

FROM _____ DATE 11

ADMINISTRATION ADVANCE PLANS CURRENT PLANS GRAPHICS

- | | | | |
|------------------------------------|------------------------------------|--|----------------------------------|
| <input type="checkbox"/> Lakin | <input type="checkbox"/> Stockwell | <input type="checkbox"/> Galbraith | <input type="checkbox"/> Pierce |
| <input type="checkbox"/> Walter | <input type="checkbox"/> Schwartz | <input type="checkbox"/> Lytle | <input type="checkbox"/> Commer |
| <input type="checkbox"/> Doramus | <input type="checkbox"/> Leivo | <input type="checkbox"/> Young | <input type="checkbox"/> Crook |
| <input type="checkbox"/> Eubanks | <input type="checkbox"/> Bechtel | <input checked="" type="checkbox"/> Chambers | <input type="checkbox"/> Garland |
| <input type="checkbox"/> Hanson | <input type="checkbox"/> Curfman | <input type="checkbox"/> Fleck | <input type="checkbox"/> Singhal |
| <input type="checkbox"/> Henderson | <input type="checkbox"/> Dudark | <input type="checkbox"/> Nagley | <input type="checkbox"/> Whitney |
| <input type="checkbox"/> Lakin, E. | <input type="checkbox"/> Flynn | <input type="checkbox"/> Olivarez | <input type="checkbox"/> — |
| <input type="checkbox"/> Nelson | <input type="checkbox"/> Hart | <input type="checkbox"/> Shirkey | |
| <input type="checkbox"/> Scott | <input type="checkbox"/> Losew | <input type="checkbox"/> McDonald | |
| <input type="checkbox"/> — | <input type="checkbox"/> Shen | | |
| | <input type="checkbox"/> Spain | | |
| | <input type="checkbox"/> Vinson | | |
| | <input type="checkbox"/> — | | |

- | | |
|-------------------------------------|-----------------------------------|
| <input type="radio"/> Note & Return | <input type="radio"/> Signature |
| <input type="radio"/> Handle | <input type="radio"/> Library |
| <input type="radio"/> All Staff | <input type="radio"/> Information |
| <input type="radio"/> Comment | <input type="radio"/> Files |

REMARKS See me 1st thing Mon
Out Hall - no action needed

THE CITY OF WICHITA



OFFICE OF THE CITY MANAGER
CITY HALL - THIRTEENTH FLOOR
433 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4331

May 10, 1982

RECEIVED

MAY 11 1982
METROPOLITAN PLANNING
ROUTE Aut
 JP

Health Systems Agency of Southeast Kansas, Inc.
210 North Main
Wichita, KS 67202

Gentlemen:

The City of Wichita has been requested to provide its comments on the application of Miles Lakewood Village Nursing Center, Inc., to increase the number of beds at its facility located at 1319 Seville, Wichita.

Please be advised that the City's authority in this matter extends only to the following:

- 1) An A-95 Review by the Metropolitan Area Planning Department will be required if the proposed expansion is to be funded all or in part by federal funds.
- 2) The property is now zoned "AA" but is a non-conforming use for its nursing center operation. Any expansion to over 50% of current use, either in the number of beds or square footage, would require a zoning change to "B" multi-family or approval by the Board of Zoning Appeals.

If neither of the above conditions exist within the application, the City of Wichita has no objection to the issue of the Certificate of Need being requested by Miles Lakewood Village Nursing Center.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. H. Denton".

E. H. Denton
City Manager

EHD/fpd

cc: Ron Schmidt, Kansas Department of Health & Environment
Gene Miles, Miles Lakewood Village Nursing Center, Inc.
Robert A. Lakin, Director of Planning

Office of the City Manager	
<input type="checkbox"/> EHD	<input type="checkbox"/> SH
<input type="checkbox"/> RSP	<input type="checkbox"/> DF
<input type="checkbox"/> RT	<input type="checkbox"/> MEC
MAY 4 1982	
<input type="checkbox"/> Copies To	_____
<input type="checkbox"/> Send To	_____
<input type="checkbox"/> File	_____

Health Systems Agency of
Southeast Kansas, Inc.
210 North Main
Wichita, Kansas 67202

Re: Certificate of Need Request
Miles Lakewood Village
Nursing Center, Inc.

Gentlemen:

Please be advised that the City Commission of the City of
Wichita, Kansas has no objection to the issuance of a
Certificate of Need to increase the number of beds in
Miles Lakewood Village Nursing Center, Inc. from 72 to 100.

Very truly yours,

Copy to: Mr. Ron Schmidt
Director of Health Planning
Kansas Department of Health and Environment
Building 321, Forbes Building
Topeka, Kansas 66620

Mr. Gene Miles, President
Miles Lakewood Village Nursing Center, Inc.



Health Systems Agency of Southeast Kansas, Inc.

221 N. Main Wichita, Kansas 67202 316 264-2861
355 North Waco, Suite 209

April 21, 1982

Ron Schmidt
Director of Health Planning
Kansas Department of Health
and Environment
Building 321, Forbes Field
Topeka, Kansas 66621

RE: Certificate of Need Request
Miles Lakewood Village Nursing Center, Inc.
1319 Seville
Wichita, Kansas 67209
Registry No. 3-SG-071

Dear Ron:

HSASEK has evaluated the subject application and found it to be incomplete. Information is missing and the criteria cannot be evaluated using the information provided. An explanation of the omissions is attached.

Since this application is incomplete, this application cannot be filed for review this month (Page III-3, Kansas Certificate of Need Program Manual for Applicants).

If you have any questions or require further comments, please let me know.

Sincerely,
Carlene King
Carlene King,
Project Review Director

CK:mgf

Enclosure

cc: Gene Miles, President ✓

REVI.TR-1

EXPLANATION OF OMISSIONS FROM APPLICATION
(3-SC-071)

On page 22 of the application, under C, Applicant states "The owner of Lakewood Village Nursing Home had to obtain permission from the Wichita City Commission ...". Documentation of such permission should be provided.

There is no evidence that local units of government are aware of and support proposed project as requested in Section VIII of the Certificate of Need Program Manual for Applicants under Section III-C.

No alternative financial resources are discussed as requested in Section V-A-2 of the Certificate of Need Manual for Applicants.

Applicant does not address accessibility.

CK:mgf
4/21/82

REV-LTR-J-3

February 11, 1977

Thomas A. Wood
Attorney at Law
W. H. Garvey Building
300 West Douglas, Suite 615
Wichita, Kansas 67202

Re: MILES LAKEWOOD VILLAGE

Dear Mr. Wood:

We were just provided this week what we believe to be a resurvey of the plat of Miles Lakewood Village Addition. As you will recall, the recorded plat is only a two lot plat, whereas the new survey suggest 54 lots, an exception and considerable open areas. I understand a nursing home is under construction on the large area in the northeast corner indicated as an exception and as yet no other development has begun.

We have been advised that the intent is to develop single family homes for individual ownerships on private streets. As we view both the County Zoning Regulations and the Subdivision Regulations we believe such development to be in conflict with these regulations. The property is zoned "R-1" Suburban Residential and the minimum lot area for single family homes is 20,000 square feet assuming each lot is to be served by a public water system. The lot frontage is required to be 100 feet. The lots as indicated meet neither of these requirements.

I have reviewed the conditional use that was approved in 1973, however, that approval authorized the establishment of a nursing home. Nothing in that approval authorized the development of single family homes on private streets and substandard lots. I reviewed this briefly this afternoon with representatives of both the Water and Public Works Departments and no one seems to be aware of the intent to develop single family homes on tracts not adjacent to public streets.

Thomas A. Wood, Attorney
February 11, 1977
Page 2

Since it appears the proposed development to be in conflict with the plat as recorded, and the zoning and subdivision regulations, a meeting might be beneficial to review your client's plans to see if there is complete understanding as to what is proposed, and to determine if there is a way to accomplish what is intended. If you agree that a meeting would be helpful, I believe we should include representatives of the Water Department, City and County Public Works Departments, and any others you believe to be interested. If you agree that a meeting would be beneficial, please call Bob Lakin so that a time can be set that is convenient for you both.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rme

cc: Gene Miles, 10711 West Kellogg, 67209
Kenneth O. Taylor, 1542 S. St. Francis, 67211
Robert A. Lakin, Director of Planning
John Wynkoop, Director of Water Department
Ray Bruggeman, Director of Public Works
Dick Linn, City Engineer
George Wilton, Superintendent, Public Works-Maintenance
G. C. McLure, Jr., Director, County Dept. of Public Works
Syd Werbin, County Building, Planning & Inspection

February 11, 1977

Syd Werbin, County Zoning Administrator

Jack H. Galbraith, Chief Planner

Miles Lakewood Village Project

Attached is a copy of the memo concerning the proposed development of Miles Lakewood Village Project. Please note our concern that as we understand the proposal, it is in conflict with both the plat and the "R-1" zone.

We would, therefore, request that no permit be issued until there is a meeting to review the proposal and agreement is reached that there is no potential violation.

Jack H. Galbraith
Chief Planner

JHG:el
Attachment

cc: Grover C. McLure, Jr., Director of County Department
of Public Works
Vera Stevens, County Building, Planning & Inspection

LAW OFFICES
THOMAS A. WOOD
HARRY L. NAJIM

300 W. DOUGLAS, SUITE 616 - WICHITA, KANSAS 67202
316 263-7228

March 8, 1977



Mr. Jack H. Galbraith
Chief Planner
Wichita-Sedgwick County Metropolitan
Area Planning Department
455 North Main
Wichita, Kansas 67202

Re: Miles Lakewood Village

Dear Mr. Galbraith:

This follows your letter of February 11, 1977, and the conference on February 16, 1977, between Mr. Lakin, Mr. Grey Dressie, Mr. K. O. Taylor, Mr. Gene Miles, and myself.

In July 1973, an application was made for this property for a conditional use permit under R-1 zoning to permit construction of a skilled nursing home and a retirement center.

The conditional use permit was approved subject to platting of the property. A plat was therefore submitted and approved in which the property was platted as a single lot.

In connection with the issuance of the conditional use permit and approval of the plat, a sketch plan was submitted showing the intended development of the property by the construction of a skilled nursing home and construction of a multiple number of residential structures to be served by private roads throughout the area.

Certain conditions were required in connection with the platting including appropriate drainage improvements and provision for municipal sewer and water to serve the area.

To comply with these conditions, levees were constructed upon the property at the developer's cost. At the time of platting,

Mr. Jack H. Galbraith
Page Two
March 8, 1977

Re: Miles Lakewood Village

the developer petitioned for municipal sewer and water and has been required to furnish for the four years, which have since elapsed, a letter of credit at annual expense to him to guarantee payment of the cost of extending a water main to the area.

Based upon the conditional use permit which was granted and upon the plat which was submitted and the sketch plan submitted with the plat, roads and bridges have been constructed throughout the area at the developer's cost. Construction of a skilled nursing home, approved by the State and County, has commenced and is 60% completed.

With the exception of the skilled nursing home, the developer proposes to develop this property under the provisions of the Kansas Townhouse Ownership Act (K.S.A. 58-3701 et seq.) adopted in 1975. This Act authorizes the development of a townhouse complex consisting of units each occupied by a single family with common areas including streets, drives, parking areas, open spaces, etc. owned by the Townhouse Owners Association and contemplates the sale of these units by unit description with reference to the plat of survey filed under the Townhouse Ownership Act rather than by platted lot.

The drawing to which you refer in your letter of February 11 is therefore not a re-survey of the plat of Miles Lakewood Village Addition but a draft of a survey under the Townhouse Ownership Act.

Development under the Townhouse Ownership Act requires the incorporation of a Home Owners Association and the preparation and filing of a plat of survey showing the location of the townhouse units and describing the common areas together with a Declaration of Protective Covenants submitting the property to the Townhouse Ownership Act. The Home Owners Association for Miles Lakewood Village has been formed. The plat of survey and the Townhouse Declarations have been substantially completed and will be filed with the Register of Deeds within the next few days.

It is our position that development under the Townhouse Ownership Act does not require a re-platting of the area because

Mr. Jack H. Galbraith
Page Three
March 8, 1977

Re: Miles Lakewood Village

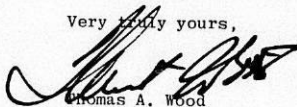
the Townhouse Ownership Act is a specific State statute which overrides any provision in the Subdivision Regulations which may be inconsistent.

We have been advised that the property in question will be annexed by the City of Wichita in the immediate future. You required the developer to consent to annexation before he could obtain the conditional use permit. You cannot now take the position that the conditional use permit will be extinguished by annexation.

I have advised the developer that the Townhouse Ownership Act provides a complete alternative procedure to platting under the Subdivision Regulations and that he has the right to proceed under the Townhouse Ownership Act without regard to the Subdivision Regulations.

The developer has advised me that he is willing to work with you to make this another outstanding development of which the community can be proud.

Very truly yours,



Thomas A. Wood

TAW/jdc

Copies to: ✓ Mr. Robert A. Lakin, Director
of Planning
Mr. H. R. Kuhn, Esquire
Mr. Gene Miles
Mr. K. O. Taylor
Mr. Grey Dressie, Esquire

(✓) Published in The Wichita Beacon on 8-7-74, 1973

RESOLUTION

CASE NO. CU-146

A RESOLUTION PERMITTING ESTABLISHMENT OF AN
INSTITUTIONAL HOME (NURSING HOME) AND HOME FOR
THE AGED

ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, OR THE CITY OF GODDARD, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION _____ AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section _____ and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow establishment of an institutional home (nursing home) and home for the aged. is hereby approved on the lands legally described as follows:

A tract in the SW 1/4 of Section 29, T27S, R1W of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the intersection of the east line of the west 560 feet of said SW 1/4 and the northerly right of way line of U.S. Highway 54 (Case A-38302); thence north parallel to the west line of said SW 1/4, 415 feet; thence east parallel to the south line of said SW 1/4, 855.8 feet to a point of beginning; thence north with an angle to the left of 89°44', a distance of 850.3 feet; thence west with an angle to the left of 90°28'30", a distance of 347 feet; thence north with an angle to the right of 90°00', a distance of 521 feet to the south line of the north 20 acres of the W 1/2 of said SW 1/4; thence east along the south line of the north 40 acres of said SW 1/4, said south line being 661.08 feet south of and parallel to the north line of said SW 1/4, a distance of 1318.75 feet to a point 260 feet west of the east line of said SW 1/4; thence south parallel to the east line of said SW 1/4 and on the west line of Verda Valley, Sedgwick County, Kansas, a distance of 784.33 feet to a point 404 feet north of the northerly right of way line of said U. S. Highway 54 (Case A-38302); thence southwesterly with a deflection angle to the right of 65°57'30", 710 feet; thence south-easterly at right angles 324 feet, more or less, to the north line of the property described in Deed Book 1106 on Page 521 (said property being described as beginning at the intersection of the east line of the west 560 feet of said SW 1/4 and the northerly right of way line of U. S. Highway 54; thence north parallel to the west line of said SW 1/4, 415 feet; thence east parallel to the south line of said SW 1/4, 1415.7 feet, more or less, to the northerly right of way of said Highway; thence southwesterly along said northerly right of way to the place of beginning); thence west 446.9 feet to the point of beginning. ALSO All of Verda Valley, Sedgwick County, Kansas, except the east 40 feet thereof. Generally located on the northwest corner of Seville and Kellogg.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered and shown on the particular sectional zoning map contained in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official County paper.

5th PASSED AND ADOPTED at Sedgwick County, Kansas, this day of September, 1973.

Earl E. Rush Chairman
Earl Rush

Elmer Peters, Commissioner
Elmer Peters

Tom Scott, Commissioner
Tom Scott

ATTEST:

Marie Warden
Marie Warden, County Clerk

(SEAL)

Sharon Dawg. Apsey



*

This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

*