

S/D No. 84-28 Name St. George Addition  
Date Application Rec'd. 3-16-84 Preliminary Approval \_\_\_\_\_  
Scheduled S/D Meeting 3-29-84

DESCRIPTION

General Location North of Central at the end of Brookside Parkway, 1/4 mile west of Woodlawn.

Owner St. George Orthodox Church

Surveyor/Engineer Bill G. Yung Design

Address 8225 E 35th North, Wichita, Ks. Zip Code 67226 Phone 683-5567

- |  |  |
|--|--|
| 1. Gross Acreage of Plat <u>3.2± acres</u>   | 7. Lineal Feet of New Street                               |
| 2. Number of Lots:   | a. <u>N/A</u> R/W <u>N/A</u> ft.                           |
| Residential _____  | b. _____ R/W _____ ft.                                     |
| Commercial _____   | c. _____ R/W _____ ft.                                     |
| Industrial _____   | d. _____ R/W _____ ft.                                     |
| Other <u>1- Church</u>   | e. _____ R/W _____ ft.                                     |
| Total Number of Lots <u>1</u>  | TOTAL <u>N/A</u> ft.                                       |
| 3. Minimum Lot Frontage <u>54</u>  | 8. Sidewalk adjacent to all streets <u>Yes</u> <u>X</u> No |
| 4. Minimum Lot Area <u>3.2± acres</u>  |  |
| 5. Existing Zoning <u>AA</u>   |  |
| 6. Proposed Zoning <u>AA</u>   |  |
| 9. Is public water available <u>X</u> Yes _____ No, Name <u>City of Wichita</u>    |  |
| 10. Is sanitary sewer available <u>X</u> Yes _____ No, Name <u>City of Wichita</u> |  |
| 11. Has Health Dept. approval been obtained (where applicable) _____ Yes _____ No  |  |
| 12. City of Wichita <u>X</u> 3-Mile Area _____ Outside of 3-Mile Area _____        |  |

STAFF COMMENTS:

- A. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage concept for this property.
- B. The applicant shall guarantee the construction of the drainage improvements required by the platting of this property.
- C. The representative from the City Engineer's office should be prepared to state if the 10-foot drainage easements indicated on this preliminary plat should more appropriately be labeled storm water sewer easements.
- D. The representative from the City Engineer's office should be prepared to state what the status is of the paving petition for Brookside Parkway. Since Brookside Parkway is the means by which access to this property is planned, a guarantee for the paving of this street needs to be submitted if a valid guarantee does not presently exist.
- E. The applicant or his agent shall be prepared to discuss the nature of the temporary drainage indicated on the preliminary plat.
- F. The final plat shall indicate the recording information for the adjacent drainage dedication and the 15-foot drainage access easement on this property.
- G. The representative of the City Engineer's office should be prepared to comment on the status of the guarantee for paving the Murdock Avenue cul-de-sac adjacent to the east line of this plat.
- H. The applicant is advised that when the Central Avenue Plaza Community Unit Plan and associated plat were approved on the property to the west, a guarantee was required for construction of a masonry wall and landscaping on this property. The required landscaping is to go adjacent to the 15-foot drainage access easement and the masonry wall is to be constructed from Murdock Avenue north along this property's east line to Edgemoor Park. The wall is to also be constructed along this plat's north line. These requirements are to be completed by June 1, 1984.

- I. In order to keep the 10-foot strip of property adjacent to the 15-foot drainage access easement open and unobstructed for the eventual installation of landscaping materials, the final plat shall indicate a 25-foot building setback from the west line of this plat.
- J. 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.
- K. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

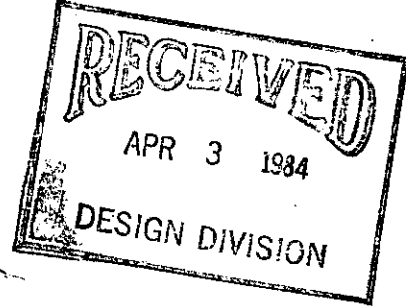
WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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

April 2, 1984



Bill G. Yung Design  
8225 E. 35th St. North  
Wichita, Kansas 67226

Re: S/D 84-28 - Preliminary plat of St. George Addition.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, March 29, 1984, 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. The 10-foot east-west drainage easements shall be increased to 20 feet in width on the final plat.
- B. The applicant shall guarantee construction of the necessary storm sewers within the east-west drainage easements.
- C. The applicant shall guarantee extension of City water to serve the lot.
- D. The City Engineer has stated that a new petition is being prepared for the paving of Brookside Parkway to a 29-foot standard. Since this street will provide the only means of access to the site, the applicant shall sign this paving petition.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The final plat shall indicate the recording information for the 15-foot drainage access easement on this property.
- G. 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.

Bill G. Yung Design  
Page 2  
April 2, 1984

H. 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 files.

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

Sincerely,



Louise Olivarez  
Senior Planner

LO:bh

cc: St. George Orthodox Church, 210 S. Walnut, 67213  
Mike Lindebak, City Engineer

LAW OFFICES OF

**CURFMAN, HARRIS, STALLINGS & SNOW**

SUITE 800 FIRST NATIONAL BANK BUILDING

WICHITA, KANSAS 67202-3391

(316) 263-9111

SIDNEY J. BRICK  
COUNSEL

LAWRENCE E. CURFMAN  
CHARLES W. HARRIS  
JOHN R. STALLINGS  
WINDELL G. SNOW  
THOMAS D. BORNIGER  
RONALD B. ROSE  
KENNETH L. WELTZ  
DAVID P. CALVERT  
SUSAN K. McKEE  
STEPHEN J. RUPP  
CRAIG A. KREISER

June 12, 1984



Mr. Chris Breitenstein  
Engineering Department  
City Hall  
455 North Main  
Wichita, Kansas 67202

RE: St. George Church Development

Dear Chris:

As I have previously advised you, this office represents Ashbriar Estates Homeowners Association, Inc. As you know, our client is greatly concerned about the proposed development of the above referenced church. In connection with this development, it will be necessary for the church to provide adequate drainage from my client's property across its property to the drainage ditch located immediately west of the church property. If appropriate arrangements are not made, then the natural drainage from my client's property across the church's property could be obstructed and thereby cause my client damage. I would therefore appreciate your keeping my client advised as to future developments in connection with the above referenced matter and, in particular, any proposals the church makes with regard to the drainage problem.

My client can be contacted by either calling Mr. Charles Black at 682-7472 or by writing to the following address:

Ashbriar Estates Homeowners  
Association, Inc.  
641 North Woodlawn, #22  
Wichita, Kansas 67208

Thank you for your help and assistance in this matter.

Very truly yours,

CURFMAN, HARRIS, STALLINGS  
& SNOW

John R. Stallings

A large, stylized handwritten signature in black ink, appearing to read "John R. Stallings". The signature is written over the typed name and extends upwards and to the left.

JRS/jab  
cc: Charles Black

*Handwritten initials*

I N T E R O F F I C E   M E M O R A N D U M

Date: 04-Sep-1989 08:36am CDT  
From: Steve Lackey  
LACKEY\_S  
Dept: PUBLIC WORKS  
Tel No: 268-4422

TO: Chris Cherches

( CHERCHES\_C )

Subject: Bayouth's Church

I met with Dave Bayouth and Everett Fettis (attorney) a couple of weeks ago. They wanted to show me their church's property west of Woodlawn, just where Murdock dead ends into a vacant field.

Dave says they cannot sell their property until the drainage is taken care of. I told him that I would research the situation and get back with him. Before I do, I want to tell you how it could be solved and get your direction on it.

- \*Murdock could be cul-de-saced, as per existing petition. 100% S.A.
- \*Underground drainage could be installed by setting up a benefit district and assessing contributors either 100% of costs or on a 50-50 basis, as per current policy. Total project costs for drainage is \$35,000.
- \*Church property could sign petition for all or a portion of all costs.

I'm sure Dave would like to get others to help with the costs.

Do you want to go look at this before I get back with him?

I N T E R O F F I C E   M E M O R A N D U M

**Date:** 29-Aug-1989 01:35pm CDT  
**From:** Chris Breitenstein  
BREITENSTEI  
**Dept:** Public Works  
**Tel No:** 268-4235

**TO:** Steve Lackey

( LACKEY\_S )

**CC:** Mike Lindebak

( LINDEBAK\_M )

**Subject:** BAYOUTH'S CHURCH

SOLOMON'S CUP WAS APPROVED JAN. 4, 1983. HOWEVER, FORREST IN PLANNING SAYS THE CHURCH PROPERTY WAS NOT IN THE CUP. IF THE CHURCH WAS NOT IN THE CUP HOW WERE THE SCREENING REQUIREMENTS ESTABLISHED.

I DON'T KNOW THAT THE CITY CAN FORCE SOMEONE TO PUT THE DRAINAGE UNDERGROUND.

SINCE HE DIDN'T PLAT THIS PROPERTY I DON'T THINK WE COULD HAVE FORCED HIM TO DO WHAT WAS DONE IF HE HADN'T BEEN WILLING.

THE MURDOCK PETITION WAS APPROVED JUNE 3, 1975.

\$9,000.00+1.5% PER MONTH

LOTS 56-69 INCLUSIVE, KAPAUN 2ND ADDITION; THESE ARE ON THE SOUTH SIDE OF MURDOCK.

WHEN?

SOME BACKGROUND INFORMATION THAT MIGHT BE USEFUL TO YOU AND THE MANAGER.

WHEN THE PUBLIC IMPROVEMENTS FOR CENTRAL AVENUE PLAZA ADDITION WERE BEING DESIGNED I.E. STREETS, WATER, SANITARY SEWERES, STORM SEWERS AND CHANNEL WORK THE OWNER, KARL SOLOMON, WAS ALSO REQUIRED TO MAKE DRAINAGE IMPROVEMENTS ON THE SUBJECT PROPERTY SINCE IT WAS INCLUDED IN THE CUP EVEN THOUGH IT WASN'T BEING INCLUDED IN THE PLAT.

HE CHOSE TO CONSTRUCT A 20 FOOT BOTTOM WIDTH CHANNEL TO INTERCEPT THE DRAINAGE FROM MURDOCK AND THE 24" STORM SEWER ADJACENT TO PIONEER BALLON CO. (PLAZA DEL SOL) AND DISCHARGE THE DRAINAGE INTO DRY CREEK IMMEDIATELY DOWNSTREAM OF THE RCBC THAT WAS BEING CONSTRUCTED.

THIS HANDLED THE DRAINAGE FROM THE EAST FINE UNTIL THE CHURCH STARTED ALLOWING FILL MATERIAL TO BE INDISCRIMINATELY DUMPED ON THE SITE, THUS DISRUPTING THE PREVIOUSLY CONSTRUCTED DRAINAGE CHANNEL.

WHEN?  
HOW MUCH?

REGARDING YOUR QUESTIONS:

1. THE PROPERTY HAS NEVER BEEN FINAL PLATTED.
2. WE HAVE A VALID PETITION FOR THE MURDOCK CUL-DE-SAC.
3. WE DO NOT HAVE A PETITION FOR DRAINAGE IMPROVEMENTS.
4. PREVIOUS STUDY IDENTIFIED A 36" RCP TO DRAIN MURDOCK(100 YR) AND AN EXISTING 24" TO DRAIN PLAZA DEL SOL(5 YEAR?)
5. ESTIMATED COSTS FOR UNDERGROUND STORM SEWER EXTENSIONS:
  - MURDOCK \$25,000.00
  - PLAZA DEL SOL(PIONEER BALLON) \$10,000.00
6. BENEFIT DISTRICTS COULD BE SET UP IN SEVERAL DIFFERENT WAYS:
  - a. THE CHURCH PAYS THE ENTIRE COST SINCE THEY CREATED THE CURRENT PROBLEM.
  - b. ALL PROPERTY CONTRIBUTING TO THE DRAINAGE(SPECIAL ASSESS.)
  - c. COMBINATION OF SPECIAL ASSESSMENTS AND CITY@LARGE
  - d. CITY@LARGE
7. THE COUNTY'S OWNERSHIP RECORDS SHOW THE PROPERTY OWNER TO BE ROBERT KRETCHMAR(KANSAS LIGHTING)
8. ALTERNATIVES:
  - A. RESTORE THE 20 FOOT CHANNEL THAT WAS BUILT IN CONNECTION WITH DRAINAGE IMPROVEMENTS FOR CENTRAL AVENUE PLAZA.
  - B. INSTALL STORM SEWERS TO TAKE THE DRAINAGE UNDERGROUND ACROSS SUBJECT PROPERTY TO DRY CREEK.
  - C. LEAVE AS IS.
  - D. DEDICATE THE PROPERTY TO THE PARK DEPARTMENT AND LET THEM FIX THE DRAINAGE.

I FEEL THE CHURCH SHOULD BE RESPONSIBLE FOR FIXING THE PROBLEM FOR THE FOLLOWING REASONS:

1. PRIOR TO THE CHURCH ACQUIRING THE PROPERTY DRAINAGE IMPROVEMENTS WERE DESIGNED AND CONSTRUCTED.
2. THE CHURCH CREATED THE CURRENT PROBLEM ALLOWING THE UNCONTROLLED DUMPING OF FILL MATERIAL ON THE SITE.
3. SINCE DRAINAGE IMPROVEMENTS WERE CONSTRUCTED ON THE SITE PRIOR TO THE CHURCH ACQUIRING THE PROPERTY ANY CHANGES, RELOCATION, ETC. TO THE DRAINAGE TO FACILITATE BUILDING ON THE SITE WOULD BE A

DEVELOPEMENT COST AND SHOULD BE BORNE BY THE CHURCH. IT HAS BEEN STANDARD PROCEDURE IN THE PAST THAT IF A DEVELOPER WANTED TO CHANGE THE DRAINAGE ON A SITE TO FACILITATE A PARTICULAR USE HE BORE THE COST OF THOSE CHANGES.

I DON'T FEEL THIS SITE IS DEVELOPABLE FOR THIS TYPE OF USE FOR SEVERAL REASONS:

1. EXTREMELY POOR ACCESS.
2. THIS PROPERTY DOES NOT MEET THE MINIMUM WIDTH TO DEPTH RATIO OF THE SUB-DIVISION REGULATIONS OF THE PLANNING COMMISSION.

I FEEL THE BEST USE FOR THIS PROPERTY IS OPEN SPACE. SINCE THIS PROPERTY WAS DONTATED TO THE CHURCH MAYBE THEY SHOULD CONSIDER GIVING THE PROPERTY TO THE PARK DEPARTMENT AND LET PARK WORRY ABOUT THE DRAINAGE

I N T E R O F F I C E   M E M O R A N D U M

Date: 12-Sep-1989 11:27am CDT  
From: Steve Lackey  
LACKEY\_S  
Dept: PUBLIC WORKS  
Tel No: 268-4422

TO: Bayouth\_D ( PAPER MAIL )  
CC: Chris Cherches ( CHERCHES\_C )  
Subject: Church property at Murdock

The following options are available for improvements, both drainage and paving, at the Church property and Murdock; generally located north of Central and west of Woodlawn:

\*A valid petition is on file in the City Eng's. office for cul-de-sacing Murdock.

\*An underground storm sewer could be constructed on the Church property, but no petition is on file.

\*The storm sewer could be constructed by developing a petition which the Church pays for all of the costs. (\$25,000@Murdock, \$10,000@Plaza Del Sol)

\*The storm sewer could be constructed by developing a petition which the Church and a benefitting district pays half of the improvement and the City pays half.

\*The storm sewer could be constructed by developing a petition which the Church and a benefitting district pays for the construction 100%.

For petition information, call City Engineer's office at 268-4501; either Gene Rath or Mike Lindebak.

See Me

INTEROFFICE MEMORANDUM

Date: 6-Mar-1989 07:50am CDT  
From: Chris Cherches  
CHERCHES\_C  
Dept: City Manager  
Tel No: 268-4351

TO: STEVE LACKEY

( LACKEY\_S )

Subject: Bayouth

Drainage request .... water running off of street in subdivision end of Murdock... next to drainage channel. Dave wants City to extend drain to the ditch (across his property) to eliminate water from ponding on his church's property...

I viewed the area and can see why he wants this done... it is a slough area now with drainage from the subd.... wonder why the residents haven't complained before now...

Can you check it out and let's discuss?

Thank you....

April 13, 1989 - Mike said not to worry about - Bayouth is no longer involved.

INTEROFFICE MEMORANDUM

**Date:** 18-Aug-1989 04:18pm CDT  
**From:** Steve Lackey  
LACKEY\_S  
**Dept:** PUBLIC WORKS  
**Tel No:** 268-4422

**TO:** Chris Breitenstein ( BREITENSTEI\_C )

**CC:** Mike Lindebak ( LINDEBAK\_M )

**Subject:** Bayouth's Church

Chris, bring a map up here that shows the area bounded by Central, Edgemoor, Woodlawn, 9th.

You are going to have to do some research and offer some drainage solutions for the Commissioner.

I N T E R O F F I C E   M E M O R A N D U M

**Date:** 20-Aug-1989 02:50pm CDT  
**From:** Mike Lindebak  
LINDEBAK\_M  
**Dept:** PUBLIC WORKS  
**Tel No:** 268-4266

**TO:** Steve Lackey

( LACKEY\_S )

**CC:** Chris Breitenstein

( BREITENSTEI\_C )

**Subject:** RE: Bayouth's Church

Is Bayouth going to build his own church now? His congregation abandon that location. They are now out in the area of 13th and Rock.

I N T E R O F F I C E M E M O R A N D U M

**Date:** 21-Aug-1989 07:02am CDT  
**From:** Steve Lackey  
LACKEY\_S  
**Dept:** PUBLIC WORKS  
**Tel No:** 268-4422

**TO:** Mike Lindebak

( LINDEBAK\_M )

**CC:** Chris Breitenstein

( BREITENSTEI\_C )

**Subject:** Bayouth's Church

According to Everett Fettis and Bayouth, their deal fell through because of the undevelopable nature of the area in question.

I N T E R O F F I C E   M E M O R A N D U M

**Date:** 21-Aug-1989 04:10pm CDT  
**From:** Steve Lackey  
LACKEY\_S  
**Dept:** PUBLIC WORKS  
**Tel No:** 268-4422

**TO:** Chris Breitenstein

( BREITENSTEI\_C )

**Subject:** Bayouth's Church

Yes, bring all the background info up to me.

Thanks.

I N T E R O F F I C E   M E M O R A N D U M

Date: 22-Aug-1989 10:31am CDT  
From: Steve Lackey  
LACKEY\_S  
Dept: PUBLIC WORKS  
Tel No: 268-4422

TO: Mike Lindebak

( LINDEBAK\_M )

CC: Chris Breitenstein

( BREITENSTEI\_C )

Subject: Bayouth's Church

I've ask Chris to do some more follow-up on this subject.

i.e.:

Do we have petitions for the cul-de-sac on Murdock?

Develop drainage basin info for a sewer at the end of cul.

Costs info assoc. with the project.

Benefit dist. info.

Alternatives for doing the project.

Since Cherches requested this in March and Bayouth again last week, I have to respond with solid information and ALL funding alternatives; one answer won't get it. When all the information is developed, I'll present it to CC and then to Bayouth.

I N T E R O F F I C E   M E M O R A N D U M

Date: 22-Aug-1989 12:22pm CDT  
From: Mike Lindebak  
LINDEBAK\_M  
Dept: PUBLIC WORKS  
Tel No: 268-4266

TO: Steve Lackey

( LACKEY\_S )

CC: Chris Breitenstein

( BREITENSTEI\_C )

Subject: RE: Bayouth's Church

The manager has rejected the idea of assessing the neighborhood for drainage. Bayouth says it isn't his water, so let the neighborhood pay or better yet let the City pay since the City built the streets. It looks like the only solution is City pay.

Chris rejected the neighborhood solution a couple years ago. Chris also was unwilling to have the City pay then. The problem is still with us, therefore it looks like we will continue to waste staff time if a decision is not made. I think it would have been cheaper for the City to have spent the \$18,000? two years ago and stopped all this talk.

I sure wish the deal Fettus told me about last spring would not have fallen through. He told me the church sold the ground and the issue of paving Brookside and drainage was behind us. I think he said Kansas Lighting bought the site and they were going to vacate Brookside.

Dave has wanted to pave Brookside a number of times. We give him a petition and we don't see him for months. He reappears as if something needs to be done right now. He gets a new petition and then goes dormant for a six months. This must be his period again.

I N T E R O F F I C E   M E M O R A N D U M

Date: 24-Aug-1989 04:38pm CDT  
From: Steve Lackey  
LACKEY\_S  
Dept: PUBLIC WORKS  
Tel No: 268-4422

TO: Chris Breitenstein

( BREITENSTEI\_C )

Subject: Bayouth's Church

More questions:

When was Karl Soloman's CUP approved?

Why wasn't he required to put the drainage underground?

Who made the decision to let him off of the hook?

When was the Murdock petition approved? *June 3, 1975*

How much money is in that petition? *9000 + 1.5%*

Who is in the benefit district for the Murdock petition?

*Lots 56-69, Inclusive  
Kapoun 2<sup>nd</sup> Ad'n.*

Thank you.



I N T E R O F F I C E   M E M O R A N D U M

Date: 29-Aug-1989 01:35pm CDT  
From: Chris Breitenstein  
BREITENSTEI  
Dept: Public Works  
Tel No: 268-4235

TO: Steve Lackey

( LACKEY\_S )

CC: Mike Lindebak

( LINDEBAK\_M )

Subject: BAYOUTH'S CHURCH

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PF-KEYS, 1-MENU,2-BACK,3-FWD,4-NEW ID,5-DEED,6-SPEEDX, 7-CURR SP, 8-GOTO CAMA  
KEY: -C -11111-0006- RE 17 R1C  
C-11111-8  
KRETCHMAR ROBERT R

PROPERTY ADDRESS

6000 E. CENTRAL  
WICHITA KS 67208 6702  
BEG 1000 FT S & 1044.03 FT E NW COR  
SE1/4 TO PT ON E LI DRAINAGE DED.  
SE ALG DRAIN. DED. 154.23 FT SELY  
ALG DED. 824.39 FT E 53.97 FT TO E  
LI W1/2 SE1/4 N TO PT E OF BEG W  
285.99 FT TO BEG. SEC 13-27-1E

See Me

I N T E R O F F I C E   M E M O R A N D U M

Date: 6-Mar-1989 07:50am CDT  
From: Chris Cherches  
CHERCHES\_C  
Dept: City Manager  
Tel No: 268-4351

TO: STEVE LACKEY

( LACKEY\_S )

Subject: Bayouth

Drainage request .... water running off of street in subdivision end of Murdock... next to drainage channel. Dave wants City to extend drain to the ditch (across his property) to eliminate water from ponding on his church's property...

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Can you check it out and let's discuss?

Thank you....

April 13, 1989 - Mike said not to worry about - Bayouth is no longer involved.

WICHITA-SEDGWICK COUNTY

Date: June 20, 1985

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Mike Lindebak, City Engineer  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: S/D 84-28 - St. George Addition

In my discussions with the neighbors, especially Charles Black and Freedman, on the landscaping issue for the St. George Addition/Solomon plat, the issue of adequate drainage continues to come up. I continue to point out that we don't do anything until we have a plat recorded and the guarantees put in. They continue to argue that there are at least four drainage crossings over the St. George tract. I see only two mentioned in the plat; this being an extension of Murdock and also as a 20-foot extension towards the south, I assume adjacent to the Pioneer Balloon building. Black keeps mentioning an extension of the street and the townhouse development as being a third one, and what I gather to be a fourth one at the very southerly end of the plat. My discussion with you on this earlier, Mike, indicated that there were three also. Please give particular attention when this plat comes back for final, that the drainage has been fully examined and is totally defensible under attack at the City Commission level.

  
Robert A. Lakin  
Director of Planning

RAL:rme

cc: Jack H. Galbraith, Chief Planner, Current Plans Division  
Forrest Nagley, Senior Planner, Current Plans Division



*W*

THE CITY OF WICHITA

OFFICE OF Central Inspection

DATE June 21, 1985

TO Board of City Commissioners  
(Through Robert G. Finch, Interim City Manager)

FROM Monty H. Robson, Superintendent of Central Inspection

SUBJECT Landscaping and wall requirements in  
connection with the Central Avenue  
Plaza Community Unit Plan (DP-126  
and S/D 83-11)

At the directive of the Board of City Commissioners on June 11, 1984, a meeting was held on June 18, 1985, with representatives of the Ashbriar Condominiums, St. George Orthodox Church, Metropolitan Area Planning Department, and Central Inspection as follows:

Charles Black, Ashbriar Resident  
Wayne Oburn, Ashbriar Resident  
Bob Friedman, Ashbriar Resident  
Father Anthony Scott, St. George Orthodox Church  
Tom Jacob, Architect for St. George Orthodox Church  
Robert A. Lakin, Director of Planning, MAPD  
Terry Smythe, Landscape Architect, MAPD  
Monty Robson, Superintendent of Central Inspection

Monty Robson explained that the purpose of the meeting was to allow the representatives of the church, the neighbors, and the city to state their positions and to establish a mutually acceptable schedule for the installation of the required landscaping and screen wall.

Robert Lakin explained the options available to the city:

1. The property owners can be requested to submit a substitute bond or letters of credit guaranteeing the work and the City Commission can elect to extend the date for installation of the required landscaping and screen wall. The wall and the planting could be extended on different timetables.
- OR
2. The present letters of credit, which were due to be exercised June 1, 1985, but have a 60 day negotiating period, can be cashed and the funds placed in trust and used for the installation of the required items.

At the meeting, Father Anthony Scott, St. George Orthodox Church, submitted substitute letter(s) of credit to the Metropolitan Area Planning Department.

The representatives of St. George Church stated that they would like to delay the installation of the planting and screen wall for the following reasons:

June 21, 1985

Page Two

1. Although they have placed a certain amount of donated fill dirt on their property, they do not presently have the amount of fill required to establish the finish grades on the site. The Church is currently arranging for their grading contractor to revise the contours to create a drainage swale along the east boundary of their property from Murdock to the south connecting with the temporary culvert near the south end of the Church property. This culvert directs water into the drainage ditch to the west.
2. Tom Jacobs presented a copy of the preliminary plat and three cross section drawings illustrating the difference in the present site elevations and the higher ground to the east and the top of the berm at the drainage ditch on the west. Mr. Jacob stated that the required screen wall along the north and east property line north of Murdock would not accomplish the intended purpose if it were to be installed prior to establishing the final grades at the north easterly part of the tract. Furthermore, delaying the wall would not adversely affect the view from the City Park at the north and if the planting were to be installed without the wall and the fill dirt smoothed out, the view from residential area north of Murdock would not be adversely affected as the shopping center would be screened.
3. They do not want to install the planting until the appropriate finish grades have been established along the west boundary of their property (east side of the drainage ditch). Further, they do not want to install this plant material until an appropriate planting season to better assure the plantings will survive.

The representatives of the Ashbriar residents stated their position on the matter as follows:

1. The recent uneven placement of fill material has created the the impounding of water which is growing to be a health problem from stagnation and insects.
2. The required plantings and screen wall were agreed to long ago and the continued delays are frustrating and troublesome to the neighbors.
3. The plantings, they realize, will not fully screen the view of the shopping center initially, but the longer the installation is delayed, the longer it will take for the landscaping growth to provide the intended screening.
4. They requested the city take the necessary steps to assure that the plant materials installed be equivalent to the original

Re: Landscaping/wall requirements  
(Central Avenue Plaza Community  
Unit Plan)

June 21, 1985

Page Three

number, spacing, size, and density of the trees shown on the drawing submitted to HAPD.

5. The Church should be required to solve the drainage problems on their site created by the water from Murdock street, Ashbriar Condominium project, and the Plaza Del Sol project.

Mr. Lakin stated that the permanent drainage measures would be required to be taken when the plat is finalized.

Monty Robson stated that Central Inspection will require a grading plan to be submitted by the Church showing the existing grades, fill already placed with any proposed modifications to solve the immediate drainage problems, the uneven fill, and any revised grading to be undertaken to accommodate the landscaping and/or screen wall pending the decision by the City Commission regarding the installation timetable. Also, the temporary culvert placed near the south end of the property will have to be engineered for proper size and modified per approved design, or the culvert and temporary road above be removed and the grading revised to allow drainage into the improved drainage ditch to the west. The grading plan will be reviewed with the Engineering Department for their approval.

Terry Smythe stated that for best results the landscaping should be installed after the first frost or in the spring rather than at the present time.

#### Agreements Reached

The following agreements were reached between the parties involved:

1. Drainage:

Tom Jacob, Architect for St. George Church will submit a grading plan to Central Inspection. Also, the grading contractor for the Church will initiate work to solve the immediate drainage problems, to level the uneven fill, and to prepare the finish grades along the west for the landscaping screen. Further, the culvert will be redesigned or removed.

2. Construction of the screen wall:

The Ashbriar residents agree with delaying the screen wall at the north and east (north of Murdock only) lines of the triangular tract for one year as proposed by St. George Church. Also, prior to June 25th, the St. George Church representatives are to contact the neighbors east of the Church property and north of Murdock to seek their concurrence with the one year extension

June 21, 1985

Page Four

for the installation of the screen wall.

3. Installation of the landscaping:

St. George Church agrees to bring the elevations of the finish grades up to the top of the berm along the east side of the drainage ditch, and to install the landscaping required by the C.U.P. along the west boundary of the Church property. Installation of the planting will be commenced after the first frost and be completed no later than December 15, 1985. The plant material will be the required number and size of junipers, or if a different species is desired to be used by the Church, approval from Central Inspection and the Metropolitan Area Planning Department will be secured.

Staff Recommendation

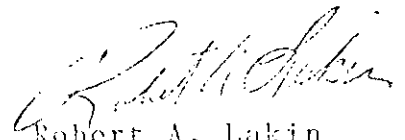
Staff concurs with the agreements reached and recommends same for the drainage, screen wall, and landscaping. We would further recommend that no further extensions be granted. Also, that separate substitute letters of credit be submitted for both the landscaping installation and the associated earthwork along the west boundary of the triangular tract, and for the construction of the screen wall and associated earthwork along the north and east (north of Murdock street only) boundary lines.

Recommended Action

Require modification of the grading to provide an initial solution for the drainage from the east and for the uneven fill material, and allow the permanent drainage solution to be implemented at the time of final platting; and further to authorize an extension of time until the winter planting season and no later than December 15, 1985 for the installation of the required landscaping along the west boundary of the Church property; and further to allow an extension of time of one year until June 25, 1985 for the construction of the required screen wall along the north and east (east of Murdock only) boundaries; and further to require separate substitute letters for the landscaping and screen wall and the associated earthwork for each guaranteeing that the work be completed by December 15, 1985, and June 25, 1986, respectfully.



Monty H. Robson  
Superintendent of Central Inspection



Robert A. Lakin  
Director of Planning

Memo to City Commissioners  
Re: Landscaping/wall requirements  
(Central Avenue Plaza Community  
Unit Plan).

June 21, 1985

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cc:

Rev. Father Anthony Scott  
St. George Orthodox Church  
210 South Walnut  
Wichita, Kansas 67213

Sam Kouri, M.D.  
President of the Board  
St. George Orthodox Church  
210 South Walnut  
Wichita, Kansas 67213

Tom Jacob, Architect  
2424 North Woodlawn  
Wichita, Kansas 67220

Bill G. Young  
8225 East 35th Street  
Wichita, Kansas 67226

Don Anderson  
Director of Housing and Economics Development

Charles Black

Wayne Oburn

Robert Friedman

MHR:wgn

**THE CITY OF WICHITA**

**OFFICE OF** Central Inspection

**DATE** July 3, 1985

**TO** Mike Lindebak, City Engineer and Director of Planning

**FROM** Monty Robson, Superintendent of Central Inspection

**SUBJECT** Drainage and grading plan for  
St. George Church property in  
connection with the Central  
Avenue Plaza Community Unit  
Plan (DP-126 and S/D 83-11)

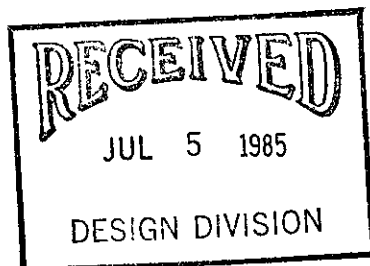
At their meeting on June 25, 1985, the City Commission passed the recommended action shown in my memo dated June 21, 1985 (copy attached - see page 4).

As indicated in that action, part of the requirements placed on St. George Church was to have their Architect, Tom Jacob, submit a grading and drainage plan to solve the immediate drainage problems on the site, which are principally the result of runoff from the streets and developments to the east. The church has proposed creating a swale running north-south as shown on the plan to solve this condition. Also, the church was required to level the fill they have put in place over a portion of the site and to eliminate low areas that are presently empounding water.

It should be noted that the culvert that was installed near the south end of the site under the temporary road has been shown to be removed and the swale continued to the drainage ditch. The possibility that the temporary culvert (2 - 12" pipes) had not been engineered and were improperly sized to carry the runoff water from the east was expressed by the owners of the Pioneer Balloon Building. They feared the larger drainage pipe installed north of their building had been engineered for more capacity than the temporary culvert on the St. George Church property and, as a result, water might be backed up into their building. If you determine the proposed swale is adequately sized, this should no longer be a concern.

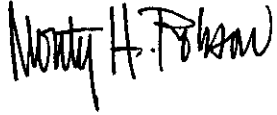
Please review the attached plan to determine if the interim grading revisions shown will solve the drainage situation until such time as more permanent measures are undertaken as a requirement of the final platting.

I would be happy to discuss this if you desire, or provide additional background information you might need. I also have some cross-section drawings prepared by Tom Jacob which show the existing conditions, but do not include the proposed swale. Let me know if you want these drawings.



Memo to Mike Lindebak  
Drainage/grading-St. George Church  
July 3, 1984  
Page Two

I will look forward to your reply.



Monty H. Robson  
Superintendent of Central Inspection

MHR:wgm

Attachment

cc: Terry Smythe, MAPD

Don Anderson, Director of Housing and Economic Development

Tom Jacob, Architect  
2424 North Woodlawn  
Wichita, Kansas 67220

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THE CITY OF WICHITA

OFFICE OF MAPD/DESIGN

DATE July 15, 1985

TO Monty Robson, Superintendent of Central Inspection


FROM Mike Lindebak, City Engineer

SUBJECT Drainage and Grading Plan for  
St. George Church Property in  
connection with the Central  
Avenue Plaza C.U.P. (DP-126  
and S/D 83-11)

In response to your memo dated July 3, 1985, we have reviewed the subject drainage and grading plan and have the following comments:

1. The grading plan will provide adequate drainage and is considered satisfactory as a temporary solution.
2. Due to the steep slope of the temporary ditch, erosion may occur to the bank of the permanent drainage ditch. The church should be advised that they will be responsible to restore the bank to existing conditions at the time the permanent drainage improvements are installed.

Should you have any questions, please call me at 4266.

  
Mike Lindebak  
City Engineer

ML:hgr

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April 1, 1986

St. George Orthodox Church  
210 South Walnut  
Wichita, KS 67207

The Honorable City Commissioners  
City Manager  
Planning Director  
Mr. Wayne C. Oburn, Sr.  
Mr. Sterling Friedman

Dear Sirs:

St. George Orthodox Church is aware that on June 1, 1986 we are obligated to construct a masonry wall on the east edge of our property located at Central and Edgemoor. We have contact a contractor and received a bid.

However, we have been informed by him that it is not feasible to build such a wall until the cul de sac at the end of Murdock is built and the drainage from the neighborhood addressed at the same time. We feel that this drainage is a neighborhood problem and not the problem of St. George.

May we suggest that the city engineer survey the problem and advise the Planning Commission, the neighborhood and St. George as soon as possible.

Thanking you for your prompt response in this matter, we remain,

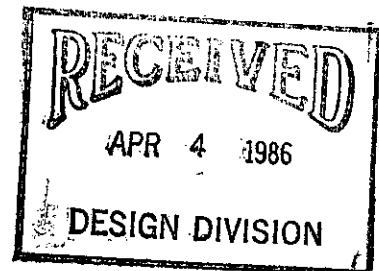
Sincerely Yours,

*Fr. Anthony Scott*

Fr. Anthony Scott for  
St. George Orthodox Church

AS/as

*4/15 - Copy to Ballerath  
(told we would respond  
once looked at drainage)*



*MS*

DATE MAY 19, 1986

TO Chris Cherches, City Manager

FROM Michael E. Lindebak, City Engineer/Acting Director of Planning *ML*SUBJECT St. George Orthodox Church  
property (at Murdock, west  
of Woodlawn).

I am writing in response to the letter from Father Anthony Scott regarding the drainage, paving, and screening issues associated with St. George Orthodox Church. Father Scott is correct in stating that they cannot build the required masonry wall until the Murdock cul-de-sac is paved and the drainage problem solved.

We have evaluated the drainage conditions and determined that a storm sewer is required to drain Murdock west to the ditch. The sewer would serve about 40 full and partial lots located adjacent to and north of Murdock. The estimated project cost is \$18,000.00. A typical total assessment to a lot in the improvement district would be \$450.00. Funding could be either 50 percent special assessment/50 percent City or 100 percent special assessment depending on whether the project was classified as serving an existing or new development.

The Murdock cul-de-sac can be paved using a petition approved by the Commission June 3, 1975, subject to being held for development. The petition has a 1 percent per month escalator, but by the time development occurred there was not sufficient funding to build the project. The escalator has now caught up with paving costs and we can activate the petition. Estimated cost is \$20,000.00. The assessment district is residential lots on the south side of Murdock.

The Church property is part of the Central Avenue Plaza Community Unit Plan. Part of the C.U.P. requirements is to construct a screening wall on that part of the Church property adjacent to residential development. The Church has submitted a letter of credit as guarantee that they will fulfill their obligation. The letter of credit expires in June, 1986. The City's options are: (1) require an extension of the letter of credit or (2) draw on the letter of credit and hold the money until the wall is built. The Church also has the option of appearing before the City Commission and requesting a waiver of the screening requirement.

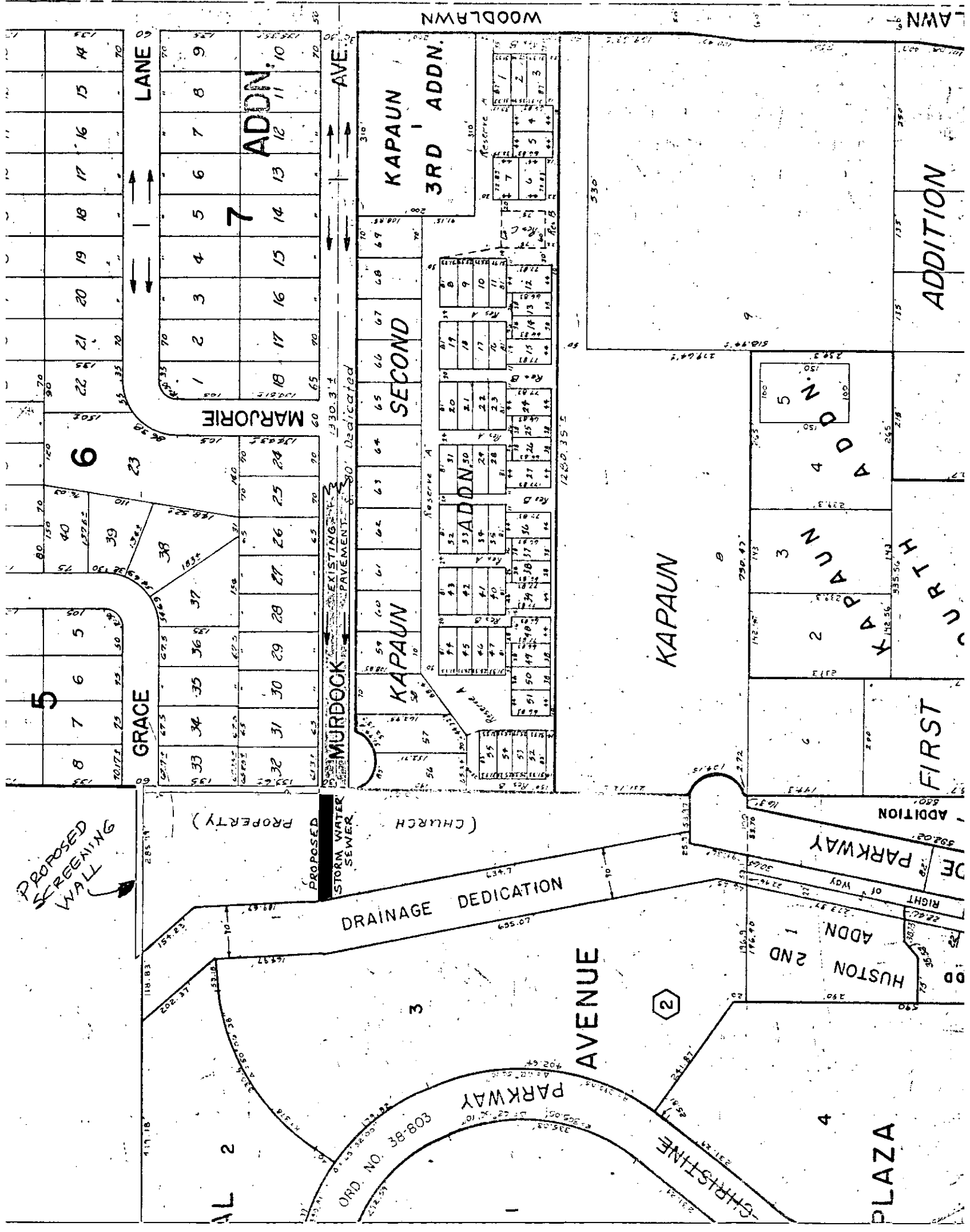
In order to resolve the drainage and screening issues associated with the Church development, we propose the following:

- (1) Initiate the storm sewer project to drain Murdock, west to the ditch.
- (2) Proceed with paving the cul-de-sac and installing the storm sewer.
- (3) The Church constructs the required wall adjacent to the residential development on their east boundary. It should be noted that the Church could proceed immediately with constructing all of the wall except for the portion abutting the Murdock cul-de-sac.

ML:BM/ck

(1659M)

*ML*



PROPOSED SCREENING WALL

PROPOSED STORM WATER SEWER (CHURCH PROPERTY)

DRAINAGE DEDICATION

AL 2

ORD. NO. 38-86

PARKWAY

AVENUE

2

PLAZA

HUSTON 2ND ADDN

DE PARKWAY

ADDITION

FIRST

KAPUN 1ST ADDN

ADDN

ADDITION

WOODLAWN

AWN

LANE

ADDN

AVE

KAPUN 3RD ADDN

SECOND

KAPUN

MURDOCK

KAPUN

ADDN

KAPUN 2ND ADDN

KAPUN 1ST ADDN

GRACE

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