

POSTED  
4-18-68

ACTION

DATE

~~COMMUNITY~~ \_\_\_\_\_

M.A.P.C. ~~Approved~~ 6-13-68

B.C.C. ~~Approved~~ 7-15-69

DP-29 - R. W. Womer, WOMER PLAZA  
SHOPPING CENTER requests LC, south  
side of 37th between K-96 & Meridian.

Map No. 5351  
Sec. 31  
Twp. 27  
Range 1E

DATA SHEET  
COMMUNITY UNIT PLAN

DF- 29  
X 0989  
Filed 4-16-68

APPLICATION REQUEST: Approval of proposed planned Commercial  
development.

1. Applicant R. W. Womer  
Address Box 394, Wichita, Kansas Phone AM 48371
2. Agent Ray Coleman of Womer Investment  
Address 434 Ohio Phone \_\_\_\_\_
3. General Location South side of 37th St. between K-96 and Meridian Ave.  
Address \_\_\_\_\_
4. Proposed Use Shopping Center

AREA DATA

1. Acres 7.9 ( 560 ft. by 710 ft.)
2. Existing Zoning AA Proposed Zoning LC
3. Area (is/ is not) platted. \_\_\_\_\_ Addition \_\_\_\_\_
4. Existing R/W 1/2 ST. 40' ft. FULL ST. 100' ft. 1/2 ST. 40' ft.  
MERIDIAN St. K-96 St. 37<sup>TH</sup> ST. N. St.  
Proposed R/W 1/2 ST. 40' ft. FULL ST. 100' ft. 1/2 ST. 50' ft.  
MERIDIAN St. K-96 St. 37<sup>TH</sup> ST. N. St.

HISTORY

BEING PLATTED AS WOMER'S PLEASANT VALLEY ADDITION  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROCEDURE DATA

1. MAPC Meeting:  
Date 6-13-68 Action \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Governing Body  
Date 7-15-69 Action Approve as Recommended  
\_\_\_\_\_  
\_\_\_\_\_

NOTES:

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY BUILDING ANNEX, 104 South Main  
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

MAY 29 1968

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at its meeting at 1:45 p.m. on JUN 13 1968, at which time you may appear either in person or by agent or attorney, if you so desire.

DP-29 - The North 710 feet of that part of the northwest quarter of Section 31, Township 26 South, Range 1 East, lying West of K-96 Highway as condemned in Case No. A-63299, Sedgwick County, Kansas. Generally located on the south side of 37th Street, between K-96 and Meridian Avenue.

This Development Plan has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Code of the City of Wichita. The Development Plan is on file in the Office of the Planning Director, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The Development Plan on file proposes a 7.9 acre commercial development. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, C. Bickley Foster, 104 South Main, 7 days prior to the meeting. The Chairman and Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

T9-215

C. Bickley Foster, Secretary

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" One-Family Dwelling District  
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" Two-Family Dwelling District  
Permits two-family dwellings and uses permitted in "AA".
- "RB" Four-Family Dwelling District  
Permits Three and four-family dwellings, and uses permitted in "AA" and "A".
- "B" Multiple-Family Dwelling District  
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" Office District  
Permits apothecaries, clinics, hospitals; medical, business and professional offices; motels under certa in conditions; and all residential uses.
- "LC" Light Commercial District  
Permits all purely retail business conducted within enclosed building; service stations; all residential and office uses.
- "C" Commercial District  
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" Central Business District  
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" Light Industrial District  
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" Heavy Industrial District  
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District  
Permits mobile home parks and associated uses.

7-17-69

Bob Feldner, Supt. Central Inspection Division  
Jack H. Galbraith, Senior Planner

DP-29 - WOMER PLAZA SHOPPING CENTER Community Unit Plan

The Board of City Commissioners, at its regular meeting of July 15, 1969, considered the above captioned Community Unit Plan. The action of the City Commission was to approve the development plan, subject to the following conditions:

1. The development of this property proceeding in accordance with the development as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
2. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.
3. The applicant adding the following condition to #8 under General Provisions: "The entrance and exit ways on K-96 shall be constructed in accordance with drawing No. C67-190 (Typical Major Approach) on file in the office of the City Traffic Engineer of Wichita, Kansas.
4. The applicant indicating the medial as being 6 feet by 80 feet as related to the entrance and exit ways on K-96.
5. The applicant adding the following as condition #11 under General Provisions:

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.

Page 2

To: Bob Feldne  
From: Jack H. Galbraith  
Date: 7-17-69

As to conditions number 3 and 4, the attached copy of the Community Unit Plan already reflects these conditions.

It is now necessary that the associated plat (Womer's Pleasant Valley Addition) be recorded with the Register of Deeds prior to the publication of zone change Z-0989 and prior to the issuance of any building permits related with this CUP. If there are any questions concerning this matter, please contact our office.

JHG:vjp

Attachment

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERSREQUEST FOR ZONING

CASE NO. Z-0989 &amp; DP-29

CONSIDERED BY MAPC: 6-13-68

REQUEST FOR: Change from "AA" to "IC" and Approval of Commercial  
Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"A. The requested area is a logical and proper extension of an existing commercially zoned area.

B. The entire commercially zoned tract is to be developed as a planned shopping center under the CUP provisions of the ordinance."

GENERAL LOCATION: South side of 37th Street between K-96 and Meridian

## LEGAL DESCRIPTION:

Z-0989 - That part of the N 710 feet of the NW $\frac{1}{4}$  of Section 31, Township 26 South, Range 1 East of the 6th P.M., lying W of K-96 Highway as condemned in Case No. A-63299 in the District Court of Sedgwick County, Kansas, except therefrom the N 600 feet of the W 600 feet of said NW $\frac{1}{4}$ .  
DP-29 - The N 710 feet of that part of the NW $\frac{1}{4}$  of Section 31, Township 26 South, Range 1 East, lying W of K-96 Highway, as condemned in Case No. A-63299, Sedgwick County, Kansas

APPLICANT: R. W. Womer, Box 394, Wichita, Kansas 67201

COUNSEL FOR APPLICANT: Ray Coleman, Agent

PROTESTORS (LIST COUNSEL) IF ANY: None

SURROUNDING ZONING: To the north is "IC"; east and west is "AA" and "IC";  
south is "AA"LAND USE: Subject property and that to the north and south is vacant;  
east is Highway K-96 and school grounds; west is single-family

## PLANNING COMMISSION RECOMMENDATION:

GOEBEL moved and BLEDSOE seconded that the Planning Commission recommend to the City Commission that Case No. Z-0989 be approved, subject to platting and approval of a Development Plan, and that the zoning, plat, and development plan be forwarded to the City Commission at the same time, with the publication of the zoning being withheld until the plat has been filed with the Register of Deeds.

GOEBEL moved and BLEDSOE seconded that the Planning Commission approve DP-29 with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-maintained shopping centers, subject to the following conditions: (See attached excerpt of Planning Commission minutes for conditions.)

VOTE OF PLANNING COMMISSION: Unanimous

ACTION: 1. Approve the recommendations of the Metropolitan Area Planning Commission, place the ordinance effectuating the change on first reading and instruct the City Clerk to withhold publication until such time as the plat has been recorded; or

2. Return the applications to the Metropolitan Area Planning Commission for its reconsideration. The City Commission states the following reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 13, 1969:

- "16a. Case No. Z-0989 - R. W. Womer requests change from "AA" to "IC" for that part of the north 710 feet of the northwest quarter of Section 31, Township 26 South, Range 1 East, lying west of K-96 Highway as condemned in Case No. A-63299 in the District Court of Sedgwick County, Kansas, except therefrom the north 600 feet of the west 600 feet of said northwest quarter. Generally located on the south side of 37th Street between Highway K-96 and Meridian Avenue.
- 16b. Case No. DP-29 - R. W. Womer requests approval of Commercial Community Unit Plan for the North 710 feet of that part of the northwest quarter of Section 31, Township 26 South, Range 1 East, lying west of K-96 Highway as condemned in Case No. A-63299. Generally located on the south side of 37th Street between K-96 and Meridian Avenue.

GALBRAITH pointed out the area on the map and reviewed the following staff report:

Comments

1. The applicant presently has approximately 5.6 acres of "IC" zoning and is requesting additional "IC" in order to have an adequate site to build a small shopping center. The "IC" that exists was established by the Board of County Commissioners in 1958 as a part of the original County Zoning Resolution.
2. It is the opinion of the Planning Department that inasmuch as there is existing "IC" at this location and since this is an extension of that "IC" under the same ownership, the request is logical and proper in that the granting of the additional "IC" zoning would make a total of 7.9 acres under one ownership and control, which requires a development plan under the CUP provisions of the ordinance. The Development Plan will give greater assurance to the surrounding property owners that adequate setbacks will be provided as well as proper screening.
3. As a requirement under the CUP provisions of the zoning ordinance, a preliminary development plan has been submitted for review. The development plan indicates the required information pertaining to grass area, maximum building heights, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls, and is in general agreement with the comments made by the staff in the original review with the applicant.

Recommendation

It is the recommendation of the Planning Department that the zone change from "AA" to "IC" be approved, subject to platting, and approval of a Development Plan, and that the zoning, plat and development plan be forwarded to the Board of City Commissioners at the same time with the publication of the zoning being withheld until such time as the plat has been filed of record with the Register of Deeds.

It is further recommended that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-maintained shopping centers, subject to the following conditions:

1. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
2. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.
3. The applicant adding the following to condition #8 under General Provisions: "The entrance and exit ways on K-96 shall be constructed in accordance with drawing No. C67-190 (Typical Major Approach) on file in the office of the City Traffic Engineer of Wichita, Kansas.
4. The applicant indicating the medial as being 6 feet by 80 feet as related to the entrance and exit ways on K-96.
5. The applicant adding the following as condition #11 under General Provisions:

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.

No one spoke in support of or in opposition to this application.

MOTION: GOEBEL moved, BLEDSOE seconded and it carried unanimously that the Planning Commission recommend to the Board of City Commissioners that Case Z-0989 be approved for a change from "AA" to "LC", subject to platting, and approval of a Development Plan, and that the zoning, plat and development plan be forwarded to the Board of City Commissioners at the same time, with the publication of the zoning being withheld until such time as the plat has been filed of record with the Register of Deeds.

MOTION: GOEBEL moved, BLEDSOE seconded and it carried unanimously that the Planning Commission approve the Development Plan (DP-29) with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-maintained shopping centers, subject to the following conditions:

1. The development of this property proceeding in accordance with the development as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
2. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.

3. The applicant adding the following to condition #8 under General Provisions: "The entrance and exit ways on K-96 shall be constructed in accordance with drawing No. C67-190 (Typical Major Approach) on file in the office of the City Traffic Engineer of Wichita, Kansas.
4. The applicant indicating the medial as being 6 feet by 80 feet as related to the entrance and exit ways on K-96.
5. The applicant adding the following as condition #11 under General Provisions:

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."

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WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

AMHERST 2-8211 — AREA CODE 316  
CITY BUILDING ANNEX  
104 S. MAIN ST.  
WICHITA, KANSAS 67202

*File Copy*

June 14, 1968

Mr. Ray Coleman  
Womer Investment Company  
434 Ohio  
Wichita, Kansas 67214

Subject: Z-0989 - Zone change from "AA"  
to "LC" and DP-29 - south side of 37th St.  
between K-96 and Meridian

Dear Mr. Coleman:

At its regular meeting on June 13, 1968, the Metropolitan Area Planning Commission considered the above-captioned zone change request and development plan. The action of the Planning Commission was to recommend that the zone change from "AA" to "LC" be approved, subject to platting and approval of a Development Plan; and approved the Community Unit Plan subject to the following conditions:

1. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

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

*OK* 3. The applicant adding the following to condition #3 under General Provisions: "The entrance and exit ways on K-96 shall be constructed in accordance with drawing No. C67-190 (Typical Major Approach) on file in the office of the City Traffic Engineer of Wichita, Kansas.

Mr. Ray Coleman  
June 14, 1968  
Page 2

*OK* The applicant indicating the medial as being 6 feet by 80 feet as related to the entrance and exit ways on K-96.

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*Corrected  
copies submitted  
and OK*

It is now necessary that eight copies of the corrected C.U.P. indicating corrections in accordance with the above conditions 1, 4 and 5 be submitted to our office prior to the forwarding of these cases to the Board of City Commissioners. The zone case, plat and C.U.P. will be forwarded to the Board of City Commissioners at such time as all conditions of approval have been complied with.

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

Sincerely,

Jack H. Galbraith  
Senior Planner

*Send C.U.P.  
and zoning to rec  
with plat*

JHG:js

cc: R. W. Womer  
Box 394  
Wichita, Kansas 67201

**WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT**

DATE: June 13, 1968

Case No. Z-0989	Request: "AA" to "LC" Approval of a Development Plan under the CUP provisions of the Zoning Ordinance
Case No. DP-29	

Location: South side of 37th Street between Meridian and Highway K-96

Acres: 7.9	Size: 560 ft. by 710 ft.
------------	--------------------------

	<u>Land Use</u>	<u>Zoning</u>
Existing	Vacant	"AA"
North	Vacant	"LC"
East	Highway K-96 & School grounds	"AA" & "LC"
South	Vacant	"AA"
West	Single-family	"AA" & "LC"

Existing R/W - Meridian (half) - 40 ft.	History: Being platted as part of S/D 66-104 - Womers Pleasant Valley Addition
Proposed R/W - Meridian (half) - 40 ft.	
Existing R/W - 37th Street (half) 40 ft.	
Proposed R/W - 37th Street (half) 50 ft.	
Existing R/W - K-96 (full) - 100 ft.	
Proposed R/W - K-96 (full) - 100 ft.	

**Comments**

1. The applicant presently has approximately 5.6 acres of "LC" zoning and is requesting additional "LC" in order to have an adequate site to build a small shopping center. The "LC" that exists was established by the Board of County Commissioners in 1958 as a part of the original County Zoning Resolution.
2. It is the opinion of the Planning Department that inasmuch as there is existing "LC" at this location and since this is an extension of that "LC" under the same ownership, the request is logical and proper in that the granting of the additional "LC" zoning would make a total of 7.9 acres under one ownership and control, which requires a development plan under the CUP provisions of the ordinance. The Development Plan will give greater assurance to the surrounding property owners that adequate setbacks will be provided as well as proper screening.
3. As a requirement under the CUP provisions of the zoning ordinance, a preliminary development plan has been submitted for review. The development plan indicates the required information

pertaining to grass area, maximum building heights, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls, and is in general agreement with the comments made by the staff in the original review with the applicant.

Recommendation

It is the recommendation of the Planning Department that the zone change from "AA" to "IC" be approved, subject to platting, and approval of a Development Plan, and that the zoning, plat and development plan be forwarded to the Board of City Commissioners at the same time with the publication of the zoning being withheld until such time as the plat has been filed of record with the Register of Deeds.

It is further recommended that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-maintained shopping centers, subject to the following conditions:

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Page 3 - Cases Z-0989 and DP-29  
June 13, 1968

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DP-29 - 25 NOTICES TO ADJOINING PROPERTY OWNERS MAILED 5-29-68 for MAPC 6-13-68.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY BUILDING ANNEX, 104 South Main  
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

MAY 29 1968

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The Development Plan on file proposes a 7.9 acre commercial development. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

**NOTE:** It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, C. Bickley Foster, 104 South Main, 7 days prior to the meeting. The Chairman and Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

T9-215

C. Bickley Foster, Secretary

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Permits all commercial uses and residential and office uses and some fabrication uses.
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Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District  
Permits mobile home parks and associated uses.

( ) (Published in The Wichita Beacon on \_\_\_\_\_, 1968)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, June 13, 1968, at 1:45 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider an application for a COMMUNITY UNIT PLAN - PLANNED COMMERCIAL DEVELOPMENT for WOMER PLAZA SHOPPING CENTER, for property legally described as follows:

DP-29 - The North 710 feet of that part of the northwest quarter of Section 31, Township 26 South, Range 1 East, lying West of K-96 Highway as condemned in Case No. A-63299, Sedgwick County, Kansas. Generally located on the south side of 37th Street, between K-96 and Meridian Avenue.

This Development Plan has been submitted as required under the Community Unit Plan Provisions of Section 28.04.190 of the Code of the City of Wichita. The Development Plan is on file in the Office of the Planning Director, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The Development Plan on file proposes a 7.9 acre commercial development. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

This hearing is to be held as provided in Section 28.04.190 of the Code of the City of Wichita and the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND AND SEAL this 17th day of May, 1968.

C. Bickley Foster, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

(SEAL)

(1-T)

May 3, 1968

Mr. Ray Coleman  
Womer Investment  
434 Ohio  
Wichita, Kansas 67214

Subject: DP-29 - WOMER PLAZA SHOPPING CENTER on the south side  
of 37th Street between K-96 and Meridian Avenue

Dear Mr. Coleman:

We have reviewed the Preliminary Development Plan which you submitted on behalf of the applicant, R. W. Womer, in conformance with the Community Unit Plan provisions of the City Zoning Ordinance for the property zoned "AA" and "LC" on the south side of 37th Street between K-96 and Meridian. For the most part, the purpose and intent of the Community Unit Plan Regulations is to encourage well-planned and well-organized development of commercial areas. The character of commercial developments are to be appropriate with the surrounding neighborhood and adequate safeguards are to be provided so that adjacent residential properties will be protected. Following are the comments expressed by the Planning Staff in their review of the Preliminary Development Plan and the recommended changes which should be made on the face of the Plan.

Under General Provisions, Number 3 should be corrected as follows:

"3. Maximum building coverage shall not exceed 30 percent of the net land area or 103,257 square feet."

Curb cuts shall be corrected as indicated on the enclosed Plan. The entrance and exit ways on K-96 shall be constructed in accordance with "drawing No. C67-190 (Typical Major Approach)" on file in the Office of the City Traffic Engineer. A maximum of two curb cuts to Meridian Avenue shall be permitted, the location of which shall be determined as development occurs.

Advertising signs shall be permitted adjacent to K-96 and 37th Street, but shall not be placed so as to project over public right-of-way, and shall not exceed 30 feet in height. No billboards shall be permitted.

On April 18, 1968, the Subdivision Committee of the Metropolitan Area Planning Commission approved the Preliminary Plat of Womers Pleasant Valley

Mr. Ray Coleman  
May 3, 1968  
Page 2

Addition. One of the conditions of approval was indicating complete access control on 37th Street a distance of 150 feet from the westerly right-of-way line of K-96. It will, therefore, be necessary that the opening to 37th Street be moved west 30 feet and the necessary changes made in the dimensions.

In keeping with the provision of curb cuts to K-96, the point of egress shall be 22 feet and the point of ingress 16 feet, with a 6-foot medial separating the two points. Dimensions shall also be indicated showing the distance of these points from lot corners.

A planting strip of not less than 10 feet in width of low shrubbery shall be provided on the west side of the development and on the east side south of the curb cuts except that, if the service area, storage area, or rear of the commercial development faces directly into said areas, a 5 to 8-foot wall of the same type construction set forth in 10.A, as indicated on the face of the Plan, shall be provided. This shall not apply to the area of future curb cuts on Meridian.

It should be pointed out that the staff is recommending the planting strip and/or wall along the west property line inasmuch as the small area zoned "LC" is developed with residences which, in all probability, will remain for several years.

Enclosed for your information and files is the marked copy of the Preliminary Development Plan with the staff's recommended changes. After you have reviewed this marked copy, you should forward it to your engineer for correcting. It will be necessary that you submit twelve copies of the corrected Plan to our office no later than 5:00 p.m., Wednesday, May 15, 1968, so that copies of the Plan may be forwarded to the Planning Commission for its review prior to the Planning Commission meeting on June 13, 1968.

Please contact our office if you have any questions concerning this matter.

Sincerely,

John D. Gist  
Planner III

JDG:GLS;bgs

Enclosure

cc: Mr. R. W. Womer  
Womer Investment  
P. O. Box 394  
Wichita, Kansas 67201

Mr. Bill Korber  
Baughman Company  
2522 East Kellogg  
Wichita, Kansas 67211

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

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents.

- a. Applicant R. W. Womer ✓  
Address Box 394, Wichita, Kansas ✓ Phone AM 48371  
Agent Womer Inv.      Att: Ray Coleman  
Address \_\_\_\_\_ Phone \_\_\_\_\_
- b. Applicant \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Agent \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
- c. Applicant \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Agent \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_

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

II.A The applicant hereby requests Community Unit Plan approval on property zoned \_\_\_\_\_ and legally described as Lot(s) \_\_\_\_\_  
Lot 12, Block(s) Block 1,  
Womers Pleasant Valley (to be platted) Addition.

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

The north 710 feet of that part of the NW $\frac{1}{4}$  of Sec. 31,  
Twp. 26-S, R-1-E, lying west of K-96 Highway (Case 4-63299)

II.B There are 7.9 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) N/A.

The general location is (use appropriate section)

- a. at the \_\_\_\_\_ corner of \_\_\_\_\_  
and \_\_\_\_\_; or
- b. on the south side of 37th (~~Street~~  
Street) between Highway K-96 (~~Street~~) and  
Meridian (Ave., ~~Street~~).

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

R.W. Homer W. Homer Dev. Co.  
By \_\_\_\_\_ By Ray Coleman  
Authorized Agent (if any) Authorized Agent (if any)

By \_\_\_\_\_ By \_\_\_\_\_  
Authorized Agent (if any) Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at  
April 8, 1968 (~~AM~~, PM) on 1:45 Pm (Day, Month,  
Year). It has been checked and found to be complete and accom-  
panied by required documents and the appropriate fee of  
\$ \_\_\_\_\_.

Robert West Name  
Planner II Title  
Ja

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
1	2	Womer's Sherwood Glen 2nd Addition	DA Womer Development Co., Inc. 434 Ohio
2	"	"	"
3	"	"	"
4	"	"	"
2	A	Meridian Gardens 2nd Addition	Robert O. Brown and Bonnie M. Brown Address unknown <i>4408 E. 15th St. 6/20/04</i> <i>3036 W. 24th St. 6/20/04</i>
3	"	"	L. R. Westbrook and Betty J. Westbrook 3703 N. Edwards <i>6/20/04</i>
4	"	"	George H. Booker and Ruby Booker 2625 W. 36th St. North <i>6/20/04</i>
5	"	"	Robert O. Brown and Bonnie Brown Address unknown
6	"	"	Administrator of Veterans Affairs 5500 E. Kellogg <i>6/21/04</i>
7	"	"	Ivan V. Millikan and Evelyn M. Millikan, Address unknown <i>3612 E. Third 6/20/04</i>
8	"	"	F. P. Carrell and Ermine E. Carrell 3653 N. Meridian <i>6/20/04</i>
1	B	"	Maxine M. Bland 2932 S. Glenn <i>6/21/04</i>
2	"	"	James C. Fair and Katie M. Fair Address unknown <i>221 St. Broadmoor 6/20/04</i> <i>returned 6-6-68</i>
3	"	"	Ray John Gardner, Jr and Shirley Anne Gardner, 3730 N. Meridian <i>6/20/04</i>
5	"	"	B. F. Wheeler and Virginia N. Wheeler 2636 W. 36th St. North <i>6/20/04</i>
6	"	"	"
7	"	"	"
8	"	"	Dale L. Buchanan and Neita J Buchanan, Address unknown <i>210 W. 15th St. No. 6/20/04</i>
9	"	"	Robert H. Burleson and Norma L. Burleson, 3715 N. Meridian <i>6/20/04</i>
10	"	"	Harold L. Whitney and Denise C. Whitney, 1508 W. 18th St. <i>6/20/03</i>
11	"	"	Ramon P. Coleman and Maxine Coleman 1912 W. 24th St. <i>6/20/04</i>

Continued page 2

Lot	Block	Addition	Property Owner
12	B	Meridian Gardens 2nd Addition	X Ruby J. McCart Address unknown
13	"	"	X Robert H. Swigert and Lois Swigert Address unknown
14	"	"	Everett Price and Sue Price 3749 N. Meridian 67204
1		A. R. Chase Addition	George H. Booker and Ruby Booker 2625 W. 36th St. North 67204
2		"	Leonard R. Westbrook and Betty Westbrook, 3703 N. Edwards 67204
3		"	"
4		"	X James O. Stroh and Lillian K Stroh Address unknown
5		"	Billy J. Albright and Sylvia M. Albright, 3621 N. Meridian 67204
6		"	Ernest L. Wesley and Edith P. Wesley 3635 N. Meridian 67204
		Blk 1 Smith Valley Add.	Carl W. Smith and Marie E. Smith Address unknown returned 5-31-68 <del>10237 order</del> <del>10203</del>

That part of the W. 1120' of the SW $\frac{1}{4}$  of R. W. Womer  
Sec. 30-26-1E., lying S. of the right of  
of way of Interstate Highway 235, except  
that part platted as Womer's Sherwood  
Glen and Womer's Sherwood Glen 2nd  
434 Ohio

The S 386' 5" of the N. 1546' 5" of Womer Development Company, Inc.  
Gov. Lots 1 and 2, in the NW $\frac{1}{4}$  of Sec. 434 Ohio  
31-26-1E, Lying W. of Highway K-96,  
except beginning 1311' S. of the NW  
corner of Lot 1, thence E. 220',  
thence S. 235.5', thence W. 220',  
thence N. to beginning

That part of the N. 1160' of Gov. Jayhawk Land Company, Inc.  
lot 1, in the NW $\frac{1}{4}$  of Sec. 31-26-1E, Address unknown and  
lying W. of W. right of way of Womer Development Company, Inc.  
Highway K-96 434 Ohio

Beginning at the NW corner of the W $\frac{1}{2}$  of Ruben Ornelas and Dorothy D.  
NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 31-26-1E, thence S Ornelas, 2125 W. 37th Court North  
along the W. line of the W $\frac{1}{2}$  of the NE $\frac{1}{4}$  67204  
of said NW $\frac{1}{4}$ , 1335.9', to the SW corner of  
the NE $\frac{1}{4}$  of said NW $\frac{1}{4}$ , thence E. 212',  
thence N. 968.9', thence E. 209.9',  
thence N 367' to the N. line of Sec. 31,  
thence W. 421.9' to the place of beginning  
except the right of way of K-96 Highway

Continued page 3

Description

Property Owner

Beginning at the intersection of the N. line of lot 1, in the NW $\frac{1}{4}$  of Sec. 31-26-1E, And the E right of way line of K-96 Highway, thence E. 114.08', thence S. at right angles 216.9' to the E. right of way line of Highway K-96, thence Northerly along said right of way to beginning

Jayhawk Land Company, Inc.  
Address unknown

Beginning at the intersection of the Easterly right of way line of K-96 Highway with the E. line of Lot 1, in the NW $\frac{1}{4}$  of Sec. 31-26-1E, thence N. 150', thence W. at right angles 118.82' to the right of way of said Highway, thence Southeasterly along said highway to the place of beginning

Jayhawk Land Company, Inc.  
Address unknown

That part of Gov. lot 1, in the NW $\frac{1}{4}$  of Sec. 31-26-1E, lying E. of the Easterly right of way line of Highway K-96, except the last 2 above described tracts

Common School District No. 128  
Address unknown

Beginning at the NE corner of Sec. 36-26-1W, thence W. 565.7', thence S. 77', thence E. 565.7', thence N. to beginning

Francis Richard Breth and  
Patricia Ann Breth  
3759 N. Meridian 67204

That part of Gov. lot 4, in the SE $\frac{1}{4}$  of Sec. 25-26-1W, lying South and East of the right of way line of Interstate Highway 235 and except the S. 300' thereof

Claude Moore and Alice F. Moore  
3833 N. Meridian 67204

We, The Security Abstract and Title Company, Inc., hereby certify the foregoing to be a true and correct list of property owners within a 500 foot radius of the following property to-wit:

*use for legal* { The North 710 feet of that part of the NW $\frac{1}{4}$  of Section 31, Township 26 South, Range 1 East, lying West of K-96 Highway as condemned in case No. A-63299, Sedgwick County, Kansas.

as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 10th day of April, 1968 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

*Lunetta Schroeder*

Vice-President

Order No. 152782

\*

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

Roll # 1

\*