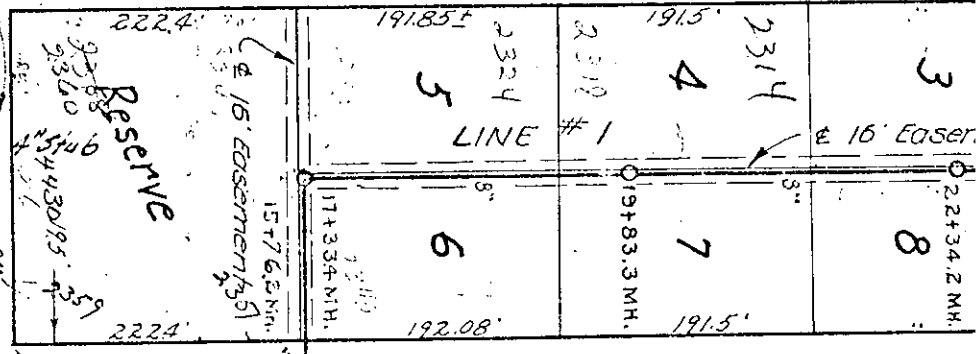
② need 10' additional R/W @ decel lanes to major intersections



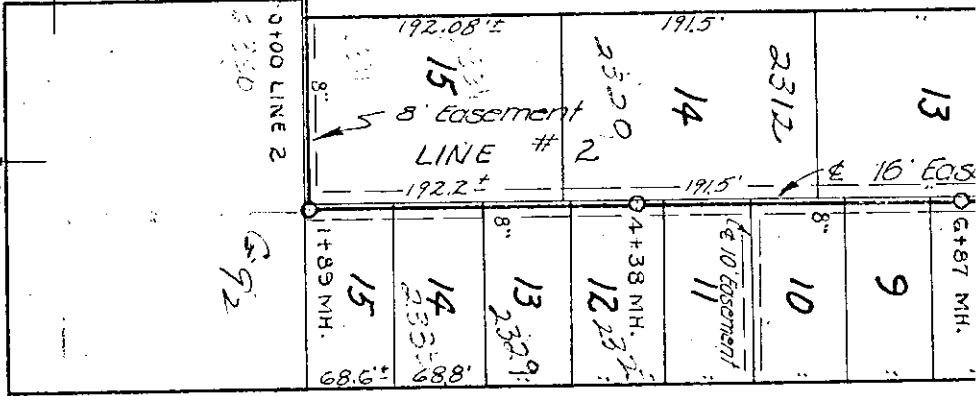


Storm Water Sewer # 92
 W. B. Carter Construction Company, Inc.
 Booked Aug. 14, 1970 from I.H. 69
 Project No. C29-9

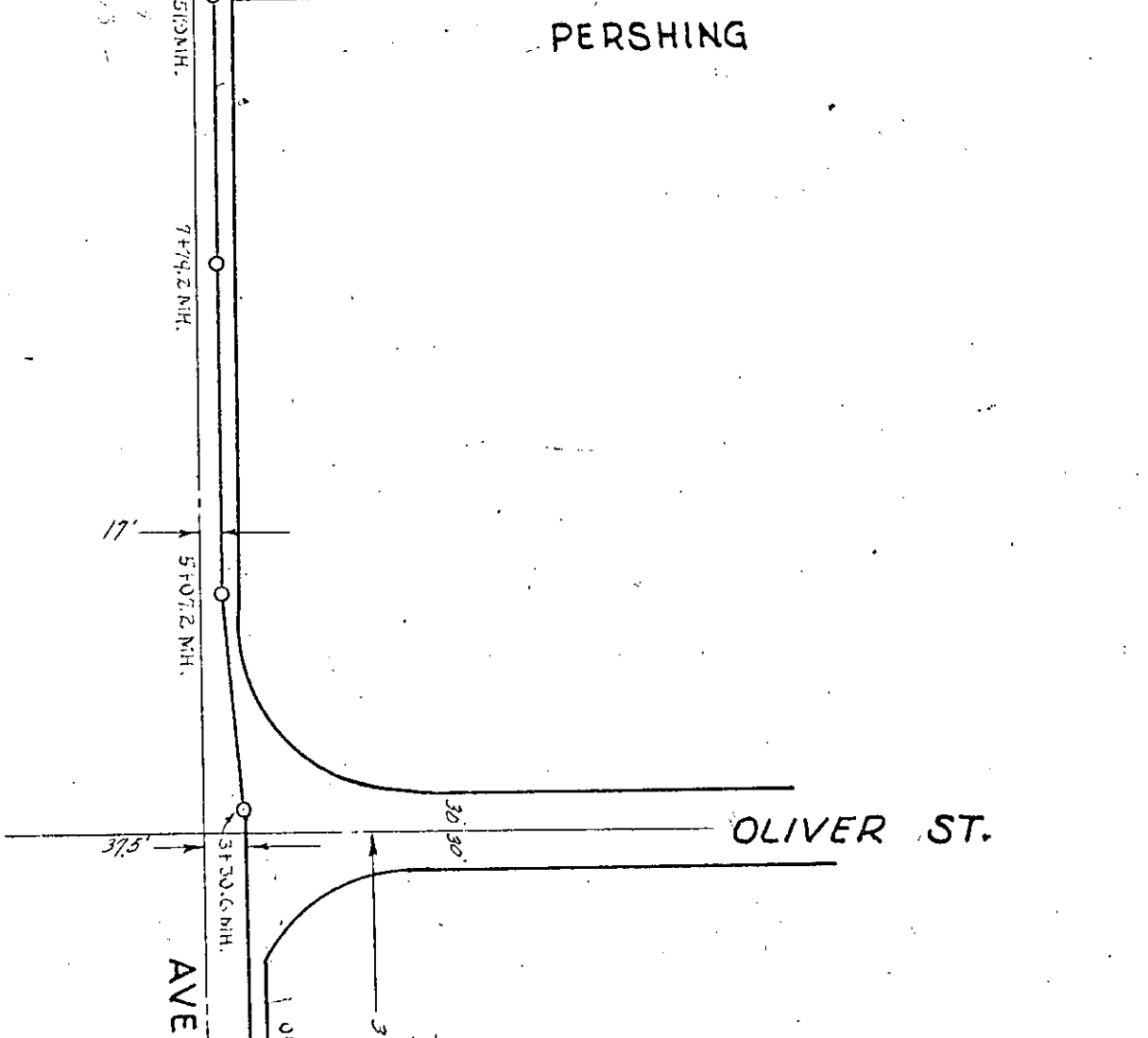
CRESTWAY



TERRACE



PERSHING

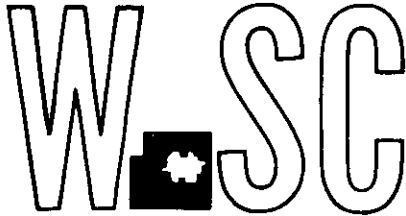


OLIVER ST.

AVE

EXTENSION OF SUB. G, W.I.S.
 PRIVATE PROJECT 1965
 BOOKED 2-2-65
 # 22736 - 2359-60 S. Crestway - 2-2-65 (Sub) (1+97)

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

January 29, 1979

Professional Engineering Consultants, P.A.
Attention: Gary Wiley
1440 E. English
Wichita, Kansas 67211

Re: S/D 79-6 - Preliminary plat of Spencer Gardens

Gentlemen:

The Subdivision Committee of the Metropolitan Area Planning Commission considered the above referred to preliminary plat at their regular meeting of January 25, 1979. The action of the Committee was to defer the plat for an indefinite period of time because of the questions raised concerning the method of handling of drainage in the basin adjacent to subject property.

The Subdivision Committee requested that the applicant and his engineer meet with Flood Control and the Engineering Divisions of the Department of Public Works concerning the drainage other than by full channelization because of recent discussions by the City Commission and area residents over leaving the drainage basin in its natural state. In addition, the applicant needs to contact Southwestern Bell Telephone regarding some easements to be shown on the plat, a 30 foot easement needs to be shown on the plat for the existing war industries sewer line, the applicant will be responsible for any cost for raising, lowering, relocation or encasement of the existing pipeline along the south side of Pawnee, the number of access points to Oliver from Lot 5 will need further discussion and the balance of the comments on the Staff Comment sheet are also still applicable to the plat. The applicant shall also submit four revised copies of the associated C.U.P. on which the war industries sewer and its respective 30 foot easement have been indicated.

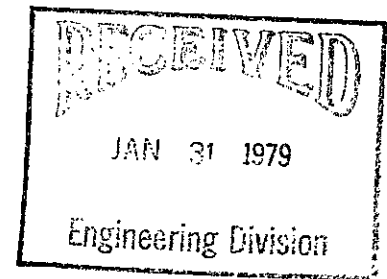
If you have any questions concerning this matter, please call.

Sincerely,

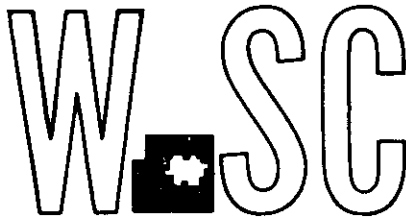
Curtis L. Newby
Junior Planner

cc: John L. Guyet, c/o James Schaefer, Brown Bldg., 67202
Spencer of Jackson, Inc., c/o Gilbert V. Pine, 2601 S.
Oliver, 67210

Dean Sellers, Assistant City Engineer



WICHITA—SEDGWICK COUNTY

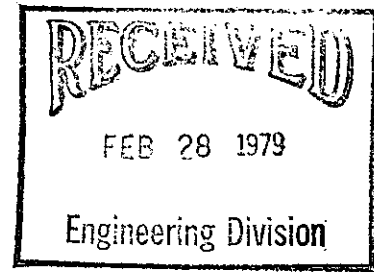


METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS, 67202

Professional Engineering Consultants, P.A.

1440 E. English
Wichita, Kansas 67211



Attention: Gary Wiley

Re: S/D 79-6 - Preliminary plat of Spencer Gardens

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, February 22, 1979, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. Approximately the west 30 feet of Lot 5 on the preliminary plat is zoned "A"-Two Family Dwelling, and therefore, the applicant shall file an appropriate zone change request for "LC" Light Commercial zoning on said 30 feet. Approval of the plat shall be subject to the approval of the zone change.
- B. A 30-foot wide easement shall be indicated on the final plat for the existing war industries sewer crossing subject property.
- C. The applicant shall submit four revised copies of the C.U.P. upon which the 30 foot easement for the war industries sewer has been indicated and upon which a statement has been added which says that the additional right-of-way will be dedicated for the decel lanes at the major entrances on Pawnee Avenue prior to issuance of any building permits.
- D. In accordance with the provisions of the associated C.U.P., the applicant shall guarantee the construction of two major entrances on Pawnee and decel lanes along the south side of Pawnee.
- E. The associated C.U.P. indicates that a drainage plan for the entire development would be submitted at the time of platting. Since said plan has not been submitted with the preliminary plat, no final plat shall be submitted until an overall drainage plan has been approved by the Engineering Division of the Department of Public Works. A letter obtained from said Division approving the drainage plan shall be submitted with the final plat.


P. E. C., P.A.
2-23-79
Page 2

- F. The applicant shall contact the Gas Service Company and Southwestern Bell Telephone Company relative to easements to be indicated on the final plat.
- G. The applicant shall guarantee the extension of sanitary sewer to serve subject plat.
- H. The applicant shall guarantee the extension of City water to serve the plat.
- I. The applicant shall guarantee all drainage improvements required on the plat.
- J. If the dwelling units proposed on Lots 1, 2, and 4 are to be individually owned, the applicant shall submit a Homeowner Association Agreement to be recorded with the plat, which shall contain provisions for the improvement and continued maintenance of the private common open areas, parking areas, and community facilities.
- K. A notation shall appear on the face of the final plat stating that the building setbacks on Lots 1, 2, and 4 are governed by the associated Community Unit Plan, DP-93. Building setbacks on these lots then do not need to be shown on the final plat.
- L. It is recommended that Lot 5 have only one access point to Oliver instead of 2 as proposed.
- M. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- N. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

If you should have any questions concerning this matter, please call.

Sincerely,


Curtis L. Newby
Junior Planner

CLN:bh

cc: Joseph L. Guyet, Douglass, Kansas 67039
Spencer of Jackson, Inc., c/o Gilbert V. Fine, 2601 S. Oliver
67210
Dean Sellers, Assistant City Engineer

MEMO



TO: Mr. R. W. Linn, P. E., City Engr.
City Hall - Seventh Floor
455 North Main Street

Wichita, Kansas 67202

ATTN: Yash Desai

PROJECT NO. 30-77506-950

PROJECT: Spencer Gardens

(Gelman)

DATE: March 6, 1979

COPIES TO:

Max Greene

Mike Lindebak

Louise Olivarez

FROM: Chris Brennenstuhl

REFERENCE: Drainage Plan for Spencer Gardens

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Transmitted herewith is the Drainage Plan for Spencer Gardens (located on the south side of Pawnee between Oliver and George Washington). This plan shows that all drainage is to outlet in the existing Drainage Dedication except Lot 5 which shall drain to Pawnee and Oliver.

The Final Plat of Spencer Gardens shall be filed with MAPD on March 12 to be heard by the Subdivision Committee of MAPC on March 22.

GENERAL

TOTAL GROSS AREA = 34.68 ACRES+
TOTAL NET AREA = 30.4 ACRES+

THIS DEVELOPMENT IS PROPOSED TO CONTAIN GARDEN APARTMENTS AND/OR TOWNHOUSE UNITS AND A K.G.&E. SUBSTATION SITE.

GENERAL PROVISIONS

1. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
2. ACCESS CONTROL: ACCESS TO PAWNEE SHALL BE LIMITED TO TWO (2) OPENINGS TO PARCEL ONE (1), TWO (2) OPENINGS TO PARCEL TWO (2), AND ONE (1) OPENING TO PARCEL THREE (3). ONE (1) OPENING TO PARCELS ONE (1) AND TWO (2) TO PAWNEE SHALL BE CONSTRUCTED TO MAJOR ENTRANCE STANDARD. ACCESS TO OLIVER FROM PARCEL FOUR (4) SHALL BE LIMITED TO TWO (2) OPENINGS. ACCESS TO GEORGE WASHINGTON BLVD. FROM PARCEL ONE (1) SHALL BE LIMITED TO ONE (1) OPENING.
3. DRAINAGE: AT THE TIME OF PLATTING, THE APPLICANT SHALL SUBMIT A DRAINAGE PLAN FOR THE ENTIRE DEVELOPMENT AND GUARANTEE DRAINAGE IMPROVEMENTS AS MAY BE REQUIRED.
4. BUILDING SETBACKS ARE AS NOTED ON THE PLAN.
5. SIGNS AS PERMITTED BY ZONING DISTRICT.
6. THE DENSITY FOR THE ENTIRE DEVELOPMENT SHALL NOT EXCEED 22 D.U.'S PER NET ACRE OR A TOTAL OF 668 D.U.'S. THE AREA FOR THE K.G.&E. SUBSTATION SITE HAS BEEN EXCLUDED IN CALCULATING THE 668 D.U.'S PERMITTED.
7. A HOMES ASSOCIATION AGREEMENT PROVIDING FOR THE MAINTENANCE OF NON-PUBLIC COMMON AREAS, PARKING AREAS, PRIVATE DRIVES, COMMUNITY FACILITIES, ETC., SHALL BE SUBMITTED WITH THE PLAT(S) FOR PARCELS ONE (1), TWO (2) AND FOUR (4), IF IT IS PROPOSED THAT EACH DWELLING UNIT WILL BE INDIVIDUALLY OWNED.
8. APPROPRIATE FIRELANE EASEMENTS WILL BE CONSIDERED AT THE TIME OF PLATTING AND MORE SPECIFICALLY DEFINED PRIOR TO THE ISSUANCE OF BUILDING PERMIT(S) FOR PARCELS ONE (1), TWO (2) AND FOUR (4), SAID FIRELANES SHALL BE HARD SURFACED AND TWENTY-FOUR (24) FEET MINIMUM IN WIDTH, AND CONSTRUCTED WITH A 3-1/2 INCH ASPHALT BASE WITH 1-1/2 INCH ASPHALT SURFACE, OR THE EQUIVALENT THEREOF. NO PARKING SHALL BE ALLOWED IN SAID FIRELANES.

PARCEL DESCRIPTION

PARCEL ONE

PROPOSED USE - GARDEN APARTMENTS OR TOWNHOUSES AND COMMUNITY FACILITIES ASSOCIATED WITH THE ABOVE.

GROSS AREA - 13.1 AC.+
NET AREA - 11.8 AC.+
DENSITY - 22 D.U.'s/NET ACRE OR 260 D.U.'s
(10 D.U.'s/NET ACRE FOR TOWNHOUSES OR 118 D.U.'s)
MAXIMUM BUILDING HEIGHT - 35 FEET
PARKING RATIO - 1.5/D.U. (2.0 IF OWNER OCCUPIED)

PARCEL TWO

PROPOSED USE - GARDEN APARTMENTS OR TOWNHOUSES AND COMMUNITY FACILITIES
ASSOCIATED WITH THE ABOVE.

GROSS AREA - 12.2 AC.+
NET AREA - 11.3 AC.+
DENSITY - 22 D.U.'s/NET ACRE OR 248 D.U.'s
(10 D.U.'s/NET ACRE FOR TOWNHOUSES OR 113 D.U.'s)
MAXIMUM BUILDING HEIGHT - 35 FEET
PARKING RATIO - 1.5/D.U. (2.0 IF OWNER OCCUPIED)

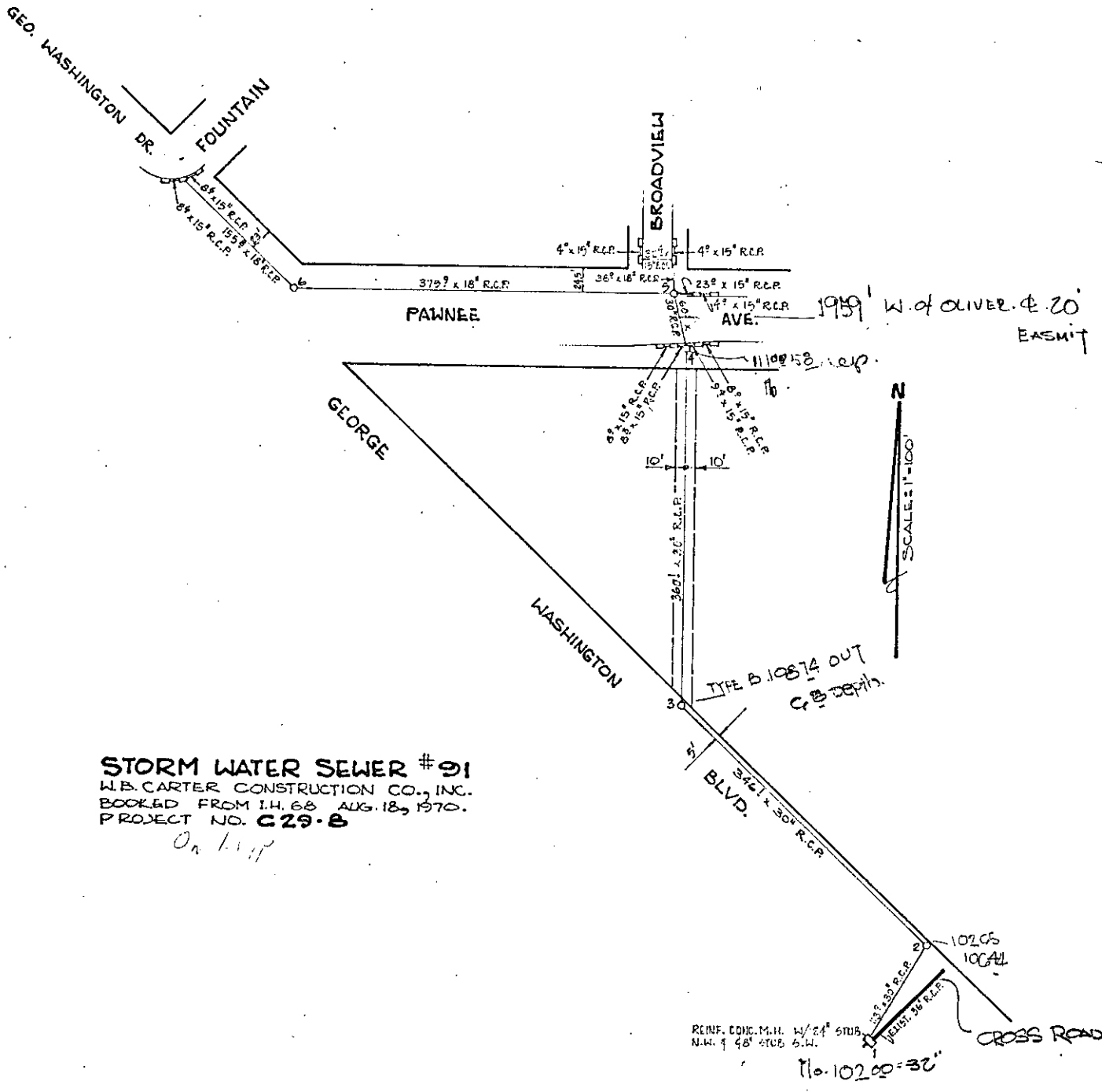
PARCEL THREE

PROPOSED USE - K.G.& E. SUBSTATION (EXISTING OLIVER SUBSTATION)

GROSS AREA - 1.1 ACRES+
NET AREA - 1.1 ACRES+

PARCEL FOUR

PROPOSED USE - GARDEN APARTMENTS OR TOWNHOUSES AND COMMUNITY FACILITIES
ASSOCIATED WITH THE ABOVE.
GROSS AREA - 8.28 AC.+
NET AREA - 7.3 AC.+
DENSITY - 22 D.U.'s/NET ACRE OR 160 D.U.'s
(10 D.U.'s/NET ACRE FOR TOWNHOUSES OR 73 D.U.'s)
MAXIMUM BUILDING HEIGHT - 35 FEET
PARKING RATIO - 1.5/D.U. (2.0 IF OWNER OCCUPIED)



STORM WATER SEWER # 91
 W.B. CARTER CONSTRUCTION CO., INC.
 BOOKED FROM I.H. 68 AUG. 18, 1970.
 PROJECT NO. **C29-B**

On Map

N
 SCALE: 1"=100'

REINF. CONC. M.H. W/24" STUB
 N.W. 1' 48" TUB 6"H.
 No. 10200-32"

10205
 10044

CROSS ROAD

1959' W of OLIVER. & 20'
 EASMIT

BLVD.
 3741' x 30" R.C.P.

TYPE B 10874 OUT
 C₂ depth.

GEORGE

WASHINGTON

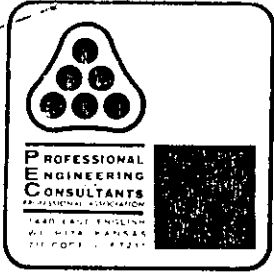
PAWNEE

BROADVIEW

FOUNTAIN

GEO. WASHINGTON DR.

MEMO



TO: Mr. R. W. Linn, P. E., City Engr.
City Hall - Seventh Floor
455 North Main Street

Wichita, Kansas 67202

PROJECT NO. 30-77506-950

PROJECT: Spencer Gardens

(Gelman)

COPIES TO:

ATTN: Yash Desai

DATE: March 6, 1979

Max Greene

FROM: Chris Brennenstuhl

Mike Lindebak ✓

REFERENCE: Drainage Plan for Spencer Gardens

Louise Olivarez

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Transmitted herewith is the Drainage Plan for Spencer Gardens (located on the south side of Pawnee between Oliver and George Washington). This plan shows that all drainage is to outlet in the existing Drainage Dedication except Lot 5 which shall drain to Pawnee and Oliver.

The Final Plat of Spencer Gardens shall be filed with MAPD on March 12 to be heard by the Subdivision Committee of MAPC on March 22.

SPENCER GARDENS DRAINAGE PLAN

March 6, 1979

1. Area adjacent to Drainage Dedication to be filled where necessary such that finished ground elevation is at least two feet (2') above Design Water Surface.
2. Lots 1, 2, and 4 to be drained by private storm sewer systems with one outlet per lot into the Drainage Dedication; private storm sewer systems to be approved by the Wichita City Engineer and the Wichita-Valley Center Flood Control Office prior to issuance of building permits. Outlet to be located within pilot channel (see Design Channel Cross-Section) and shall include flared end-section.
3. Lot 5 shall be graded to drain to street gutter or existing storm water sewer via drives, flumes, private storm water sewer, and/or other approved drainage facilities; final drainage plan to be approved prior to issuance of building permit.
4. Lot 3 to drain to Drainage Dedication through Lot 4; the right of Lot 3 to drain through Lot 4 will be granted in the text to be shown on the face of the Final Plat.

THE CITY OF WICHITA

OFFICE OF ENGINEERING

DATE APRIL 5, 1979

TO JACK GALBRAITH, CHIEF PLANNER - PLANNING DEPARTMENT

FROM YASH D. DESAI, DRAINAGE CHIEF ENGINEER

SUBJECT SPENCER GARDENS: DRAINAGE PLAN

Submitted to me for approval by Professional Engineering Consultants is the drainage plan for the subject plat. The drainage plan is approved subject to the following:

ok a.) The existing 20 foot drainage easements be changed to 30 feet drainage easements, because it is expected that the additional fill will increase the depth on the pipe thus making the trench for maintenance wider at the surface.

ok b.) A private drainage easement for the drainage of Lot 3 via Lot 4 shall be shown on the Final Plat.

will work w/ engineering on this
c.) Developer will attempt to retain as much storm runoff as possible on site via construction of aesthetic ponding areas on each of Lots 1, 2 and 4 before discharging overflow into the private storm sewers mentioned in Item 2 of Drainage Plan Requirements. Thus the size of the private storm sewers shall be such that it will handle only the flow difference due to 2 year frequency and 100 year frequency storms.

B.S. N. part is ok
ok d.) Development of the lots shall not be permitted until the channel improvements designed by Flood Control Engineering are constructed. The excess drainage shall not increase the already existing severe drainage problem in the Gypsum Creek Watershed downstream.

No construction shall be permitted in the flood plain till channel is improved.
Y.D.D.
e.) All development shall be 3.0' above design water surface elevation in the channel.

I trust this is sufficient information to approve the subject plat. Please call me at Centrex 4235 if you need additional information.

Yash D. Desai
Drainage Chief Engineer

YDD/dla

MEMO



TO: Mr. R. W. Linn, P. E., City Engr.
City Hall - Seventh Floor
455 North Main Street

Wichita, Kansas 67202

ATTN: Yash Desai

PROJECT NO. 30-77506-950

PROJECT: Spencer Gardens

(Gelman)

DATE: March 6, 1979

COPIES TO:

Max Greene

Mike Lindebak

Louise Olivarez

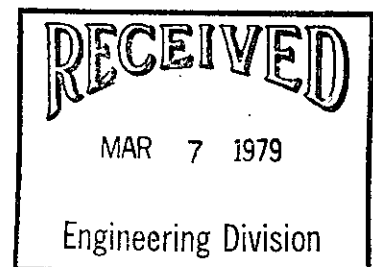
FROM: Chris Brennenstuhl

REFERENCE: Drainage Plan for Spencer Gardens

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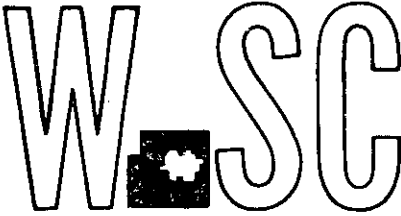


SPENCER GARDENS DRAINAGE PLAN

March 6, 1979

1. Area adjacent to Drainage Dedication to be filled where necessary such that finished ground elevation is at least two feet (2') above Design Water Surface.
2. Lots 1, 2, and 4 to be drained by private storm sewer systems with one outlet per lot into the Drainage Dedication; private storm sewer systems to be approved by the Wichita City Engineer and the Wichita-Valley Center Flood Control Office prior to issuance of building permits. Outlet to be located within pilot channel (see Design Channel Cross-Section) and shall include flared end-section.
3. Lot 5 shall be graded to drain to street gutter or existing storm water sewer via drives, flumes, private storm water sewer, and/or other approved drainage facilities; final drainage plan to be approved prior to issuance of building permit.
4. Lot 3 to drain to Drainage Dedication through Lot 4; the right of Lot 3 to drain through Lot 4 will be granted in the text to be shown on the face of the Final Plat.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

April 6, 1979

Professional Engineering Consultants
1440 E. English
Wichita, Ks. 67211

Re: S/D 79-6 - Final plat of Spencer Gardens

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 5, 1979, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. Approval of the plat is subject to the approval of the associated zone case Z-2123, "A" to "LC" involving the west portion of Lot 5.
- B. A drainage plan has been conditionally approved by the City Engineer's Office and a letter of conditional approval has been submitted to the Planning Department. The applicant's attorney has indicated that some of the conditions may not be agreeable to the applicant. Prior to the Planning Commission meeting April 12, 1979, the applicant's representative shall meet with Yash Desai in the City Engineer's office to work out a mutual agreement regarding the conditions of drainage plan approval.
- C. In accordance with the provisions of the associated C.U.P., the applicant shall guarantee the construction of two major entrances on Pawnee and decel lanes along the south side of Pawnee.
- D. The applicant shall submit four revised copies of the C.U.P. upon which the 30 foot easement for the war industries sewer has been indicated and upon which a statement has been added which says that the additional right-of-way will be dedicated for the decel lanes at the major entrances on Pawnee Avenue prior to issuance of any building permits.

Professional Engineering Consultants
April 6, 1979
Page 2

- E. The applicant shall guarantee the extension of sanitary sewer to serve subject plat.
- F. The applicant shall guarantee all drainage improvements required on the plat.
- G. If the dwelling units proposed on Lots 1, 2, and 4, are to be individually owned, the applicant shall submit a Homeowner Association Agreement to be recorded with the plat, which shall contain provisions for the improvement and continued maintenance of the private common open areas, parking areas, and community facilities.
- H. A notation shall appear on the face of the final plat stating that the building setbacks on Lots 1, 2, and 4 are governed by the associated Community Unit Plan, DP-93. Building setbacks on these lots then do not need to be shown on the final plat.
- I. "Complete access control" within 40 feet of the intersection of Pawnee and Oliver shall be labeled on the face of the plat and in the plat's text.
- J. Recording of the final plat within 30 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, April 12, 1979, at 1:30 p.m. If you have any questions regarding this matter, please call.

Sincerely,

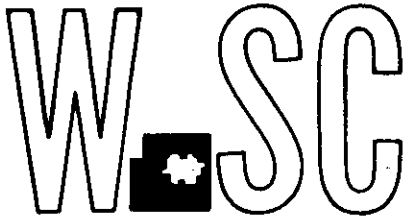


Louise Olivarez
Junior Planner

LO:bh

cc: Joseph L. Guyet, Douglass, Kansas 67039
Spencer of Jackson, Inc., c/o Gilbert V. Fine, 2601 S. Oliver, 67210
Dean Sellers, Assistant City Engineer

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

March 3, 1981 ³⁸⁹ 268-4561

Spencer of Jackson, Inc.
450 Summer Street
Boston, Massachusetts, 02210

Re: Letters of credit guaranteeing the construction of major entrances
to Lots 1 and 2, Spencer Gardens Addition (Credit Numbers 20844-P
and 20845-P)

Gentlemen:

Your letters of credit from State Street Bank and Trust Company, Boston, Massachusetts, in the amounts of \$1,250.00 guaranteeing the construction of the above-referenced improvements are nearing default. The terms of the letters of credit reference that you agreed to make these required improvements on or before April 12, 1981. This agreement on your part was in response to a condition of approval associated with the platting of Spencer Gardens Addition. A recent field check of the site verifies that no development has occurred on either of the two lots on which a major entrance is required.

This letter acts to bring to your attention the fact that the required platting guarantee is nearing default. Since no development has occurred on the subject property, we can authorize a one year extension of time to complete this work provided amendments to the existing letters of credit are submitted which references the following:

- a) A new dollar amount of \$1,472.00 (provides for 18% inflation).
- b) A new default date of April 12, 1982.
- c) A new expiration or negotiation date of June 15, 1982.

The two amendments should be submitted to this office prior to default on the existing guarantees (April 12, 1981).

Should you have any questions about this matter, please do not hesitate to contact me at (316) 268-4421. I have attached copies of your existing letters of credit for your reference and information. Action on your part is imperative in order to avoid default on your \$2,500.00 guarantees.

Sincerely,

Forrest L. Nagley
Forrest L. Nagley

FLN:bh

Attachments

cc: Mike Lindebak, Project Development Engineer, City Engineering
State Street Bank and Trust, P.O. Box 5048, Boston Massachusetts,
02107
Spencer of Jackson, Inc., c/o Gilbert V. Fine, 2601 S. Oliver,
67210

WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL -- TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

RECEIVED

APR 30 1982

Dept. Of Engineering

April 29, 1982

Spencer of Jackson, Inc.
450 Summer Street
Boston, Massachusetts 02210

Re: Letters of credit guaranteeing the construction of major
entrances to Lots 1 and 2, Spencer Gardens Addition (Credit
Numbers 20844-D and 20845-P)

Gentlemen:

The above-referenced letters of credit from State Street Bank and
Trust Company, Boston Massachusetts, in the amended amounts of
\$1,472.00 are nearing expiration. The terms of the guarantees
reference that you agreed to construct the major entrances prior
to April 12, 1982. A recent field check of the property has verified
that neither entrance has been built and each lot remains undeveloped.

Since no development has occurred on the subject property, we can
authorize a one-year extension of time to complete the work provided
amendments to the existing letters of credit are submitted which
references the following:

- A. A new dollar amount of \$3,000.00 (estimated cost for the City
to complete the work one year from now);
- B. A new default or completion date of April 12, 1983;
- C. A new expiration or negotiation date of June 15, 1983.

The two amendments should be submitted to this office as soon as pos-
sible.

Should you have any questions about this matter, please do not hesitate
to call me at (316) 268-4421. I have attached copies of your existing
amendments for your reference and information. Action on your part is
imperative to avoid default on your existing guarantees.

Sincerely,


Forrest L. Nagley
Junior Panner

FLN:bh

msf

Spencer of Jackson, Inc.

4-29-82

Page 2

Attachments (2)

cc: Mike Lindebak, Project Development Engineer, City Engineering
State Street Bank and Trust, P.O. Box 5048, Boston, Massachusetts,
02107
Spencer of Jackson, Inc., c/o Gilbert V. Fine, 2001 S. Oliver,
67210

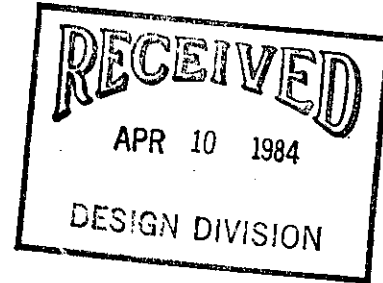
WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

April 10, 1984



Spencer of Jackson, Inc.
450 Summer Street
Boston, MA., 02210

Re: Letters of credit guaranteeing the construction of major entrances
to Lots 1 and 2, Spencer Gardens Addition (Credit Numbers 20845-P
and 20844-P)

Gentlemen:

The above-referenced letters of credit from State Street Bank and Trust Company, Boston, Massachusetts, in the amended amounts of \$3,360.00 are nearing maturity. The term of the guarantees reference a project completion date of April 12, 1984. A recent field check of the property has verified that the subject lots have remained undeveloped and, consequently, neither major entrance has been built.

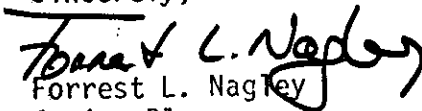
Since no development has occurred on the subject property, we can authorize a 2 year extension of time to complete the work provided amendments to the existing letters of credit are submitted which reference the following:

- A. A new dollar amount of \$3,763 (provides for two years' inflationary cost increase).
- B. A new default or completion date of April 2, 1986.
- C. A new expiration or negotiation date of June 12, 1986.

The two amendments should be submitted to this office prior to April 30, 1984.

Should you have any questions about this matter, please call me at (316) 268-4421. Action on your part is imperative to avoid default on your existing guarantees.

Sincerely,


Forrest L. Nagley
Junior Planner

FLN:bh

78m

Spencer of Jackson, Inc.
April 10, 1984
page 2

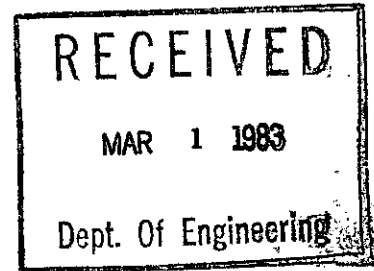
cc: State Street Bank and Trust, P.O. Box 5048, Boston, MA. 02107
Bob Gilman, Kansas Truck, 1521 S. Tyler Road, 67209 (local agent)
X Mike Lindebak, City Engineer

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561



February 25, 1983

Spencer of Jackson, Inc.
450 Summer Street
Boston, MA 02210

RE: Letters of credit guaranteeing the
construction of major entrances to
Lots 1 and 2, Spencer Gardens Addition
(Credit Numbers 20845-P and 20844-P).

The above referenced letters of credit from State Street Bank and Trust Company, Boston, Massachusetts, in the amended amounts of \$3,000 are nearing maturity. The term of the guarantees reference that you agreed to construct the major entrances prior to April 12, 1983. A recent field check of the property has verified that the subject lots have remained undeveloped and, consequently, neither major entrance has been built.

Since no development has occurred on the subject property, we can authorize a one-year extension of time to complete the work provided amendments to the existing letters of credit are submitted which references the following:

- A. A new dollar amount of \$3,360 (provides for 12 percent inflationary cost increase);
- B. A new default or completion date of April 12, 1984;
- C. A new expiration or negotiation date of June 12, 1984.

The two amendments should be submitted to this office prior to April 12, 1983.

Page 2
February 25, 1983
Spencer of Jackson, Inc.

Should you have any questions about this matter, please call me at (316)268-4421. Action on your part is imperative to avoid default on your existing guarantees.

Sincerely,


Forrest L. Nagley
Junior Planner

FLN:vn

cc: Mike Lindebak, Project Development Engineer, City Engineering
State Street Bank and Trust, P.O. Box 5048, Boston, MA 02107
Bob Gilman, Kansas Truck, 1521 South Tyler Road, 67209
(Local Agent)

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

March 6, 1987

TO: Marvin Krout, Director of Planning
Walt Campbell, Deputy Chief of Operations, Wichita Fire Dept.
Bill McKinley, Traffic Engineer
X Mike Lindebak, City Engineer
Monty Robson, Superintendent of Central Inspection

FROM: Barbara Harris, Senior Planner, Current Plans Division

SUBJECT: Spencer Gardens Second Commercial Community Unit Plan
Proposal. Generally located on the southwest corner of
Pawnee and Oliver.

Attached for your review and comments is a copy of the proposed development plan for the above-referenced property. An associated zone case, requesting a change from "R-6" General Residence District to "LC" Light Commercial District has been filed for an 8.3 acre portion of the 9.4 acre C.U.P. The property is divided up into five parcels - four parcels proposing light commercial uses and one parcel to be used for the existing K. G. & E. sub-station. The maximum gross floor area for commercial use within the C.U.P. is proposed as 111,800 square feet and nine buildings (maximum) are proposed on Parcels 1, 2, 3 and 5.

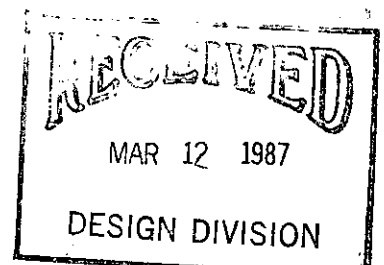
Staff has several questions/comments about the development plan, such as:

- (1) How will peak traffic be handled on Oliver adjacent to the site?
- (2) Should the setbacks be increased to Pawnee and/or Oliver?
- (3) The number of buildings on the parcels appears quite excessive. The proposed buildings and parking should not be indicated on the plan at all.
- (4) The plan should indicate existing improvements to the adjacent streets.
- (5) Appropriate location for medial break on Pawnee.
- (6) Should a continous accel/decel lane be required for both Pawnee and Oliver?

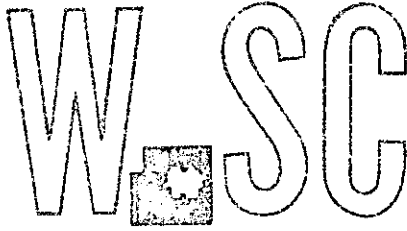
We will discuss this C.U.P. proposal at the Development Review Meeting on Friday, March 13, 1987; it is not scheduled yet for MAPC. I would appreciate any comments you have, and if you have any questions, please call me at 268-4421. Thank you.

BH:blw
Attachment

PL/0140/4



WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

CITY HALL -- TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

May 1, 1987



Kenny Hill
Poe and Associates of Kansas, Inc.
434 North Oliver
Wichita, Kansas 67208

Re: Z-2842 - "R-6" to "LC"; and DP-169 - Spencer Gardens C.U.P. At
the southwest corner of Oliver and Pawnee.

Dear Mr. Hill:

At its regular meeting on April 30, 1987 the Metropolitan Area Planning Commission considered the above-captioned requests. The action of the Planning Commission was to recommend that the zone change request and the C.U.P. be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included within this commercial C.U.P. shall be replatted within one year after approval of this C.U.P. and zone case by the City Council or the cases shall be considered null and void for those portions which have not been replatted and the ordinance establishing the zone change shall not be published until the replat has been recorded with the Register of Deeds.

- e. The wording for "Proposed Uses" on Parcel No. 1 under Parcel Descriptions shall be changed to exclude private clubs.
- f. The first sentence of General Provision #13 should be changed to read, "When residential development occurs to the west..." Also, this additional sentence should be added to the provision: "The construction of the wall shall be guaranteed at the time of platting."
- g. The following wording shall be added to General Provision #8: "An accel/decel lane is not needed along Parcel 5 as long as a major entrance is built between Parcels 2 and 5."
- h. General Provision #25 shall be omitted and, instead, "drainage easement" shall be added to G.P. #10.
- i. Amend the access control on Parcel 3 to reflect 150 feet of Complete Access Control on Oliver south of Pawnee. The access control on Pawnee shall remain as submitted on the C.U.P.
- j. The required information for DP-93 Spencer Gardens Residential C.U.P. to be amended, shall be submitted to this office so that the affected parcels can be administratively adjusted; i.e., the necessary calculations, acreage, number of dwelling units and layout. (This condition has been satisfied.)
- k. Plans for the reconstruction of the medial on Pawnee shall be submitted for approval by the Director of Planning and the City Engineer. Upon approval, ten (10) copies of the plan shall be submitted.
- l. The applicant shall submit a letter from KG&E agreeing to the elimination of the existing access to the KG&E Substation. (This condition has been satisfied)
- m. Add "Auto Parts Sales and Service" to Parcels 1, 2, 3 and 5 under "Proposed Uses" in the Parcel Descriptions.
- n. Add "Automotive sales subject to Board of Zoning Appeals approval adjacent to Oliver only" to Parcels 2 and 3 under "Proposed Uses" in the Parcel Descriptions.
- o. Add "Automotive sales subject to Board of Zoning Appeals approval" to Parcel 5.

The Planning Commission recommended that a left turn lane to serve the major entrance on Oliver not be required. Enclosed is a "marked" copy of the C.U.P. for your use.

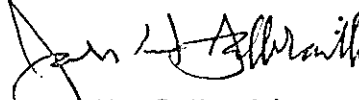
Please submit ten (10) corrected folded copies of the C.U.P. and ten (10) folded copies of the approved median plans to this office no later than May

Z-2842 and DP-169
Page 3

13, 1987 in order for these cases to be forwarded to the City Council for consideration at their regular meeting on May 26, 1987. This meeting will be held in the City Council Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

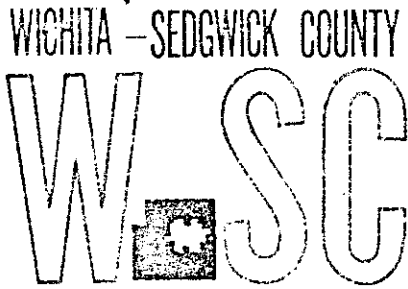
Sincerely yours,



Jack H. Galbraith
Chief Planner

JHG/lw

cc: Karl Solomon, 625 N. Carriage Parkway, Wichita, KS 67208
Ygnacio Cortez, 2341 S. Dellrose, Wichita, KS 67218
Richard Cummings, 17 Cypress, Wichita, KS 67218
Robert Westlake, 2331 S. Dellrose, Wichita, KS 67218
✓ Mike Lindebak, City Engineer



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

May 27, 1987



Kenny Hill
Poe and Associates of Kansas, Inc.
434 North Oliver
Wichita, Kansas 67208

RE: Z-2842 - "R-6" to "LC"; and DP-163 Spencer Gardens C.U.P. At the southwest corner of Oliver and Pawnee.

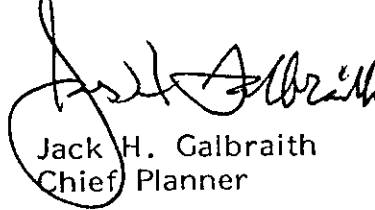
Dear Mr. Hill:

The Wichita City Council considered the above cases at their meeting on May 26, 1987. After considerable discussion on several issues, their action was to defer these cases for one week with instructions that attention be given to the following areas of concern:

1. Submit a redesign of the medial on Pawnee to separate the left turn areas by the use of an S curve medial. They indicated a desire to not have left turn movements into Dellrose, but did not express opposition to a left turn movement out of the site for westbound traffic on Pawnee. This required redesign would only permit left turns into one of your proposed driveways.
2. Submit a design for the construction of the decel -- right turn lane from Pawnee onto Oliver to the proposed major entrance on Oliver.
3. Submit a design for a left turn lane to serve the major entrance on Oliver for northbound traffic.
4. The City Council asked that they be provided an estimate of costs to accomplish the above three conditions and that the guarantee for construction be at the time of platting.
5. Guarantee the construction of the required 6-8 foot wall on the west sides of Parcels 1, 4 and 5 when commercial building permits are requested.

Regarding the required designs and cost estimates, would you try to submit those to us either Friday or early on Monday so that we can make slides for presentation to the Council. If you have questions on these conditions of approval, please call.

Sincerely,



Jack H. Galbraith
Chief Planner

JHG/lw


cc: Karl Solomon, 625 N. Carriage Parkway, Wichita, KS 67208
Ygnacio Cortez, 2341 S. Dellrose, Wichita, KS 67218
Richard Cummings, 17 Cypress, Wichita, KS 67218
Robert Westlake, 2331 S. Dellrose, Wichita, KS 67218
Chris Cherches, City Manager
Mike Lindebak, City Engineer
Bill McKinley, Traffic Engineer

THE CITY OF WICHITA

OFFICE OF PUBLIC WORKS - ENGINEERING

DATE June 11, 1987

TO Chris Cherches, City Manager

FROM Mike Lindebak, City Engineer 

SUBJECT Spencer Gardens CUP -
Traffic Plan

I was stopped by Council Member Winkler today and she had several questions concerning the traffic improvements associated with the above-noted CUP.

I advised her that Oliver left turn improvements were my number one concern/priority to be addressed with the CUP.

She indicated that she is going to support a 50 - 50 split on funding for this item.

We then discussed wrapping the right turn lane around the Pawnee and Oliver intersection. I indicated that was not a priority based upon current traffic counts; however, in the future, development in that area could require construction of the right turn lane. The CUP/ plat does provide the right-of-way for that improvement.

She then asked if the City could contractually require the developer to pay for the right turn lane if needed in the future. I advised this could be done with a petition to be held until traffic volumes warranted construction.

She then asked about cutting the median on Pawnee. I advised that the plan previously approved by Marvin Krout and myself required maintaining 180'+ of left turn storage and that I believed this was essential for this site.

Council Member Winkler said that she preferred a painted, flat median over a drive-over, mountable median. I stated that it was my preference that a site circulation plan be developed using one left turn access from Pawnee.

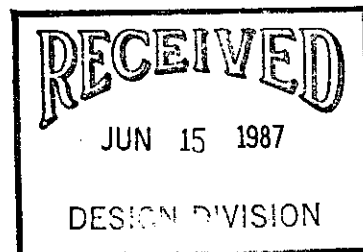
There was no discussion regarding treatment of traffic at the Dell-rose intersection.

ML:gr

6/11 - Copy sent to Lucking



D R A F T



Amendments to Spencer Gardens C.U.P.

1. At the time of replatting, the applicant shall guarantee one-half the cost of construction of a left turn lane in Oliver, to be installed with his first phase of development to serve his major entrance off that street.
2. At the time of replatting, the applicant shall guarantee the cost of reconstruction of the medial in Pawnee, to be installed with the first phase of development, providing for a minimum of 180 feet of storage in the eastbound left turn lane of Pawnee, and a raised medial providing protected left turn storage from westbound Pawnee into an entrance and left turns from the site into westbound Pawnee. The centerline of this entrance shall be approximately 45 feet east of the centerline of Dellrose.
3. At the time of replatting, the applicant shall guarantee the construction of a decel lane - free right turn from eastbound Pawnee to southbound Oliver, to be installed at the time that the city is prepared to install left turn lanes on Oliver at the intersection with Pawnee, or at the time that he is prepared to develop Parcel 5 with land uses and floor area that would exceed 3000 average daily trip ends on that parcel, based on standard ITE trip generation rates.
4. At the time of replatting, the applicant shall guarantee the construction of a solid or semi-solid wall at least 5 and not more than 8 feet high, constructed of brick, stone, masonry, architectural tile or other similar material (excluding wood or woven wire), along the west property line.

A handwritten signature in dark ink, appearing to be a stylized name or set of initials.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

Karl Solomon
625 North Carriage Parkway
Wichita, Kansas 67208

July 7, 1987



RE: Z-2842 - "R-6" to "LC" and DP-169 - Spencer Gardens Commercial
Community Unit Plan. Located at the southwest corner of Oliver and
Pawnee.

Dear Mr. Solomon:

At its regular meeting on July 7, 1987, the Wichita City Council considered
the above-captioned cases. The action of the Council was to approve the
zone change application subject to replatting and approve the C.U.P. subject
to the recommended conditions as amended:

- a. The development of this property shall proceed in accordance with the
development plan as recommended for approval by the Planning
Commission and approved by the governing body, and any substantial
deviation of the plan, as determined by the Superintendent of Central
Inspection and the Director of Planning, shall constitute a violation of
the building permit authorizing construction of the proposed
development.
- b. Any major changes in this development plan shall be submitted to the
Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within
the Community Unit Plan does not constitute a termination of the plan
or any portion thereof, but said plan shall run with the land for
commercial development and be binding upon the present owners, their
successors and assigns, unless amended.
- d. The property included in this C.U.P. and zone case shall be replatted
within one year from the date of approval by the City Council and
prior to the issuance of any building permits or the provisions of this
C.U.P. shall become null and void for the portions which remain
unplatted and the ordinance establishing the zone change shall not be
published until the replat has been recorded with the Register of
Deeds.

The following wording as approved by the City Council shall be added to
the General Provisions:

- e. "At the time of replatting, the applicant shall guarantee one-half the
cost of construction of a left turn lane in Oliver, to be installed with

C
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Y

the first phase of development to serve his major entrance off that street. Final design to be determined at the time of platting."

- f. "At the time of replatting, the applicant shall guarantee the construction of a decel lane - free right turn from eastbound Pawnee to southbound Oliver, to be installed at the time that the city is prepared to install left turn lanes on Oliver at the intersection with Pawnee, or at the time that there is preparation to develop Parcel 5 with land uses and floor area that would exceed 3,000 average daily trip ends on that parcel, based on standard ITE trip generation rates as determined by the city's traffic engineer."
- g. "At the time of replatting, the applicant shall guarantee the cost of reconstruction of the medial in Pawnee, to be installed with the first phase of development, providing for a minimum of 180 feet of storage in the eastbound left turn lane of Pawnee, and a raised medial providing protected left turn storage from westbound Pawnee into an entrance and left turns from the site into westbound Pawnee. The centerline of this entrance shall be approximately 45 feet east of the centerline of Dellrose."
- h. General Provision #13 shall be rewritten as follows:

"A solid, or semi-solid, wall at least five (5) feet, but not more than eight (8) feet high constructed of brick, stone, masonry, architectural tile, or other similar material (excluding wood or woven wire) shall be installed along the west property line of Parcels 1, 4 and 5. The wall will be constructed when residential development begins to develop to the west adjacent to the proposed wall. A letter of credit shall be posted with the Metropolitan Area Planning Department at the time of platting guaranteeing the present cost of wall construction and including an escalator clause. Said guarantee shall be released should the property to the west be approved for a nonresidential zoning classification. The Wichita City Council may order the construction of the wall prior to the development of the property adjacent to the C.U.P. on the west if, in their estimation, a litter problem is occurring as a result of commercial development on this C.U.P."
- i. Amend the access control on Parcel 3 to reflect 150 feet of Complete Access Control both on Oliver south of Pawnee and on Pawnee west of Oliver.

Please submit four (4) corrected folded copies of the C.U.P. to the Planning Department indicating the above-listed items.

Sincerely,


Jack H. Galbraith
Chief Planner

JHG/BRH/lw

cc: Kenny Hill, Poe and Associates, Inc., 434 N. Oliver, Wichita, KS 67208
Mike Lindebak, City Engineer
Bill McKinley, Traffic Engineer