

ACTION

COMMITTEE	DATE
M.A.P.C.	Approved subj to conditions <u>9-14-72</u>
B.C.C. / B.C.C.	Deferred <u>10-3-72</u>
B.C.C.	<u>Return to MAPC</u> <u>for reevaluation</u> <u>10.31.72</u>
MAPC	<u>Approved subj to</u> <u>conditions</u> <u>1-18-73</u>
B.C.C.	<u>Approved subj to conditions</u> <u>2-20-73</u> <u>by the neighborhood</u>

DP-45 - Carl Chazy requests Commercial and office CUP - NW Cor Central and Woodlawn

POSTED
8-9-72
CH

ACTION

COMMITTEE	DATE
M.A.P.C.	Approved subj to conditions 9-14-72
B.C.C. / B.C.C.	Deferred 10-3-72
BCC	Return to MAPC for reconsideration 10-31-72
MAPC	Approved subj to conditions 1-18-73
BCC	Approved as recommended by the neighborhood 2-20-73

12-15-73 Carl Gruby requests Commercial and office CUP - NW Cor Central and Woodlawn

Map No. 5848
Sec. 13
Twp. 27
Range 1E

DATA SHEET
COMMUNITY UNIT PLAN

DF- #45
Z- _____
Filed 7-14-72

APPLICATION REQUEST: Approval of proposed planned "LC" and "BB" development.

1. Applicant Carl Chuzy
Address 6572 E. Central 67208 Phone 686-7274
2. Agent Robert W. Kaplan
Address 430 N. Market 67202 Phone 262-5175
3. General Location NW Corner of Central and Woodlawn
Address _____
4. Proposed Use CUP - Shopping center development and office park

AREA DATA

1. Acres 40.62 38.79 (1300 ft. by 1300 ft.)
2. Existing Zoning _____ Proposed Zoning "LC" and "BB"
3. Area ~~xxx~~ (is not) platted. _____ Addition _____
4. Existing R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.
Proposed R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:
Date Action
9-14-72 Approved subj to conditions
1-18-73 Approved subject to conditions
2. Governing Body BCC
Date Action
10-3-72 Deferred
10-21-72 Retained to MAPC for reconsideration
2-20-73 Approved as recommended by other City members

NOTES:

Verify Howard Peterson next meeting - 10/31/72
1115 E. Harry
Wichita, Kans 67211 JWS

CLARK SUTTON ASSOCIATES, INCORPORATED
1712 FRICK BUILDING 437 GRANT STREET
PITTSBURGH, PA. 15219
AREA CODE (412) 281-3450
*Financial Institution at
NW corner of Woodlawn
and Central*
NOEL A. BAJAT
Projects Manager

~~Bob's~~

Mark

I have clipped the only two references in the file to provision of both a wall and plantings. I believe that these 2 references, plus the wording of GP#11, and the fact that both plantings and a wall are depicted on the approved landscape plan make it clear that both must be provided.

As to why they were both required, the files reflect that the original CUP submitted on July 13, 1972 contained reference to both a wall and 10' planting strip on the western edge of the site where it abuts residential zoning. After several revisions the plan approved by the BCC reflected the R-5 zoning and a change in GP#11 to reflect that screening and landscaping be required on the north line of parcel 3. In my opinion, the provision of both a fence & landscaping is a direct result of the applicant's own proposal. Provision of both was never actually discussed at the hearings or in original ^{correspondence}.

Please advise if you desire further information "no."

Mike M.

If this comes in before I leave, I'll deal with it. If after I depart until I return, I'll consider admin adjustment, but based on detail of wall's bulkhead & a specific planting plan, an underground water & assessment of ^{any} problems to planting area. If they

don't bring that in, tell them they should or I will not be in a position to favorably respond.

152

$$= 142' \times 288' = 40,896 \text{ sq ft}$$

64 platted lots

$$\begin{array}{r} \text{Parcel 2 is } 12 \text{ acres} \\ 148 \text{ DU permitted} - \text{Over} \\ - 64 \\ \hline 84 \end{array}$$

Approximately 60 DU could be developed on lot 8 at 12.4 per acre.

This is conflicting with the 84 units suggested above which should be the balance of the units permitted on lot 8 which is minus the 64 platted lots on the north ^{portion} ~~side~~ of Parcel 2.

If an acre of lot 8 is used for parking then the number of DU remaining to be developed on the balance of lot 8 is (72)

Problems -

50' access, fire lane and drainage easement on the north side of lot 9 is already encroached upon by parking for the "BB" use, should not have been permitted in the "R5" District and there now appears to be a 10' water easement in the 50' easement that has a water line + fire hydrant.

Sanitary sewers, a 24" storm sewer and a 40' gas service easement ~~is~~ are all new and not provided for by easements on the plat.

Problem

2 overvalys now are replated on lot 9. No additional building permits should be issued until a lot split or replat is approved.

Problem

If parking for an office use is permitted to extend 142' into the R5 area, it is assumed that wall will be required to be walled right to parking lot.

Parking -

88 spaces required

68 spaces are replated, or area being required

104 spaces

52 spaces on replated area are required
spaces.

April 16, 80 Parcel has had 4 requests for
Administration adjustments by Tom E. Pott

Oct 19, 79 Approved amended landscape plan Fot 4
(portion of Parcel 5)

Feb 12, 1979 Adjustment for driveway on Fot 6

Dec 7, 1978 Approved amendments to Landscape Plan for
Fot (portion of Parcel 5)

Nov 28, 78 BCC waived screening requirements until
residential portion of plan is developed.

August 4, 78 Fot Split for portion of Fot 6 - Request
Ball Court.

July 26, 78 Favorable interpretation on racquetball ^{court}
being an acceptable use under "Shoppin' Area"

Nov 5, 73 Adjustment in setback Fots 8, 15, 20, 31, 33,
43, 44, 55 for Uosburg.

- Rewrite the letter requesting an adjustment for parking that encroaches into the drainage easement, approved by flood control, Engineering, ^{trans.} involvement into drainage easement.
- lot Split
- Provide information as to amount of floor area in existing buildings, as well as proposed building. What amount is left
- What are your plans to sell off tract?
- Screening of parking from Res area to the north and west.

$$\begin{array}{r} 154.76 \text{ Div} \\ \underline{64} \\ 90 \end{array}$$

$$142 \times 258 .84 \quad 10.42$$

80 Units remaining on balance of Parcel 2
- parking area.

July 14, 1980

Keith Parker
Carl Chuzzy
Bob Kappelman
of Carlson
Jack Galbraith
Robert Fellner
St. Chambers

Re: DP-45 CKM CUP

Bldg to be owned by Chuzzy
21,000[#] 15-16,000 for Travelers Inc

24000[#] large bldg
6000[#] small bldg

Why is parking to the west?
better design for Travelers - oriented to west

Drainage & fire lane easement

New letter - explaining why parking is to the west,
letter from homeowners association, revised density
figures for balance of Parcel 2, also ask for
adjustment on fire lane easement

September 18, 1980

Robert W. Kaplan
430 North Market
Wichita, Kansas 67202

Re: Administrative Adjustment on
DP-45 - C.K.M. Commercial C.U.P.

Dear Mr. Kaplan:

I have enclosed your copy of the memo giving final approval to the requested administrative adjustments to permit parking in Parcel 2 and in the fire lane and access easement. Also attached is a letter to Carl Chuzy from Charles W. Black.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:e1

Attachments

ASHBRIER ESTATES HOMEOWNERS ASSOCIATION, INC.

641 NORTH WOODLAWN #22

WICHITA, KANSAS 67208

September 10, 1980

Mr. Robert A. Lakin
Director of Planning
Planning Department
Metropolitan Area Planning Commission
455 North Main
Wichita, Kansas 67202

Dear Mr. Lakin:

Reference is made to your letter of July 21, 1980,
to Robert W. Kaplan Re: Request for Administrative Adjustment
for a portion of Parcel 2, DP-45-CKM Community Unit Plan and
particularly to paragraph 4 on Page Two thereof.

We approve the location of parking in the area
142'x288' immediately west of the northwest corner of lot 9
in said Community Unit Plan.

Yours very truly,

ASHBRIER ESTATES HOMEOWNERS ASSOCIATION, INC.

By *Charles W Black*
Charles W. Black, President

cc: Mr. Robert B. Feldner, Superintendent
of Central Inspection
Mr. Robert W. Kaplan
Mr. Carl Chuzy

September 18, 1980

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

Request for Administrative Adjustment for a Portion of
Parcel 2, DP-45 - C.K.M. Community Unit Plan.

In our response to a request by Robert Kaplan for an administrative adjustment to permit parking in Parcel 2 of the above captioned C.U.P., we granted tentative approval in our letter of July 21, 1980, subject to nine conditions. Final approval was to be granted upon the nine conditions being satisfactorily met. We now believe that the nine conditions have been met and that building permits can be issued. A copy of a letter from the Ashbrier Estates Homeowners Association is attached for your information and files.

In regard to the request to permit parking in the south ten feet of the access and fire lane along the north boundary of Parcel 6, I do not feel that it is a substantial deviation from the intent and purpose of the provisions of the C.U.P.

The lot split was approved by Jack Galbraith on September 12, 1980. A copy was forwarded to you under separate cover at an earlier date.

Upon your review of this memo and attachments, your signature of approval will indicate that you concur with the requested adjustments subject to: 1) a six-foot cedar fence being constructed on the west and south sides of the proposed parking lot as shown on sheet SA-1 of the building plans as submitted to Central Inspection; 2) the establishment of a planting area and flagpole as shown on the attached site plan; 3) the parking on Parcel 2, Lot 8, shall be as shown on the attached site plan; and 4) the maximum number of dwelling units on the balance of the undeveloped land in Parcel 2 shall not exceed 72 dwelling units. Please have your copy of the official C.U.P. marked with the above changes and have your staff refer to this memo when issuing building permits on Parcel 2.

Page Two
Robert B. Feldner
September 18, 1980

By copy of this memorandum, the applicant and others are notified of our joint actions on the requests to permit parking in Parcel 2 and in the access and fire lane easement, and our determination that the requests are in keeping with the spirit and intent of the C.U.P. provisions.


Robert A. Lakin
Director of Planning

APPROVED:

Robert B. Feldner
Superintendent of Central Inspection

RAL:ADC:e1

Attachments

cc: Robert W. Kaplan, 430 North Market, 67202
Carl Chuzy, 6572 E. Central, Suite 102, 67208
Charles W. Black, Ashbrier Estates Homeowners Ass'n.
641 N. Woodlawn - #22, 67208

LAW OFFICES
KAPLAN, McMILLAN AND KLINGE

ROBERT W. KAPLAN
CALVIN McMILLAN
RICHARD M. KLINGE
CHARLES F. HARRIS

LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
316-262-5175

September 15, 1980

RECEIVED

SEP 16 1980

METROPOLITAN PLANNING

ROUTE _____

Mr. Robert A. Lakin
Director of Planning
Metropolitan Area Planning Department
City Hall - Tenth Floor
455 North Main Street
Wichita, Kansas 67202

Re: Request for Administrative Adjustment for a portion
of Parcel 2, DP-45 - C.K.M. Community Unit Plan

Dear Mr. Lakin:

This correspondence is submitted in response to your letter of July 21, 1980 and with enclosures is intended to respond to the conditions set forth by the Metropolitan Area Planning Department for approval of the Administrative Adjustment herein requested.

You previously have my correspondence of July 7, 1980, requesting an Administrative Adjustment for the purpose of permitting sixty-six (66) parking stalls within an area 142' x 288' in Lot 8, Kapaun First Addition, as indicated on site plans previously furnished you and correctly identified in your correspondence of July 21, 1980. Your review of that request for Administrative Adjustment revealed to us that certain parking for that office building described as Building #1, Plaza del Sol Office Park, 555 North Woodlawn, and identified by unnumbered Paragraph 2 of your letter of July 21, 1980, as parking stalls extending into the 50' access fire lane and drainage easement, a distance of approximately 8'-10'. Plaza del Sol, Inc., therefore requests an Administrative Adjustment permitting this existing parking and subject to condition numbered 2 of your July 21, 1980, correspondence.

Mr. Robert A. Lakin
September 15, 1980
Page Two

You requested the reason for Administrative Adjustment #1 which is the "R-5" parking. I stated quite candidly to you and Mr. Galbraith that it is my client's intent to construct additional buildings on Lot 9 to the south of the existing buildings which can be accomplished within the Community Unit Plan limitation of 108,000 square feet of floor area. The parking for Building #3 is neither feasible nor desirable because Building #3 faces west insofar as the major tenant's (Travelers) entrance is concerned and they prefer their parking directly west of their building rather than to the south.

Speaking to the nine (9) requirements, please be advised that Item #1 has been complied with and Forrest Nagley of your office has the requisite documents. There is apparently a question regarding a drainage plan and my client's architect is resolving that with Engineering, which will in turn advise Forrest when they are satisfied. We concur and agree to be bound with requirement numbered 2 and numbered 3. I will hopefully finalize my negotiations with the Ashbrier Estates Homeowners Association through Mr. Brick yet this week, and Mr. Brick has assured me that he will promptly furnish the required letter from Ashbrier. Your requirement numbered 5 is spoken to in the Covenant with Ashbrier which Mr. Brick and I are negotiating. A plan showing the planting area in the north-south trafficway is herewith enclosed and is supplemental to the written agreement of the covenant from Plaza del Sol, Inc., which will be recorded. We agree with your requirement numbered 6.

As to your requirement numbered 7, I am advised by the architect that the acreage running in Parcel numbered 2 after reduction of the parking area (142' x 288') is 11.06 acres. Considering the density permitted and that which has heretofore been constructed would provide the number of permitted units that would still be permitted. Another way of stating the matter is that .94 acres (plus or minus) is utilized in parking which based upon 12.4 D.U.'s per acres would reduce the permitted density by 12.4.

Requirements numbered 8 and 9 are addressed by this letter and the enclosures that are herewith submitted.

Mr. Robert A. Lakin
September 15, 1980
Page Three

I thank you for your consideration and will thank you in advance for your prompt review of this correspondence and accompanying enclosures.

Plaza del Sol, Inc.

BY: *Robert W. Kaplan*
~~ROBERT W. KAPLAN~~
Attorney

RWK:mjm

Enclosures

P.S.: For details on the fence, see Sheet SA-1, detail No. 1. The fence is six (6) foot rough sawn cedar (to be compatible with Ashbrier fence). ?

ASHBRIER ESTATES HOMEOWNERS ASSOCIATION, INC.

641 NORTH WOODLAWN #22

WICHITA, KANSAS 67208

September 10, 1980

Mr. Robert A. Lakin
Director of Planning
Planning Department
Metropolitan Area Planning Commission
455 North Main
Wichita, Kansas 67202

Dear Mr. Lakin:

Reference is made to your letter of July 21, 1980, to Robert W. Kaplan Re: Request for Administrative Adjustment for a portion of Parcel 2, DP-45-CKM Community Unit Plan and particularly to paragraph 4 on Page Two thereof.

We approve the location of parking in the area 142'x288' immediately west of the northwest corner of lot 9 in said Community Unit Plan.

Yours very truly,

ASHBRIER ESTATES HOMEOWNERS ASSOCIATION, INC.

By *Charles W. Black*
Charles W. Black, President

cc: Mr. Robert B. Feldner, Superintendent
of Central Inspection
Mr. Robert W. Kaplan
Mr. Carl Chuzy

August 27, 1980

Sidney J. Brick
Brick and Bell
790 Century Plaza Building
Wichita, Kansas 67202

Re: Request for Administrative Adjustment for a portion of
Parcel 2, DP-45 - C.K.M. Community Unit Plan

Dear Mr. Brick:

We are in receipt of your letter and the letter from Ashbrier Estates Homeowners Association, Inc., giving conditional approval to the proposed administrative adjustment. In order for Mr. Feldner and myself to grant final approval for the requested adjustment, we will need a blanket approval from the Ashbrier Estates Homeowners Association. The developer should work with the Homeowners Association to assure them that the conditions will be met since the City cannot require the developer to meet all of the conditions.

Drainage of the site will be handled at the time a building permit is issued. Lighting of the parking lot so that it does not reflect into the neighborhood will also be handled at that time. Agreements as to maintaining, protecting and repairing the fence will have to be between the landowners in the area. Likewise, there will have to be an agreement between the developer and Homeowners Association if more access control than required in my letter of July 21, 1980 is desired.

Prior to the granting of the final adjustment, we will need a letter from the Homeowners Association saying that they approve the requested adjustment. We will also need a revised letter and two revised plans, as outlined in my letter of July 21, 1980.

If you have any questions, please call me or Jack Galbraith.

Sincerely,


Robert A. Lakin
Director of Planning

RAL:ADC:el
cc: Continued on Page Two

Page Two
Sidney J. Brick
August 27, 1980

cc: Robert B. Feldner, Superintendent of Central Inspection

Robert W. Kaplan, Kaplan, McMillan and Klinge
430 North Market, Wichita, Ks. 67202

Carl Chuzy, 6572 East Central, Suite 102, Wichita 67208

Charles W. Black, President Ashbrier Estates Homeowners
Association, Inc., 641 N. Woodlawn #22, Wichita 67208

LAW OFFICES OF
BRICK AND BELL
790 CENTURY PLAZA BUILDING
WICHITA, KANSAS 67202
(316) 267-6277

SIDNEY J. BRICK
C. ROBERT BELL
J. M. GILLASPIE

August 20, 1980

RECEIVED
AUG 22 1980
METROPOLITAN PLANNING
ROUTE 76

Mr. Robert A. Lakin
Director of Planning
Planning Department
Metropolitan Area Planning Commission
455 North Main
Wichita, Kansas 67202

Dear Mr. Lakin:

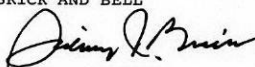
Enclosed is conditional approval of Ashbrier Estates Homeowners Association, Inc. as referred to in your letter of July 21, 1980 to Robert W. Kaplan.

If you have any questions or if additional information is desired, please advise either the writer or Mr. Charles W. Black.

Your cooperation is much appreciated.

Yours very truly,

BRICK AND BELL


Sidney J. Brick

SJB:mm
Enclosure

cc: Mr. Robert B. Feldner, Superintendent
of Central Inspection

Mr. Robert W. Kaplan

Mr. Carl Chuzy

ASHBRIER ESTATES HOMEOWNERS ASSOCIATION, INC.
641 NORTH WOODLAWN #22
WICHITA, KANSAS 67208

August 19, 1980

RECEIVED

AUG 22 1980

METROPOLITAN PLANNING

ROUTE

Mr. Robert A. Lakin
Director of Planning
Planning Department
Metropolitan Area Planning Commission
455 North Main
Wichita, Kansas 67202

Dear Mr. Lakin:

Reference is made to your letter of July 21, 1980 to Robert W. Kaplan Re: Request for Administrative Adjustment for a portion of Parcel 2, DP-45-CKM Community Unit Plan and particularly to paragraph 4 on Page Two thereof.

We approve the location of parking in the area 142'x 288' immediately west of the northwest corner of lot 9 in said Community Unit Plan, subject to the following conditions:

1. The fire lane and drainage easement located along the north boundary of the tract covered by the CUP shall at all times be maintained at such elevation that run-off water from the Ashbrier Estates tract shall be readily handled by the drainage easement so as to prevent any back-up of water onto Ashbrier Estates.

2. A concrete curbing shall be erected along and two feet (2') south of the fence separating the two properties in order to protect the fence from vehicle damage.

3. A covenant running with the land to be furnished by the CUP developers that any damage to the fence resulting from vehicular traffic or vandalism along the fire lane will be repaired at the sole expense of the developers.

4. Physical barriers shall be constructed so as to provide no access to the fire lane from any of the area in the CUP tract lying south of a line three hundred thirty-eight feet (338') south of the north boundary line of the CUP tract. A copy of the revised plans reflecting traffic control barriers shall be submitted to this Association for its approval.

5. The proposed parking lot shall be so lighted so as not to disturb Ashbrier Estates residents.

Mr. Robert A. Lakin
August 19, 1980
Page 2

6. Compliance with item 7 of your letter to Mr.
Kaplan.

Yours very truly,

ASHBRIER ESTATES HOMEOWNERS ASSOCIATION, INC.

By *Charles W Black*
Charles W. Black, President

cc: Mr. Robert B. Feldner, Superintendent
of Central Inspection
Mr. Robert W. Kaplan
Mr. Carl Chuzy

July 21, 1980

Robert W. Kaplan
Kaplan, McMillan and Klinge
430 North Market
Wichita, Kansas 67202

Re: Request for Administrative Adjust-
ment for a portion of Parcel 2,
DP-45 - C.K.M. Community Unit Plan

Dear Mr. Kaplan:

This is in response to your letter of July 7, 1980 requesting an administrative adjustment to authorize a portion of Parcel 2, which is platted as Lot 8, Kapaun First Addition, to be used as an off-street parking lot for an office building on Parcel 6, Lot 9 to the east. Specifically, your request is to use an area 142'X288' that is just west of the northwest corner of Parcel 6, Lot 9 which is zoned the "BB" Office Classification. The area requested to be used for off-street parking is zoned the "R-5" General Residential District and the C.U.P. permits the use of that area for multiple family dwellings at a density not to exceed 12.4 dwelling units per acre.

In addition to this request, we are also reviewing an area to the north of your client's office building, in the northeast corner of Lot 9, which has existing parking extending into an area also zoned "R-5", platted as Lot 8, and is designated as a 50 foot access, fire lane and drainage easement. It appears that parking extends into this area a distance of approximately 8-10 feet.

After considerable discussion with Mr. Feldner, it is our joint determination to advise you of our tentative approval of your request, subject to a number of conditions as outlined below. The major question we have is, why not use the undeveloped area zoned "BB" for your parking, rather than encroach into an area approved for apartments? I have understood your answer to be that your client desires to construct additional buildings to the south, feeling that the total square feet of floor area of all the office buildings will still be under the permitted 108,000 square feet of floor area. It is because of the general com-

Page Two
Robert W. Kaplan
July 21, 1980

patibility of your client's entire project that leans us towards granting your request as the area continues to develop with buildings that are compatible with each other, and joint useage of parking and circulation appears to be satisfactory. Tentative approval is granted subject to the following:

1. Completion of a "lot split" application for Lot 9.
2. Parking that exists north of building 1 may not extend into the 50 foot access, fire lane and drainage easement, a greater distance than 10 feet.
3. Parking spaces for building 3 shall be designed so as not to back out into the designated fire lane.
4. Submission of a letter from the Homeowners Association to the north approving the location of the parking in the "R-5" area as proposed.
5. Constructing physical barriers along the south line of the proposed parking so as to provide no access for the "LC" area to the south through the "R-5" area.
6. The parking lot is to be effectively screened on the west side by a solid wall, constructed of masonry, architectural tile, wood or other similar material (excluding chain link fence) not less than six feet, or more than eight feet in height.
7. Reduction of the density on the balance of Lot 8 to reflect the number of permitted units minus those that could have been developed on the proposed parking area. This number is to be provided by you and concurred with by the Planning Department.
8. Submission of a new letter requesting the authorization to utilize that portion of Lot 8 for off-street parking as well as that part of the 50 foot access, fire lane and drainage easement now encroached upon by parking. In that letter, please give the reason for wanting to use the "R-5" area rather than the existing "BB" area, as well as providing us the density figure as required in number 7 above.
9. Submission of two copies of the revised plan, indicating the proposed fence to the west and the barricade to the south and advising of the type of materials to be used.

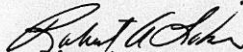
Page Three
Robert W. Kaplan
July 21, 1980

Although this C.U.P. has not been officially amended since 1973, there have been several administrative adjustments. Any additional requests to utilize portions of Lot 8 for uses different than multiple family dwellings will require an amendment and public hearing for a new C.U.P.

At such time as we are furnished the new information and the "lot split" is complete, we will then be in a position to review and give final approval to your proposal.

Please call if you have any questions.

Sincerely,


Robert A. Lakin
Director of Planning

APPROVED:

Robert B. Feldner, Superintendent
of Central Inspection

RAL:JHG:el

cc: Carl Chuzy, 6572 E. Central, Suite 102, 67208

LAW OFFICES
KAPLAN, McMILLAN AND KLINGE

ROBERT W. KAPLAN
CALVIN McMILLAN
RICHARD M. KLINGE
CHARLES F. HARRIS

LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
316.262-5175

July 7, 1980

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Commission
Tenth Floor - City Hall
445 North Main
Wichita, Kansas 67202

RECEIVED

JUL 9 1980

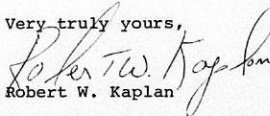
METROPOLITAN PLANNING
ROUTE

Re: Kapaun First Addition
CKM Community Unit Plan
Request for Administrative Adjustment

Dear Mr. Lakin:

My client, Carl Chuzy, as you are aware, is the owner of Lots 8 and 9, Kapaun First Addition to Wichita, Sedgwick County, Kansas, said lots formerly being encompassed in Parcels numbered 2 and 6 of CKM Community Unit Plan. Plans have been submitted to Central Inspection for plan review which provides for construction of an office building of approximately 20,000 sq. feet on Lot 9, Kapaun First Addition, with a portion of the parking requested for said building to be situated on Lot 8, Kapaun First Addition. Lot 8, which is Parcel numbered 2, provides for multi-family residential with a parking area of 1.5 parking spaces per family unit. We are now requesting an Administrative Adjustment to the Community Unit Plan permitting sixty-six (66) parking stalls to be situated on said Lot 8, subject to our compliance with Title 28.04.065 and 28.04.070 Al3(a) (b) of the Code of the City of Wichita, Kansas.

Very truly yours,


Robert W. Kaplan

of KAPLAN, McMILLAN AND KLINGE

RWK:mjm

cc: Mr. Carl Chuzy

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE
April 16, 1980

file DP-45

TO Robert B. Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning
SUBJECT DP-45 - Request for an administrative adjustment for the CKM Community Unit Plan.

You are in receipt of a copy of a letter dated April 7, 1980, from Thomas E. Pott to me, requesting an administrative adjustment on Parcel 4 of the above captioned C.U.P. Our files reflect that this is the fourth request for an administrative adjustment submitted by Mr. Pott for Parcel #4 which began back in 1978. We have agreed with all previous requests by memorandum and each time notations have been made on the official copies of the C.U.P. in our files. Needless to say, it is becoming quite difficult to reconstruct what has been requested and agreed upon for this one parcel.

It seems by this latest request that there is no longer a need for the adjustment in the permitted height from 35 to 45 feet as approved by memorandum dated December 15, 1978. It is also my understanding that there is no longer plans for a 24,000 square foot building that was authorized by our memorandum dated January 25, 1979.

This latest request is to allow the construction of a structure at a setback of 30 feet from the west property line, rather than 50 feet which was established in 1978 when the request for the 45 foot high structure was granted. This latest request for adjustment is granted subject to the following conditions:

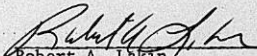
1. All buildings constructed on Parcel Four shall not exceed 35 feet in height.
2. The building setback line adjacent to Central shall remain at 90 feet, as adjusted in 1978.
3. The building setback line adjacent to the western edge of Parcel Four shall be 30 feet, as originally approved on the C.U.P. in 1973.
4. The maximum square footage of gross floor area for Parcel Four shall not exceed 20,000 square feet, which includes basement floor area.

Page Two
Robert B. Feldner
April 16, 1980


5. All other conditions relating to Parcel Four shall be complied with as approved on the C.U.P. by the Board of City Commissioners on February 20, 1973.

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur with this latest request to comply with a 30 foot setback from the west property line of Parcel Four subject to the above condition. Please have your copy of the official C.U.P. marked with these corrections and have your staff refer only to this memorandum when reviewing plans for Parcel Four and not to the ones in your file dated December 15, 1978 and January 25, 1979.

By copy of this memorandum, the applicant and others are notified of our joint actions on this request and our determination that this request for these adjustments are in keeping with the spirit and intent of the C.U.P. provisions.


Robert A. Lakin
Director of Planning

APPROVED:


Robert B. Feldner, Superintendent
of Central Inspection

RAL:JHG:el
Attachment

cc: Thomas E. Pott, McVay, Schmidt, Allen Architects
and Planners, 1133 Second St., 67214
- Carl Chuzy, 6572 E. Central, Suite 102, 67208
United America Bank & Trust, 750 E. 21st St., 67214

April 16, 1980

Robert B. Feldner, Superintendent of Central Inspection
Robert A. Lakin, Director of Planning

DP-45 - Request for an administrative adjustment for the
CKM Community Unit Plan.

You are in receipt of a copy of a letter dated April 7, 1980, from Thomas K. Pott to me, requesting an administrative adjustment on Parcel 4 of the above captioned C.U.P. Our files reflect that this is the fourth request for an administrative adjustment submitted by Mr. Pott for Parcel #4 which began back in 1978. We have agreed with all previous requests by memorandum and each time notations have been made on the official copies of the C.U.P. in our files. Needless to say, it is becoming quite difficult to reconstruct what has been requested and agreed upon for this one parcel.

It seems by this latest request that there is no longer a need for the adjustment in the permitted height from 35 to 45 feet as approved by memorandum dated December 15, 1978. It is also my understanding that there is no longer plans for a 24,000 square foot building that was authorized by our memorandum dated January 25, 1979.

This latest request is to allow the construction of a structure at a setback of 30 feet from the west property line, rather than 50 feet which was established in 1978 when the request for the 45 foot high structure was granted. This latest request for adjustment is granted subject to the following conditions:

1. All buildings constructed on Parcel Four shall not exceed 35 feet in height.
2. The building setback line adjacent to Central shall remain at 90 feet, as adjusted in 1978.
3. The building setback line adjacent to the western edge of Parcel Four shall be 30 feet, as originally approved on the C.U.P. in 1973.
4. The maximum square footage of gross floor area for Parcel Four shall not exceed 20,000 square feet, which includes basement floor area.

Page Two
Robert B. Feldner
April 16, 1980

5. All other conditions relating to Parcel Four shall be complied with as approved on the C.U.P. by the Board of City Commissioners on February 20, 1973.

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur with this latest request to comply with a 30 foot setback from the west property line of Parcel Four subject to the above condition. Please have your copy of the official C.U.P. marked with these corrections and have your staff refer only to this memorandum when reviewing plans for Parcel Four and not to the ones in your file dated December 15, 1978 and January 25, 1979.

By copy of this memorandum, the applicant and others are notified of our joint actions on this request and our determination that this request for these adjustments are in keeping with the spirit and intent of the C.U.P. provisions.


Robert A. Lakin
Director of Planning

APPROVED:


Robert B. Feldner, Superintendent
of Central Inspection

RAL:JHG:el
Attachment

cc: Thomas E. Pott, McVay, Schmidt, Allen Architects
and Planners, 1133 Second St., 67214
Carl Chusy, 6572 E. Central, Suite 102, 67208
United America Bank & Trust, 750 E. 21st St., 67214

MCVAY SCHMIDT ALLEN ARCHITECTS AND PLANNERS

April 7, 1980

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Commission
455 N. Main - 10th Floor
Wichita, Kansas 67202

RECEIVED

APR 8 1980

METROPOLITAN PLANNING

ROUTE

Re: Kapaun First Addition
CKM Community Unit Plan

Dear Mr. Lakin:

I am again requesting an amendment to requirements for parcel number 4 of CKM Community Unit Plan. In reviewing your records you will find that in December of 1978 I requested, for our client United American Bank, that the maximum building height on parcel 4 be increased so as to accommodate a three-story, 20,000 square foot building. This request was approved subject to several conditions, one of which was that the building setback line on the west side of parcel 4 be increased from 30 feet to 50 feet.

Now our client has reduced the scope of the project to a one-story facility of approximately 7,000 square feet. I have enclosed a preliminary site plan showing our need to return to the original 30 foot setback from the west property line. My request is that the west property setback be returned to the original 30 feet and the maximum building height be returned to 35 feet as originally stated. We see no problem with the 90 foot setback from Central Avenue which was also changed in December 1978.

In reviewing my files on this project, I notice that in your letter to Bob Feldner, dated January 25, 1979, concerning a gross floor area change request, you stated you would be most reluctant to administratively approve any further requests on this parcel.

I trust that since I am merely asking for a return to requirements as originally stated on the C.U.P. you will look favorably on this request.

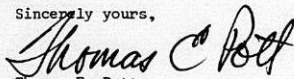
B. E. SCHMIDT A.I.A.
DALE ALLEN A.I.A.
THOMAS E. POTT A.I.A.

1133 EAST SECOND ST. WICHITA KANSAS 67214 TEL.316-263-0221

Page 2
Mr. Robert A. Lakin
April 7, 1980

If there is any more information you need to act on this,
please let me know.

Sincerely yours,

A handwritten signature in cursive script that reads "Thomas E. Pott". The signature is written in dark ink and is positioned to the right of the typed name.

Thomas E. Pott
TEP:wjg

Enclosure

cc w/enc: Mr. Robert Feldner

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

January 25, 1979

TO Robert B. Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning
SUBJECT DP 45 CKM Community Unit Plan
Request for Administrative Adjustment

Attached you will find a copy of a letter from Mr. Thomas Pott, architect, requesting an administrative adjustment to the above referenced CUP in order to permit the development of a 24,000 square foot gross floor area building on Parcel Number Four (4) in lieu of the 20,000 square feet of gross floor area permitted under the approved CUP. Mr. Pott notes in his letter that the maximum land coverage of 30% and the required number of parking spaces shall be provided and the adjustment is sought to utilize basement floor area.

In reviewing the approved CUP we have noted that the proposed 24,000 feet of gross floor area represents a floor area ratio of 31% which is well below the 40 to 45% considered a maximum by us on large scale commercial development. In addition, the parcel description for Parcel 4 lists a maximum gross floor area of 20,000 square feet, plus or minus which indicates some discretion in interpretation. Given these facts plus the proposed building coverage of only 11 to 12% as depicted on the site plan submitted by Mr. Pott, it is my feeling that the adjustment to 24,000 square feet of gross floor area on Parcel 4 does not represent a substantial deviation from the spirit and intent of the approved plan. This adjustment is made subject to the following conditions:

1. Development proceeding in accordance with the site plan submitted by Mr. Pott in this request. Two (2) copies of said site plan shall be submitted for our records prior to the issuance of building permits on the site.
2. Parking shall be provided in accordance with Section 28.04.141 of the Code of the City of Wichita.


One other point I would like to mention is that this is the third different request for administrative adjustment in conjunction with this development on Parcel 4. Although each request is somewhat minor, I will be reluctant to administratively approve further requests on this parcel without formal amendment of the Community Unit Plan or other action of the governing body.

Page 2
January 25, 1979
Robert B. Feldner
Re: DP 45

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur that this adjustment is in keeping with the spirit and intent of the CUP provisions and is not a substantial deviation of the plan. By copy of this memo, the applicant and others are notified of our joint action on this request.


Robert A. Lakin
Director of Planning

APPROVED:


Robert B. Feldner
Superintendent of Central Inspection

RAL:MM:bbc
cc: Thomas E. Pott, McVay, Schmidt, Allen, Architects and Planners
1133 E. Second St., 67214
Carl Chuzy, 6572 E. Central, Suite 102, 67208
United American Bank & Trust, 750 E. 21st St., 67214

MCVAY SCHMIDT ALLEN ARCHITECTS AND PLANNERS

January 16, 1979



Mr. Robert A. Lakin, Director
Metropolitan Area Planning Commission
455 N. Main - 16th Floor
Wichita, Kansas 67202

Re: Kapaun First Addition
CKM Community Unit Plan
Request for Administrative Adjustment

Dear Mr. Lakin:

Our client, United American Bank, who is lessee of parcel number four of the above referenced Community Unit Plan requests the following administrative adjustment to their parcel.

CKM Community Unit Plan allows for a maximum gross floor area of 20,000 sq. ft. The financial institution planned for this site will have three floors totaling approximately 18,000 sq. ft. above grade, and if this request is granted, approximately 6,000 sq. ft. of basement.

Assuming that favorable action is taken on this request, we will be able to comply with the maximum land coverage and parking ratio as presently required by the above referenced Community Unit Plan and zoning ordinances.

If there are any questions, please feel free to contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Thomas E. Pott".

Thomas E. Pott
TEP:wjg

D. E. SCHMIDT AIA.
DALE ALLEN AIA.
THOMAS E. POTT AIA.

January 25, 1979

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP 45 CKM Community Unit Plan
Request for Administrative Adjustment

Attached you will find a copy of a letter from Mr. Thomas Pott, architect, requesting an administrative adjustment to the above referenced CUP in order to permit the development of a 24,000 square foot gross floor area building on Parcel Number Four (4) in lieu of the 20,000 square feet of gross floor area permitted under the approved CUP. Mr. Pott notes in his letter that the maximum land coverage of 30% and the required number of parking spaces shall be provided and the adjustment is sought to utilize basement floor area.

In reviewing the approved CUP we have noted that the proposed 24,000 feet of gross floor area represents a floor area ratio of 31% which is well below the 40 to 45% considered a maximum by us on large scale commercial development. In addition, the parcel description for Parcel 4 lists a maximum gross floor area of 20,000 square feet, plus or minus which indicates some discretion in interpretation. Given these facts plus the proposed building coverage of only 11 to 12% as depicted on the site plan submitted by Mr. Pott, it is my feeling that the adjustment to 24,000 square feet of gross floor area on Parcel 4 does not represent a substantial deviation from the spirit and intent of the approved plan. This adjustment is made subject to the following conditions:

1. Development proceeding in accordance with the site plan submitted by Mr. Pott in this request. Two (2) copies of said site plan shall be submitted for our records prior to the issuance of building permits on the site.
2. Parking shall be provided in accordance with Section 28.04.141 of the Code of the City of Wichita.

One other point I would like to mention is that this is the third different request for administrative adjustment in conjunction with this development on Parcel 4. Although each request is somewhat minor, I will be reluctant to administratively approve further requests on this parcel without formal amendment of the Community Unit Plan or other action of the governing body.

Page 2
January 25, 1979
Robert B. Feldner
Re: DP 45

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur that this adjustment is in keeping with the spirit and intent of the CUP provisions and is not a substantial deviation of the plan. By copy of this memo, the applicant and others are notified of our joint action on this request.



Robert A. Lakin
Director of Planning

APPROVED:

Robert B. Feldner
Superintendent of Central Inspection

RAL:MM:hbo
cc: Thomas E. Fott, McVay, Schmidt, Allen, Architects and Planners
1133 E. Second St., 67214
Carl Chusy, 6572 E. Central, Suite 102, 67208
United American Bank & Trust, 750 E. 21st St., 67214

December 15, 1978

Robert Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-45 - C-K-M Community Unit Plan
Request for Administrative adjustment.

Attached you will find a copy of a letter requesting an administrative adjustment to the above referenced C.U.P. in order to permit a maximum building height of 45 feet on Parcel Number Four (4) in lieu of the 35 foot limitation currently on the plan. Mr. Pott notes in his letter that the adjoining parcel permits a height of 80 feet and that their proposed building will be set back further than the building setback lines existing on Parcel Four (4).

In reviewing our records of the public hearings and other correspondence relating to the approval of this Community Unit Plan, it is our opinion that the intent of the height limitation on this parcel was to restrict structural height to three stories. Normally, three stories can be accommodated in 35 feet, but Mr. Pott has supplied information relating to their proposed building which indicates that a 45 foot building height is needed to accommodate three stories. Given this particular situation and based on the fact that an 80 foot height restriction is existing on the C.U.P. for the parcel to the east and north, and the property to the west could have at least an 80 foot structure, it is my interpretation that the requested height increase does not violate the spirit and intent of the Community Unit Plan provisions, nor is it a substantial deviation from the approved plan. This interpretation is made subject to the following conditions:


1. All buildings constructed on Parcel Four shall not exceed three (3) stories, or 45 feet in height.
2. The building setback line adjacent to Central Avenue shall be increased to the same depth (90 feet) as the parcel to the east (Parcel Three).
3. The building setback line on the western edge of Parcel Four shall be increased from thirty (30) feet to fifty (50) feet.

Page Two
Robert Feldner, Superintendent of Central Inspection
December 15, 1978

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur that this proposal is in keeping with the spirit and intent of the C.U.P. provisions and is not a substantial deviation of the Plan. Should you concur, please mark the official copy of the C.U.P. by indicating the 45 foot height limitation on Parcel Four (4) as well as the adjustments in setback lines.

Robert A. Lakin
Director of Planning

APPROVED:



Robert B. Feldner
Superintendent of Central Inspection

RAL:MM:e1
Attachment

cc: Thomas E. Pott, McVay, Schmidt, Allen Architects
and Planners, 1133 East Second Street, 67214
Carl Chuzy, 6572 E. Central, Suite 102, 67208
United American Bank and Trust, 750 E. 21st St., 67214

WICHITA-SEDGWICK COUNTY

DATE
December 15, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning
SUBJECT DP-45 - C-K-M Community Unit Plan
Request for Administrative adjustment.

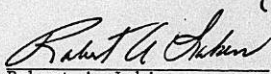
Attached you will find a copy of a letter requesting an administrative adjustment to the above referenced C.U.P. in order to permit a maximum building height of 45 feet on Parcel Number Four (4) in lieu of the 35 foot limitation currently on the plan. Mr. Pott notes in his letter that the adjoining parcel permits a height of 80 feet and that their proposed building will be set back further than the building setback lines existing on Parcel Four (4).

In reviewing our records of the public hearings and other correspondence relating to the approval of this Community Unit Plan, it is our opinion that the intent of the height limitation on this parcel was to restrict structural height to three stories. Normally, three stories can be accommodated in 35 feet, but Mr. Pott has supplied information relating to their proposed building which indicates that a 45 foot building height is needed to accommodate three stories. Given this particular situation and based on the fact that an 80 foot height restriction is existing on the C.U.P. for the parcel to the east and north, and the property to the west could have at least an 80 foot structure, it is my interpretation that the requested height increase does not violate the spirit and intent of the Community Unit Plan provisions, nor is it a substantial deviation from the approved plan. This interpretation is made subject to the following conditions:

1. All buildings constructed on Parcel Four shall not exceed three (3) stories, or 45 feet in height.
2. The building setback line adjacent to Central Avenue shall be increased to the same depth (90 feet) as the parcel to the east (Parcel Three).
3. The building setback line on the western edge of Parcel Four shall be increased from thirty (30) feet to fifty (50) feet.

Page Two
Robert Feldner, Superintendent of Central Inspection
December 15, 1978

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur that this proposal is in keeping with the spirit and intent of the C.U.P. provisions and is not a substantial deviation of the Plan. Should you concur, please mark the official copy of the C.U.P. by indicating the 45 foot height limitation on Parcel Four (4) as well as the adjustments in setback lines.



Robert A. Lakin
Director of Planning

APPROVED:



Robert B. Feldner
Superintendent of Central Inspection

RAL:MM:el
Attachment

cc: Thomas E. Pott, McVay, Schmidt, Allen Architects
and Planners, 1133 East Second Street, 67214
Carl Chuzy, 6572 E. Central, Suite 102, 67208
United American Bank and Trust, 750 E. 21st St., 67214

MCVAY SCHMIDT ALLEN ARCHITECTS AND PLANNERS



December 8, 1978

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Commission
455 N. Main - 10th Floor
Wichita, Kansas 67202

Re: Kapaun First Addition
CKM Community Unit Plan

Dear Mr. Lakin:

Mr. Galbraith has indicated that I should direct the following request to you.

Enclosed are supportive data concerning a request to amend the maximum building height requirement of 35 feet for parcel number 4 of the CKM Community Unit Plan to 45 feet. Our client, United American Bank, is proposing a three-story 20,000 square foot building for this site and in preliminary planning we have arrived at the following heights:

First Floor	12 feet
Mechanical and structural	4 "
Second Floor	10 "
Mechanical and structural	4 "
Third Floor	10 "
Mechanical and structural	4 "
Roof slopes, etc.	1 "

Total 45 feet.

We feel that the above dimensions are realistic figures, and that we can plan within this maximum.

Please note that the maximum height allowed on parcel 3 directly east of us, is 80 feet and the topography is such that our parcel is the lowest land facing Central Avenue.

I am enclosing a very preliminary site plan and want to point out that our proposed building is set back from Central far

B. E. SCHMIDT A.I.A.
DALE ALLEN A.I.A.
THOMAS E. POTT A.I.A.

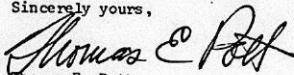
1133 EAST SECOND ST. WICHITA KANSAS 67214 TEL.318-263-0221

Page 2
Mr. Robert A. Lakin
December 8, 1978

more than that required. We will be approximately 100 feet from the south property line which will put us behind the setback for parcel 3. We will also be approximately 50 feet from the west property line which might be of some interest to Kansas Lighting, presently on that site.

If there are any more data you might require to act on this request, please let me know.

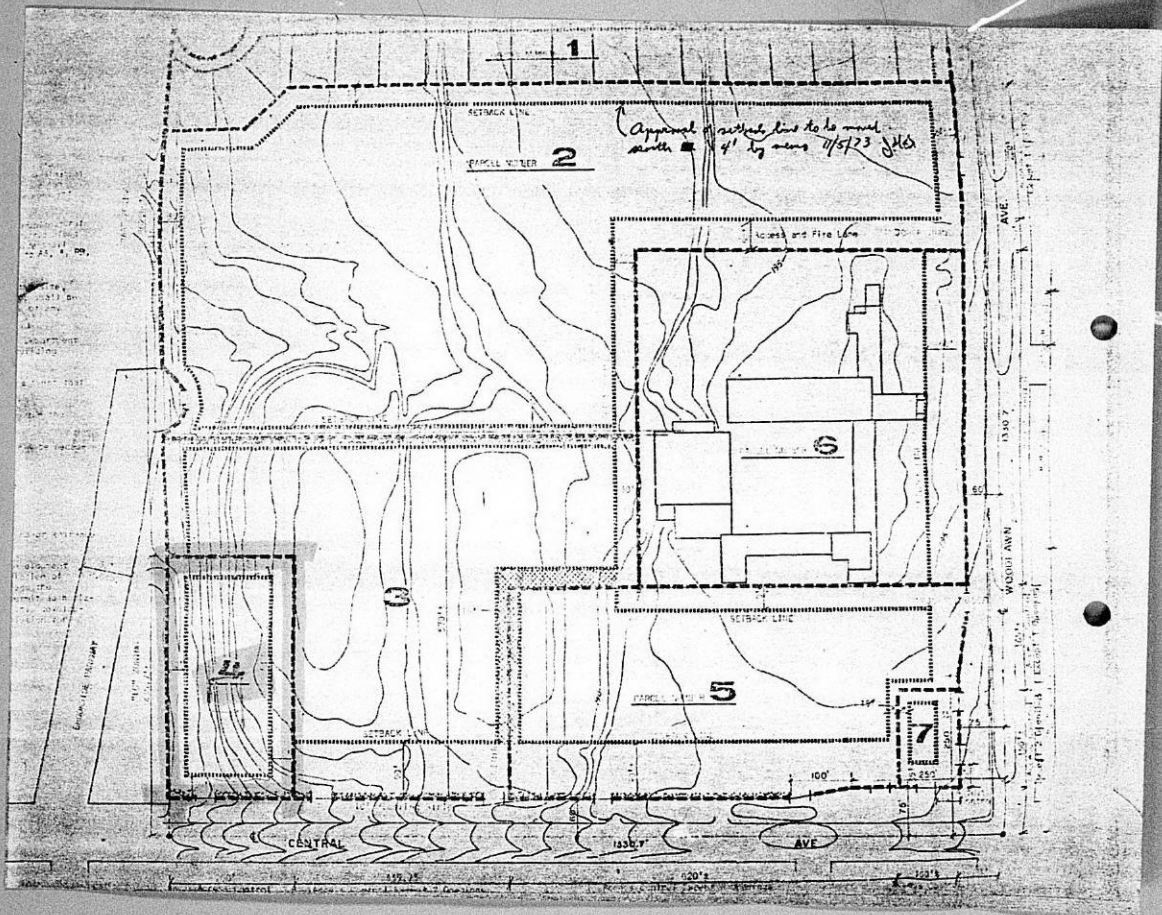
Sincerely yours,



Thomas E. Pott
TEP:wjg

Enclosures

cc w/enc: Mr. Robert Feldner



Appraisal of setback line to be moved south 4' by memo 7/5/23 JH6

1

SETBACK LINE

2

PARCEL NUMBER

Local Fire Line

S

5

2

3

SEWER LINE

100'

CENTRAL

AVE

WIDEN AVENUE

WIDEN AVENUE

WIDEN AVENUE

WIDEN AVENUE

WIDEN AVENUE

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WIDEN AVENUE

MURDOCK

Access Control

Except 1 Opening "AA" Zoning

Except 1 Opening "A" Zoning

Access Control

Except 2 Openings "B" Zoning

Access Control

Except 1 Opening "C" Zoning

HANDY SQUARE

PARCEL NUMBER 1

Proposed General Use

Total Net Area 3.76 Ac.±
 Maximum Building Height
 Parking Ratio as Required by Zoning Ordinance

Single-Family And Other
 Permitted "AA" Uses
 163,950 Sq. Ft.±
 35 Ft.

PARCEL NUMBER 2

Proposed General Use

Total Net Area 12.00 Ac.±
 Maximum Building Height
 Parking Ratio 1.5 Spaces per D. U.
 Density not to Exceed 12.4 D.U.s/Acro

Multi-Family Residential
 522,720 Sq. Ft.±

35 Ft.

PARCEL NUMBER 3

Proposed General Use

Total Net Area 6.94 Ac.±
 Maximum Gross Floor Area
 Floor Area Ratio
 Maximum Building Height
 Maximum Land Coverage
 Parking Ratio as Required by Zoning Ordinance

Shopping Center
 302,710 Sq. Ft.±
 121,084 Sq. Ft.±
 .40
 80 Ft.
 30%

PARCEL NUMBER 4

Proposed General Use

Total Net Area 1.73 Ac.±
 Maximum Gross Floor Area
 Floor Area Ratio
 Maximum Building Height
 Maximum Land Coverage
 Parking Ratio as Required by Zoning Ordinance

Financial
 75,120 Sq. Ft.±
 20,000 Sq. Ft.±
 .27
 35 Ft.
 30%

PARCEL NUMBER 5

Proposed General Use

Total Net Area 5.05 Ac.±
 Maximum Gross Floor Area
 Floor Area Ratio
 Maximum Building Height
 Maximum Land Coverage
 Parking Ratio as Required by Zoning Ordinance

Food Service & Retail Sales
 220,015 Sq. Ft.±
 88,006 Sq. Ft.±
 .40
 35 Ft.
 30%

PARCEL NUMBER 6

Proposed General Use

Total Net Area 6.21 Ac.±
 Maximum Gross Floor Area
 Floor Area Ratio
 Maximum Building Height
 Maximum Land Coverage
 Parking Ratio as Required by Zoning Ordinance

Church, School, in-
 stitutional, office
 270,400 Sq. Ft.±
 108,160 Sq. Ft.±
 .40
 55 Ft.
 30%

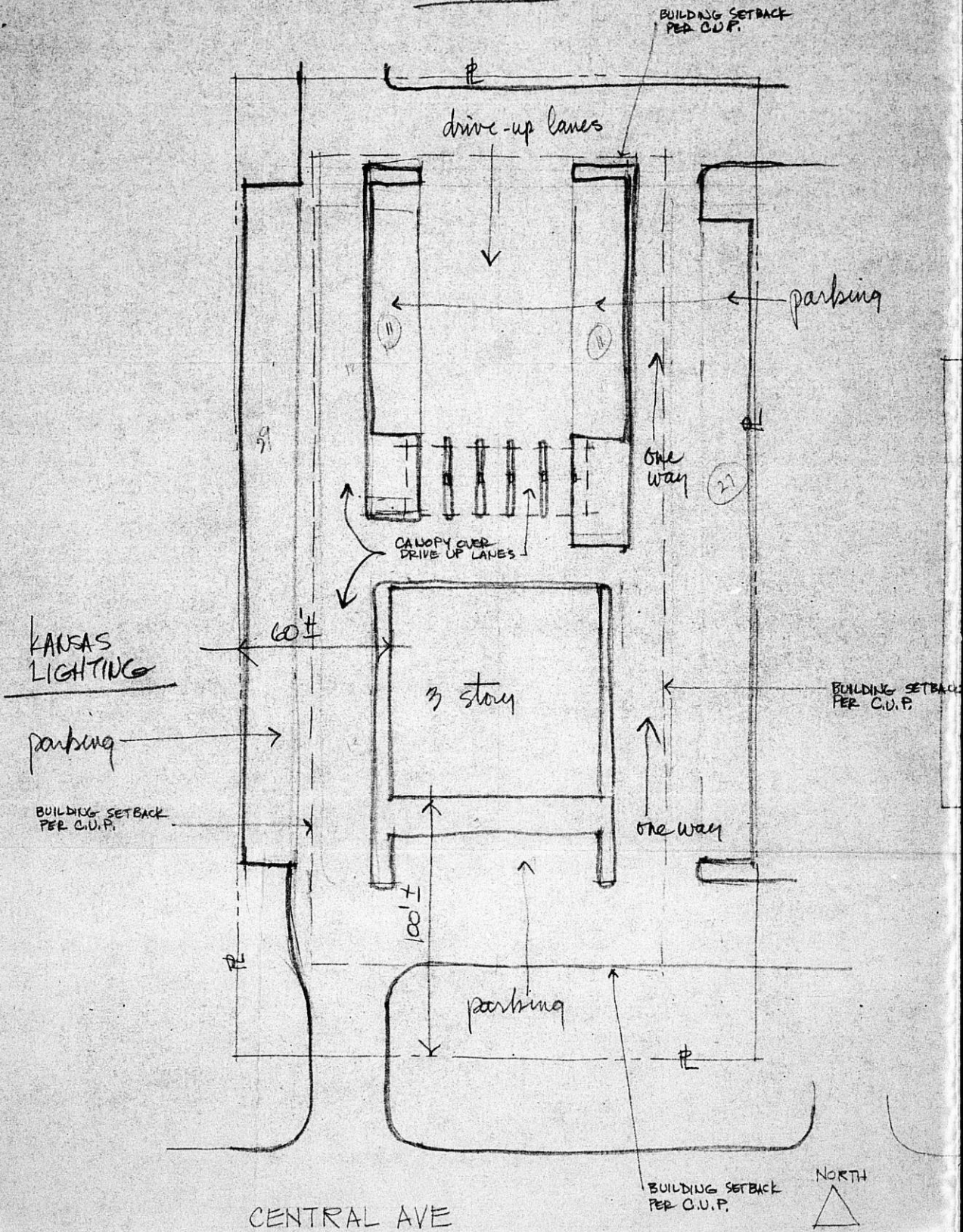
PARCEL NUMBER 7

Proposed General Use

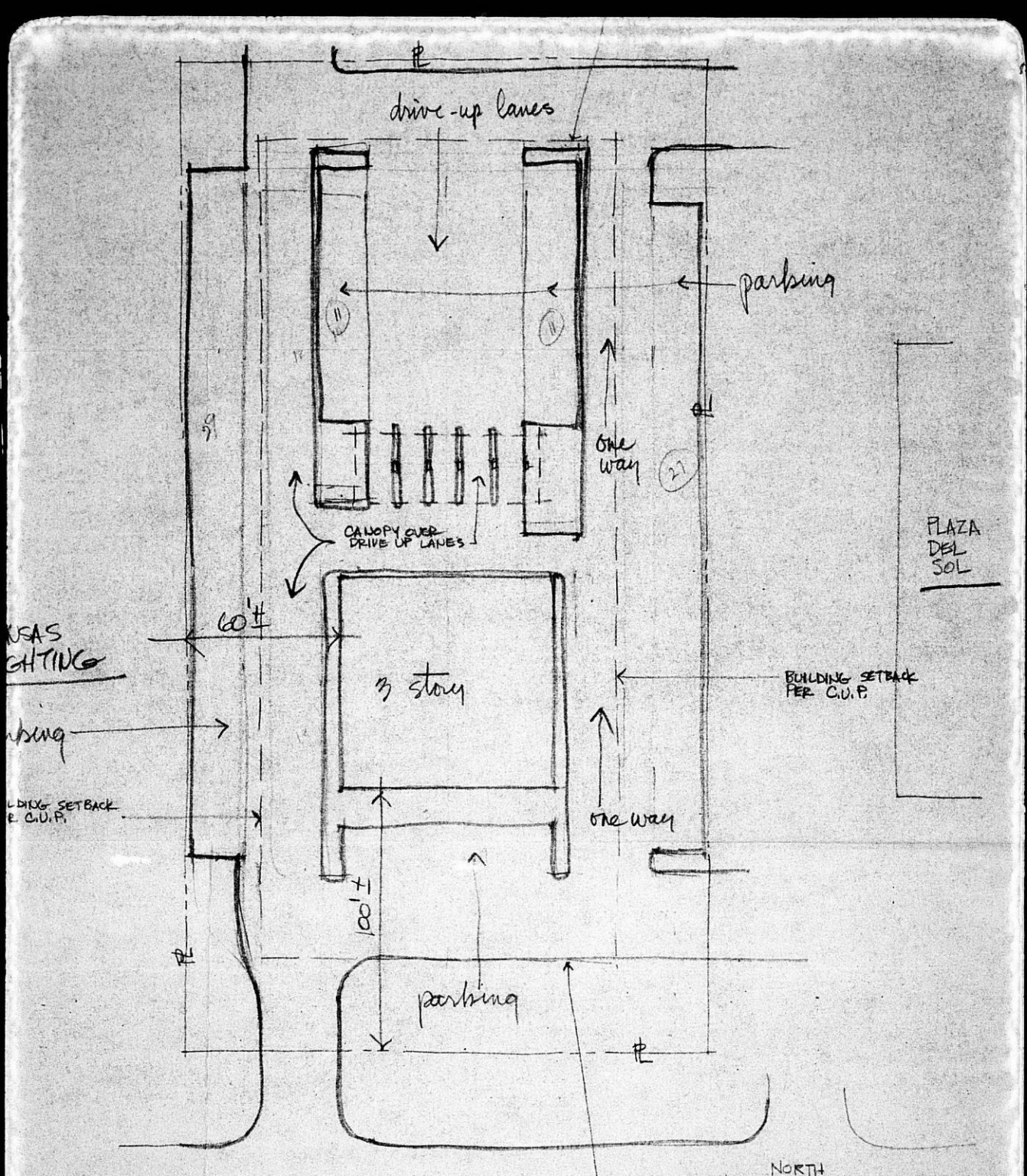
Total Net Area .34 Ac.±
 Maximum Gross Floor Area
 Floor Area Ratio
 Maximum Building Height
 Maximum Land Coverage
 Parking Ratio as Required by Zoning Ordinance

Financial
 15,000 Sq. Ft.±
 6,000 Sq. Ft.±
 .40
 35 Ft.
 30%

RACQUET BALL



NORTH
▲
SCALE 1" = 30'



U. A. BANK KAPAUN FACILITY

McVAY SCHMIDT ALLEN ARCHITECTS

LAW OFFICES
KAPLAN, MCMILLAN AND KLINGE

ROBERT W. KAPLAN
CALVIN MCMILLAN
RICHARD M. KLINGE
CHARLES F. HARRIS



LAW BUILDING
100 NORTH MARKET
WICHITA, KANSAS 67202

316-262-5175
316-262-7224

October 30, 1978

City Clerk, City of Wichita
455 North Main, City Hall
Wichita, Kansas 67202

ATT: DON GISICK

Dear Sir:

RE: C-K-M Community Unit Plan
Central and Woodlawn Streets
Wichita, Kansas

I have been instructed by the Department of Public Works that if I wish a temporary waiver from certain community unit plan requirements, that I must present the plan to the City Commission for its approval.

I am, therefore, requesting that the matter of the C-K-M Community Unit Plan be placed upon the agenda of the City Commission at the earliest possible date, at which time I will request a temporary waiver of certain screening and landscaping requirements.

Should you need further information to docket this matter, please contact me by telephone.

Very truly yours,

Robert W. Kaplan of
KAPLAN, MCMILLAN AND KLINGE

RWK/ph

Office Of The City Manager	
<input type="checkbox"/> EMB	<input type="checkbox"/> HP
<input type="checkbox"/> LJC	<input type="checkbox"/> MS
<input type="checkbox"/> RT	<input checked="" type="checkbox"/> SH
OCT 30 1978	
<input type="checkbox"/> Copies To <u>CAL</u> <u>1/6</u>	
<input type="checkbox"/> Send To	
<input type="checkbox"/> File	

RECEIVED	
OFFICE OF CITY CLERK	
OCT 30 1978	
<input type="checkbox"/> DG	<input type="checkbox"/> CR
<input type="checkbox"/> Agenda	<input type="checkbox"/> JE
<input type="checkbox"/> File	

WICHITA-SEDGWICK COUNTY

August 4, 1978

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

TO Files: DP-45 - C-K-M Community Unit Plan
L/S 0383, Lot 6, Kapaun 1st Addition

FROM Louise Olivarez, Junior Planner

SUBJECT Maximum land coverage for Parcel 3 of
DP-45, which is Lot 6 of Kapaun 1st
Addition

A lot split has been approved for Lot 6, Kapaun 1st Addition (L/S-0383). The real estate sales contract limited the size of a building on the northwest portion of the lot split to 15,100 square feet. This is approximately a 39% coverage of that portion of the lot. The CUP limited the coverage on the entire lot to a maximum of 30%. If the building which is constructed on the northwest portion of the split lot does actually exceed 30% coverage, then coverage on the balance of the lot will have to be reduced accordingly.


Louise Olivarez
Junior Planner

LO:bh

cc: Robert Feldner, Superintendent of Central Inspection

WICHITA-SEDGWICK COUNTY

DATE

July 26, 1978


METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning
SUBJECT DP-45 - C-K-M Community Unit Plan,
Request for Administrative Interpretation


Attached you will find a copy of a letter requesting an administrative interpretation as to whether a racquetball center is a permitted use under the provisions of Parcel 3 of the above referenced Community Unit Plan located on the northwest corner of Central and Woodlawn.

The parcel description for Parcel 3 lists "shopping center" as the permitted use with no limitation on the total number of buildings. If one considers a shopping center to encompass a number of free standing buildings occupied by commercial usage then, in my opinion, a racquetball center would fall within the range of permitted uses. Certainly it would not be out of character with the other free standing buildings which have been developed along the Central frontage on Parcel 5 (which lists "retail sales" as the permitted use).

Your signature below shall indicate that you concur in the administrative interpretation that a racquetball center is a permitted shopping center use.


Robert A. Lakin
Director of Planning

APPROVED BY:


Robert Feldner
Superintendent of
Central Inspection

RAL:MM:el
Attachment

cc: Calvin McMillan - Kaplan, McMillan and Klinge
Law Building, 430 N. Market, 67202
Carl Chuzy, ~~5920~~ E. Central, 67208 6572 E Central Site 102
Thomas D. Jacob, 5920 E. Central, 67208

Jo

LAW OFFICES
KAPLAN, McMILLAN AND KLINGE
ROBERT W. KAPLAN
CALVIN McMILLAN
RICHARD M. KLINGE

LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
316-262-5175

July 21, 1978

Mr. Bob Lakin
Wichita-Sedgwick County Metropolitan
Area Planning Commission
10th Floor, City Hall
455 North Main Street
Wichita, Kansas 67202

Re: Supreme Court East Racquetball Club

Dear Mr. Lakin:

In regard to the approval of the lot split submitted to you on a portion of Lot 6, Kapaun First Addition to Wichita, Kansas, please be advised that on behalf of Carl Chuzy, owner, we request that you administratively interpret the CKM Community Unit Plan last revised March 1, 1973, as allowing the use of a racquetball center on Parcel 3 of the CUP, Lot 6 of the plat.

Very truly yours,
KAPLAN, McMILLAN AND KLINGE

BY 
Calvin McMillan

CM/mjm

cc: Mr. Tom Jacobs
Mr. Bill Cohen
Mr. Al Caro



MCVAY SCHMIDT ALLEN ARCHITECTS AND PLANNERS

May 15, 1978

Mr. Bob Lakin
Director of Planning
City Hall - 455 N. Main
Wichita, Kansas 67202

Re: Detached Facility for United American Bank
in the Kapaun First Addition

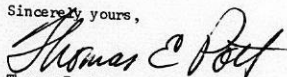
Dear Bob:

I am writing for our client to request a variance from a general provision of the C-K-M-Community Unit Plan dated March 1, 1973, concerning the above noted project.

General Provision No. 12 of said C.U.P. says:
"A landscape plan for the 10 foot planting area along the perimeter of the site indicating the location, type, and specifications of planting materials, shall be submitted to the Planning Department for approval prior to the issuance of any building permit."

Our client will be erecting a temporary banking facility on the site, lot number 7 of the Kapaun First Addition, to be used until the completion of his permanent facility in mid-year 1979. We request permission to waive the planting plan requirement for the temporary facility, and submit said planting plan for your approval prior to issuance of a building permit for the permanent facility.

Sincerely yours,


Thomas E. Pott
TEP:wjg



B. E. SCHMIDT A.I.A.
DALE ALLEN A.I.A.
THOMAS E. POTT A.I.A.
KENNETH D. HEIDEBRECHT A.I.A.

1133 EAST SECOND ST. WICHITA KANSAS 67214 TEL.316-263-0221

86
Your files?
August 18, 1977

Robert B. Feldner, Superintendent of Central Inspection
Robert A. Lakin, Director of Planning

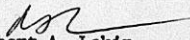
DP-45 C-K-M Community Unit Plan, Parcel 2.
Kapaun Second Addition

Upon receipt of your memorandum of August 12, 1977 concerning the methods you use in determining setbacks for multiple family developments associated with CUP's, Jack Galbraith and Glen Lytle reviewed the specifics of the CUP and plans with John Riddel. We are all in agreement with the three methods you use to determine setbacks (or yard areas on CUP's).

We did raise a question to your second to the last paragraph in calculating density for multiple family dwellings exclusive of public or private streets. We all believe that when Section 28.04.190.4 was written that the word "streets" pertained to public streets and that we did not expect that to determine density, you would have to first subtract all private drives, circulation isles or areas designated as "fire lane easements" or "private access easements". In the writing of the text, we did not intend to place that type of burden on the Inspection Division in having to make that type of density calculation. As you are aware, in calculating density on multiple family projects not associated with CUP's you don't subtract "private streets" in determining density.

John Riddel expressed that he had never determined density on CUP's in the past by first subtracting private street areas, but he said that by reading the definition of street, he believed that was the correct interpretation. He did state that if we felt that such areas should not have to be subtracted, he would agree as he also felt that it was not the intent. He asked us to place our thoughts in a memo to you and if you concur, we believe that the word "street" in section 28.04.190.4 should be interpreted as a "public street" and that density is to be calculated on the parcel or lot area not including public streets.

If there area any questions, please call.


Robert A. Lakin
Director of Planning

RAL:JHG:el
cc: John Riddel, Public Works-Plans Examination Section

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE August 12, 1977



TO Robert A. Lakin, Director of Planning

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT DP-45 - C-K-M Community Unit,
Parcel 2. Kapaun Second Addition

Our application of building setback lines to establish yard areas for a multiple family zoning district within a Residential Community Unit Plan is as follows:

If there are platted building setback lines, then building walls and projections shall be constructed so as to comply with such setbacks.

If there are building setback lines shown on the approved CUP, then building walls and projections shall be constructed so as to comply with such setbacks.

Unless otherwise specified by platting or by the approved CUP, building setback lines are required to be established as required by the Zoning Ordinance around the perimeter of each separate multiple family zoning district within the approved CUP and zoning setback lines are not imposed on each structure within such zoning district. Building setback lines as required by the Uniform Building Code are imposed on all buildings in all zoning districts in all instances.

The density of dwelling units for a specific multiple family zoning district located within a CUP shall be as specified in the Zoning Ordinance exclusive of public or private streets (Reference: Zoning Ordinance, Section 28.04.020, definition of "street" and Section 28.04.190, CUP Regulations).

We presently have a building project for the subject area and are reviewing the plans in accordance with the foregoing paragraphs. Unless you note a serious problem, we will proceed with the review and permit issuance.

Robert B. Feldner
Robert B. Feldner
Superintendent of Central Inspection

RBF:rml

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 5, 1973

TO Robert Feldner, Supt. of Central Inspection

FROM Robert A. Lakin, Director of Planning

SUBJECT DP-45 - C-K-M Community Unit Plan

Attached is a copy of a letter from James R. Vosburgh requesting that the 30-foot setback indicated on the CUP between Parcels 1 and 2, be moved north a distance of 4 feet. This CUP was approved by the Board of City Commissioners on February 20, 1973, subject to several conditions. One of the conditions of approval which offers limited flexibility to the developer, is as follows:

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.

In reviewing this request and the minutes of associated plat, KA-PAUN SECOND ADDITION, the minutes reflect that Bob Lakin pointed out for the clarification of the Planning Commission that the 30 feet in question, which is indicated on the plat as Reserve A (private drive, drainage and utility easement, fire lane), was located to the north of the dimensions indicated on the CUP a distance of 12 feet. He commented that he had reviewed this matter with you and a representative of the opposition, Mr. Glen Vess, and neither of you expressed a concern or objected to this minor change.

Inasmuch as this was agreed to on the plat, the applicant now finds that the proposed dwelling units on Lots 8, 19, 20, 31, 32, 43, 44 and 55 encroach into the 30-foot setback as indicated on the CUP a distance of 4 feet. This Department is of the opinion that inasmuch as the 30-foot separation is still maintained, an adjustment of the 30-foot setback by moving it north 4 feet does not violate the purpose and intent of the Community Unit Plan provisions, nor is it a substantial deviation of the plan which would require an amendment to the Plan.

Page 2 - Robert Feldner, Supt. of Central Inspection
November 5, 1973

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur that this proposal is in keeping with the purpose and intent of the CUP provisions and is not a substantial deviation of the Plan. Should you concur, please mark the official copy of the CUP in your office by indicating the 30-foot setback has been moved north a distance of 4 feet.

RAL:JHG:ber

Attachment

cc: James R. Vosburgh
7611 Donegal
Wichita, Kansas

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

November 5, 1973

Robert Feldner, Supt. of Central Inspection

Robert A. Lakin, Director of Planning *RSZaki*

DP-45 - C-K-M Community Unit Plan

Attached is a copy of a letter from James R. Vosburgh requesting that the 30-foot setback indicated on the CUP between Parcels 1 and 2, be moved north a distance of 4 feet. This CUP was approved by the Board of City Commissioners on February 20, 1973, subject to several conditions. One of the conditions of approval which offers limited flexibility to the developer, is as follows:

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.

In reviewing this request and the minutes of associated plat, KA-PAUN SECOND ADDITION, the minutes reflect that Bob Lakin pointed out for the clarification of the Planning Commission that the 30 feet in question, which is indicated on the plat as Reserve A (private drive, drainage and utility easement, fire lane), was located to the north of the dimensions indicated on the CUP a distance of 12 feet. He commented that he had reviewed this matter with you and a representative of the opposition, Mr. Glen Vess, and neither of you expressed a concern or objected to this minor change.

Inasmuch as this was agreed to on the plat, the applicant now finds that the proposed dwelling units on Lots 8, 19, 20, 31, 32, 43, 44 and 55 encroach into the 30-foot setback as indicated on the CUP a distance of 4 feet. This Department is of the opinion that inasmuch as the 30-foot separation is still maintained, an adjustment of the 30-foot setback by moving it north 4 feet does not violate the purpose and intent of the Community Unit Plan provisions, nor is it a substantial deviation of the plan which would require an amendment to the Plan.

Page 2 - Robert Feldner, Supt. of Central Inspection
November 5, 1973

Upon your review of this memo and attached letter of request, your signature of approval will indicate that you concur that this proposal is in keeping with the purpose and intent of the CUP provisions and is not a substantial deviation of the Plan. Should you concur, please mark the official copy of the CUP in your office by indicating the 30-foot setback has been moved north a distance of 4 feet.

RAL:JHG:ber

Attachment

cc: James R. Vosburgh
7611 Donegal
Wichita, Kansas

APPROVED: 
Robert Feldner, Superintendent
of Central Inspection

October 31, 1973

Mr. Robert Lakin
Director of Planning
City Annex
Wichita, Kansas

Re: Kapaun Second Addition to Wichita, Kansas and
C-K-M Community Unit Plan

Dear Mr. Lakin:

The community unit plan has finally approved has a 30 foot building set back line from the south edge of Parcel One into Parcel Two.

At the time that Kapaun Second Addition was platted and approved by all authorities and commissions involved, the lots were to be moved 10 feet to the ~~south~~ on the single family lots still maintaining a 30 foot separation between the tier of lots in Parcel One and the tier of lots in Parcel Two.

We are now asking for permits on lots in Parcel Two as platted in Kapaun Second Addition and the building permits, if granted as asked, would allow the buildings to encroach four feet North of the set back line as shown on the CUP above referred to.

After conferring with the Central Inspection Department, we find that it would be necessary to obtain a letter from you stating that in your opinion this is not a substantial deviation from the CUP thus authorizing Central Inspection to issue the requested building permits.

It was always our understanding that it was our intention and the intention of the Planning Commission to maintain a thirty foot separation between the single family units and the community units, and this four foot deviation will still allow the thirty foot separation.

We will be deeply appreciative of your cooperation and help in this matter.

Very truly yours,

James R. Vosburgh
JAMES R. VOSBURGH

April 6, 1973

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

DP-45 - C-K-M CUP - At the Northwest corner of
Central and Woodlawn

On February 20, 1973, the Board of City Commissioners approved
the above captioned CUP subject to the following conditions:

1. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
2. 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 development and be binding upon the present owners, their successors and assigns, unless amended.
3. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
4. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for consideration.

Attached for your information and files is an approved copy of the CUP. Please note that no building permits are to be issued on subject property until such time as the land has been platted and the plat recorded with the Register of Deeds.

If you have any questions, please contact our office.

JHG:rw
attachment

March 29, 1973

Mr. Robert Kaplan, Attorney
430 North Market
Wichita, Kansas 67202

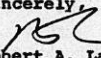
Re: DP-45 - Community Unit
Plan

Dear Mr. Kaplan:

Jack Galbraith and members of his staff have reviewed the Revised Community Unit Plan submitted by Bill Yung with revision date of March 1, 1973. We believe all the changes to be satisfactory with the exception of the uses stated in Parcel 6. The use list should be restated as approved by the City Commission to provide for church, school, institutional and office uses. Please delete "and other permitted "BB" uses." That phrase opens up all of the residential districts which are cumulative in the "BB" District, plus motels, veterinarian clinics, mortuaries, etc. I do not believe that this was the intent of the governing body. It also opens up the extremely high 74 dwelling unit density allowed in the "B" District which accumulates into the "BB".

Please submit five revised copies with the change in Parcel 6. Upon receipt of these copies we will certify them to Central Inspection and they will become the officially approved Community Unit Plan.

Sincerely


Robert A. Lakin
Director of Planning

RAL:ber

cc: Carl Chusy, 6572 East Central 67206
Bill Yung, Oblinger-Smith Corp., 625 1st Nat'l Bank Bldg. 67202
Richard Holmes, Attorney, Brown Building 67202
John G. Vess, 6403 East Murdock 67206

February 23, 1973

Mr. Robert W. Kaplan, Attorney
Kaplan, McMillan and Anderson
430 North Market
Wichita, Kansas 67202

Re: Z-1414 - "AA" to "BB" and
"AA" and "LC" to "LC"; and
DP-45 - CKM Commercial Com-
munity Unit Plan

Dear Mr. Kaplan:

The City Commission, at its regular meeting on February 20, 1973, considered the above-captioned cases. The action of the City Commission was to approve the zoning for Parcel 1 to remain as "AA" Single-family, the "BB" Office District for Parcel 6, the "LC" Light Commercial classification for Parcels 4, 5 and 7 and for Parcel 3 to the same depth from Central as granted on the area to the west known as Kretchmar Addition, and to "R-5" General Residence classification on Parcel 2 and the north part of Parcel 3. The Commission also approved the CUP, subject to the appropriate revisions being made for parcel boundaries and setbacks and appropriate parcel description changes, and subject to the following conditions:

1. Delete Condition #17 under General Provisions.
2. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
3. 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.
4. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the

Page 2 - Mr. Robert W. Kaplan
February 23, 1973

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.

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

The dimensions of "LC" zoning on the Kretchmar Addition to the west is 630 feet measured from the section line of Central.

Enclosed with Bill Yung's copy of this letter is a marked copy of the CUP. Several changes, as indicated, need to be made on the plan and appropriate corrections made in the parcel descriptions for Parcels 2 and 3. Also, based on this action, it is necessary that you provide us new legal descriptions reflecting the zoning changes to "R-5", "BB" and "LC".

We would appreciate you authorizing Bill Yung to make the necessary corrections and submit four corrected copies of the CUP to our office by March 9, 1973, so that we can close these files.

If you have any questions concerning these cases, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Carl Chuzy, 6572 East Central 67208
Bill Yung, Oblinger-Smith Corp., 625 1st Nat'l Bank Bldg. 67202
Richard Holmes, Brown Building 67202
John G. Vess, Jr., 6403 East Murdock 67206
Nancy Bachus, 6409 East Elm 67206

*Rhodda
Kapaun RP*

February 22, 1973

Ralph Wulz, City Manager
Robert A. Lakin, Director of Planning

Branch Library - Murdock and Woodlawn

Based on the City Commission's action to approve the neighborhood Community Unit Plan at Kapaun, it is my belief, and concurred in by the Superintendent of Central Inspection, that a library site at the corner of Murdock and Woodlawn would present certain problems in terms of obtaining a building permit. The land itself will have to be platted whether at the corner or farther to the south. However, based on the approval of Parcel 1 as single-family lots, with the lotting configuration and with the setback contained thereon, the siting opportunities are rather limited. This is set out a little more clearly in the attached sketch. The red diagonal lines indicate that area which I believe to be buildable area on a site 200 by 300 feet at the corner.

The alternatives would seem to be:

1. Fit a building into the diagonally lined area.
2. Move the site farther to the south so that it falls within Parcel 2. In this event, it would be hoped that the entire frontage, excepting a driveway area to the south, might be acquired, rather than leave a small unuseable sliver for building site for other than library uses.
3. Amend the Community Unit Plan. An amendment would require readvertising and going through the hearing procedures, etc.

I attempted to point this problem out at the City Commission meeting; however, was unable to complete an explanation of what I considered to be siting problems on the corner location. An additional change which will probably be made in the final revised CUP will be the reduction from 60 feet to 50 feet of the right-of-way needed for Woodlawn, based on the less intense use of Parcel 2, portion of Parcel 3, etc. This final determination would be made at the time of platting, but it might make a difference in terms of a particular tract of land the Library Board might purchase. Of course, if they were to buy the land already platted, they would be getting a known quantity rather than buying it metes and bounds and then proceeding to plat it themselves.

RAL:ber
Attachment

cc: Ford Rockwell, Librarian, w/a
Robert Feldner, Supt. of Central Inspection, w/a

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONING
AND APPROVAL OF COMMERCIAL CUP

CASE NO. Z-1414	CONSIDERED BY MAPC:	9-14-72
DP-45	CONSIDERED BY BCC:	10-3-72 Def
	CONSIDERED BY BCC:	10-31-72 Ref back
	RECONSIDERED BY MAPC:	

REQUEST: "AA" to "BB" and "AA" and "LC" to "LC"
Approval of Commercial CUP

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):
Shopping Center development, office park and/or multiple
family residential.

GENERAL LOCATION: West side of Woodlawn between Central and Murdock

LEGAL DESCRIPTION:

"AA" to "BB" - Com. 960 feet N and 60 feet W of the SE Corner of
the SE 1/4 of the SE 1/4 of Sec. 13, Twp. 27 S, R 1 E of the 6th
P.M., th W 530 feet, th N 90 feet, th W 740 feet, th N 250 feet,
th E 1,270 feet, th S 340 feet to place of beginning.
"AA" and "LC" to "LC" - The SE 1/4 of the SE 1/4 of Sec. 13, Twp. 27
S, R 1 E of the 6th P.M., Sedgwick County, Kansas, Ex Com. 960 feet
N and 60 feet W of the SE Cor of the SE 1/4 of the SE 1/4 of Sec.
13, Twp. 27 S, R 1 E of the 6th P.M., th W 530 feet, th N 90 feet,
th W 740 feet, th N 250 feet, th E 1,270 feet, th W 340 feet to
place of beginning.
Commercial Community Unit Plan - SE 1/4 of the SE 1/4 of Sec. 13,
Twp. 27 S, R 1 E of 6th P.M.

APPLICANT: Carl Chuzy, 6572 East Central, Suite 203 67208

COUNSEL FOR APPLICANT: Robert W. Kaplan, Attorney

PROTESTORS (LIST COUNSEL) IF ANY: Richard Holmes, attorney, spoke in
opposition on behalf of property owners in the area. Roger Wilson,
Glen Vess and John Vess also spoke in opposition.

SURROUNDING ZONING: To the north is "AA"; east is "AA", "A", "B" and
"LC"; south is "AA", "A", "BB" and "LC"; west is "AA" and "LC".

LAND USE: Subject property is vacant; north is single-family; east is
single-family and shopping center; south is single-family, offices and
service station; west is retail business and riding stables.

PLANNING COMMISSION RECOMMENDATION: That Parcel 1 remain as "AA" single-
family; and that the "BB" Office District be approved for the areas
designated as Parcels 2 and 6, and that "LC" Light Commercial be ap-
proved for the remaining Parcels 3, 4, 5, and 7; and the approval of
the amended CUP be subject to deleting the use "shopping center" from
Parcel 6 and adding new uses "churches and schools", and subject to
the following standard conditions: (See attached excerpt of Planning
Commission minutes of January 18, 1973 for conditions.) Jackson moved,
Burnett seconded and it carried by a vote of 5 in favor (Jackson,
Burnett, Blakey, Taylor and Kamen) and 1 opposed (Hennessy). Harrison
abstained.

NOTE: 53.23% of the property owners within 200 feet are represented by
valid protest petitions which have been filed as provided by law. There-
fore a 4/5ths vote on the part of the City Commission will be required
in order to approve the zone change.

ACTION: 1. Approve the zone change and CUP as recommended by the Metro-
politan Area Planning Commission, subject to the conditions of platting, and
instruct the Planning Department to forward the ordinance for first reading
when the plat is forwarded to the City Commission; or
2. Take such action as the City Commission deems appropriate.

EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 14, 1972:

- 21a. Case No. Z-1414 - Carl Chuzy requests change from "AA" to "BB" for commencing 960 feet north and 60 feet west of the southeast corner of the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of the 6th P.M., thence west 530 feet; thence north 90 feet; thence west 740 feet; thence north 250 feet; thence east 1,270 feet, thence south 340 feet to place of beginning, and change from "AA" and "LC" to "LC" for the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of the 6th P.M., except commencing 960 feet north and 60 feet west of the southeast corner of the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of the 6th P.M., thence west 530 feet, thence north 90 feet, thence west 740 feet, thence north 250 feet, thence east 1,270 feet, thence south 340 feet to place of beginning. All generally located on the west side of woodlawn between Central and Murdock.
- 21b. Case No. DP-45 - Carl Chuzy requests approval of commercial CUP for property legally described as the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of 6th P.M. Generally located on the west side of Woodlawn between Central and Murdock.

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

Comments

1. The applicant is requesting a zone change from "AA" and "LC" to the "BB" Office District and the "LC" Light Commercial District on approximately 36 net acres of property bounded on the south by Central Avenue, on the north by Murdock Avenue, and on the east by Woodlawn Avenue. At present, there is approximately 1.7 acres of existing "LC" zoning located at the northwest corner of Central and Woodlawn, with the balance of the area being zoned the "AA" Single family classification. All of subject property was formally utilized as the Kapaun High School complex. The applicant is requesting approximately 28 acres of "LC" zoning and 8 acres of "BB" zoning.
2. As required by the CUP provisions of the zoning ordinance and where a tract of land contains more than 6 acres proposed for light commercial development and is under single control, a development plan has been submitted for review and approval by the Planning Commission. The plan indicates the required information pertaining to proposed land use, maximum building heights and building coverage, maximum number of curb cuts, sign control, minimum building setbacks and screening controls.
3. The plan as submitted indicates 6 parcels, 5 of which propose commercial uses, including all uses permitted in shopping centers, automotive, food service, and financial, at a proposed maximum gross floor area of 471,086 square feet. The sixth parcel, which is adjacent to Murdock, indicates offices and multiple family, with the maximum gross floor area for the offices listed as 146,080 square feet. No maximum dwelling unit density has been listed for this parcel and it should be pointed out that the maximum permitted by the requested "BB" district would permit 74 dwelling units per acre. If apartments are intended, the density should be indicated on the plan.
4. In our initial discussions of this proposed project with the applicant and his representatives, we urged the proposal of residential uses on the south side of Murdock that would be compatible with the single-family homes to the north and to the east of Woodlawn. This general area has some of the highest quality homes in Wichita and it was stressed that every effort should be made to protect home owners from the encroachment of non-compatible uses.

As it was felt that it would be difficult to justify a project which now proposes 617,000 square feet of retail and office space, the applicant was encouraged to redesign the CUP to provide residential uses adjacent to Murdock (medium density apartments and townhouses) for a large portion of the area, with the commercial activities being kept adjacent to Central.

With the proposal for Kellogg Mall and other approved CUP's, as well as other developed shopping centers in this northeast area of Wichita, consideration should first be given to the justification of another shopping center of this magnitude.

5. As with other proposals for commercial development of this size, potential traffic generations and controls are a major problem. The plan proposes additional rights-of-way for both Central and Woodlawn for future acceleration-deceleration lanes and channelization of traffic. One of the concerns expressed by representatives of the Traffic Engineering Division was that the proposed north major entrance was not aligned with an existing street to the east which would pose future problems for a medial break to serve the shopping center and the neighborhood on the east and to facilitate the handling of traffic on Woodlawn.

Perimeter traffic circulation within and adjacent to the site must also be a consideration. The plan proposes to terminate both Murdock and Brookside Parkway on the west with cul-de-sacs. It is the opinion of the Department that Brookside Parkway should be extended north to connect with Murdock so as to permit adequate perimeter traffic circulation. Also, inasmuch as no access is proposed from the development to Murdock and since offices, multiple family, and shopping center uses are all proposed within the area, an interior circulation plan is also needed.

6. Upon the determination as to the appropriateness of the zone change request and the proposed development plan, approval should be subject to consideration of the following recommended conditions:
 - A. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
 - B. Changing condition #12 under "General Provisions" to read as follows: A landscaped plan for the 10-foot planting area along the perimeter of the site, indicating the location, type and specifications of planting materials, shall be submitted to the Planning Department for approval prior to the issuance of any building permit.
 - C. Changing condition #13 to read as follows: An interior circulation roadway shall be designed and submitted to the Department of Public Works for review and approval prior to the issuance of any building permit on Parcels #1, 2, 4 and 6.
 - D. Eliminate condition #17 and instead, indicate on the plan the extension of Brookside Parkway to connect with Murdock.
 - E. Determination as to whether or not the north major entrance on Woodlawn should be adjusted to align with Claytonia on the east.
 - F. Indicate the proposed residential density for Parcel #1.

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

GALBRAITH emphasized the concern of the staff that it is difficult to justify another project at this location, which proposes 617,000 square feet of office and retail floor space, that the applicant had been urged to redesign the CUP providing for residential uses (apartments and townhouses) adjacent to Murdock with the commercial activities being kept adjacent to Central.

GALBRAITH commented further, that although to terminate Brookside Parkway by a cul-de-sac, as proposed by the developer, would be advantageous to the residences on Murdock, it is felt that there is a need for the street to continue on to the north and tie in with Murdock if the development actually materializes to the density and intensity proposed.

GALBRAITH said that the Traffic Engineer originally recommended that the major entrance on the north be across from Claytonia Street so that in the event medials are later constructed there would be left turn movements both to the shopping center and the residential area to the east. If it is determined by the residents on Claytonia that they do not want to be located at a medial break, then the location of the proposed major entrance is satisfactory. The second major entrance to the south is opposite the major entrance to Normandy Square on the east side of Woodlawn.

GALBRAITH continued that several protest petitions were delivered, but that valid protest petition forms must be filed in the Office of the City Clerk by those property owners within a radius of 200 feet within 14 days after this hearing in order to be considered a legal protest.

CHAIRMAN HENNESSY said that both he and Mr. Blakey (Vice Chairman) are members of the First Bible Baptist Church, which is interested in possibly acquiring the present Kapaun High School building for church facilities, and he asked if anyone felt they would have a conflict of interest.

ROBERT KAPLAN, attorney for the applicant, and RICHARD HOLMES, attorney for those in opposition, both stated they would see no conflict.

BILL YOUNG, consultant with Oblinger-Smith Corporation, land planning consultants, spoke on behalf of the developer, and stated that while Mr. Galbraith has covered many items, there are other matters to be presented.

YOUNG pointed out that one area that has not been discussed has been the changing conditions that have occurred in subject area generally in recent months. The Catholic Church no longer operates Kapaun High School as it has been vacant for sometime, which in itself creates a problem for the neighborhood. There is the opportunity to place the property back on the tax rolls and an opportunity for development which would be compatible to the surrounding area.

YOUNG stated that they have made an attempt to compromise and it is obvious to recognize that persons buying homes in this area some years ago when the school was in operation, would naturally have anticipated that it would continue; however, it is not reasonable that the land remain vacant to become a problem so far as maintenance and so a change in land use must occur.

YOUNG reviewed the proposed development, parcel-by-parcel, as follows:

Parcel 3 - This parcel has been committed for use by a financial institution and while the capability for development is 20,000 square feet, in all probability the final institution committed for this tract will not be that large. He pointed out that at this stage there is a reasonable amount of flexibility provided.

Parcel 4 - This parcel is committed for a full service area, i.e., grocery store and cafeteria and while the maximum floor area is indicated as 78,046 square feet, the present plans are for 50,000 square feet.

Parcel 5 - This parcel has been considered for an automotive center (excluding new and used car sales), but there have been inquiries for other uses, such as financial institution (possibly a building and loan company), and it appears that one of these types of uses would be the most logical, however, it is not definitely committed at this time. He asked that the Commission keep in mind the possible use of this tract for other than automobile center as indicated on the plan.

Parcel 6 - This parcel is the location of the Kapaun High School structure. YOUNG said that negotiations are taking place for the possible sale of this parcel to a church, but that no firm decision has been reached at this time. He stated that his client considers the use of the building for church facilities to be ideal and possibly the best use. He pointed out that if the sale is made, it would result in a substantial change of the overall area to be developed for light commercial and with the reduction of the square footage, would also be a reduction in all other possible concerns.

Parcel 1 - YOUNG said they have asked for "BB" zoning in order to have more flexibility of use, and since submission of the plan they have had many inquiries for apartment development as well as offices and office complex structures. Any development on this parcel would be oriented toward Woodlawn with adequate parking. As for density of apartment development, YOUNG said they would like to have "BB" zoning as requested, but if apartments are developed, they would be willing to limit such development to not exceed 28 units per acre.

Parcel 2 - YOUNG then pointed out that this parcel is 14 acres and is proposed for the shopping center in general, and he said they have had numerous inquiries and are very optimistic for proper development of the area.

YOUNG next referred to the matter of protecting the neighborhood and pointed out that his client has concurred from the beginning that they should have no curb cut or opportunity for a curb cut on Murdock and he felt this would lend a great deal of protection to the residential area so far as limiting traffic. He said the 10-foot buffer along the north side would be solid plant material, and such plan for screening would have to be approved prior to issuance of any building permit.

YOUNG also pointed out that the center as a whole would have three front doors and no adjacent property would be looking into the back door of any of their proposed facilities. Also, the plan has been developed with requirements for additional street right-of-way to be dedicated from subject property to accommodate decel and turning movements where required, and the channelization has been shown, although will not be installed immediately, but only if and when it is required, which would be a later decision for the City.

As for entrance points, YOUNG pointed out that there are two major entrances proposed on Woodlawn and one on Central, and that loading and unloading would be on the interior roadways.

When questioned as to the possibility of a service road on the north, YOUNG felt that a service road might tend to encourage more traffic along the north side. HENNESSY suggested that a service road, 35-foot setback and landscape screening would tend to control noise generated by the proposed uses.

HENNESSY asked where the decel lane would start heading south on Woodlawn and YOUNG said their dedication provides for a decel lane the full length of their property and use of medials or decel lanes would be designed in accordance with City Engineering standards.

BURNETT referred to the request for "BB" and the earlier reference to possibly development which would actually require a lesser or more restrictive type zoning district, and YOUNG said they would like to have "BB" as requested, but if developed for apartments they would be willing to guarantee that it would be no more dense than allowed in the "R-6" classification. When questioned as to whether they would like to amend the application to request "R-6" instead of "BB", YOUNG said they would not.

RICHARD HOLMES, attorney, said that he represented the entire group of neighborhood residents who are opposed to the application, which includes those present and others, or 51 of the 71 owners of property within 200 feet and 149 owners within 1,000 feet. He stated that between 400 and 450 property owners and business people in the area have filed protest petitions, which includes all of the owners on Murdock, practically all of those on the east side of Woodlawn and all but one or two on the south side of Central.

HOLMES referred to the provisions of the zoning ordinance which states that "In interpreting and applying the provisions of this chapter, they shall be held to the minimum requirements for the promotion of the public safety, health, convenience, comfort, propriety, general welfare and the preservation of personal and property rights." With respect to private rights, HOLMES pointed out that there are approximately 1,000 homes in the immediate area which would be adversely affected by this development, each of which is valued at from \$30 to \$40 thousand dollars. Residents of the area are young people with growing families, which could be affected by the traffic problems and hazards which will be generated; elderly people and widows who have practically their life savings invested in their property and are vitally concerned as to their property values. Homes were purchased in this area in reliance on the fact that there was an existing high school and it was naturally assumed that it would continue to be so used. HOLMES granted that some type of development will occur since the school is no longer operating, but felt that what is proposed is not in the best interest of the public at large. He felt that those whom he represents deserve the protection of the Planning and City Commissions in protecting their rights and should be considered over and above the relatively few people who will be benefitted by the CUP proposed.

HOLMES stated he was concerned also about the general welfare and questioned the need for this shopping center as it is bound to be a detriment to existing business establishments in the area, and he specified Normandy Center, the center at 13th and Woodlawn, as well as smaller neighborhood centers within a mile or so of subject location and the larger ones already planned or approved. He felt shopping facilities would be so numerous in this general area that the economics of the neighborhood would not support another center of this size. He referred to the Chrysler development on Kellogg (something over 1,300,000 square feet), the regional center for COMOTARA northeast of 21st and Woodlawn, and the approved CUP'S for proposed centers at Central and Rock Road a mile east of subject location. Also Lincoln Heights to the south at Oliver and Douglas.

One of the big problems, HOLMES stated, will be the traffic generated on Central and Woodlawn, and more particularly that generated on the residential streets in the area. He referred to the staff comments that a major traffic problem will exist necessitating additional traffic controls, possibly widening of the major streets, medians, etc, and while the staff suggests the extension of Brookside Parkway to Murdock, he felt this would defeat one of the purposes of not having any access on Murdock, and would merely provide a route whereby motorists could avoid the congestion which is sure to be at Woodlawn and Central. He suggested also that in view of the heavy traffic on the two major streets, the intersection should be considered as reasonable to expect a high accident count, especially since Woodlawn is the only through street from Kellogg between Oliver and Rock Road, and also the COMOTARA project and Chrysler project will generate traffic, much of which can be expected to utilize streets in this area. HOLMES also noted the Chisholm Creek development of 134 condominium units planned at 37th and Woodlawn. HOLMES said the COMOTARA project anticipates 18,000 residents and 13,000 employees, so problems will be generated trafficwise.

HOLMES presented a chart showing traffic projections and said it was based on figures provided by the Traffic Engineer's office. HOLMES said the figures were based on studies made by the Traffic Engineering Division whereby the 1970 traffic count was increased at the rate of 2% per year which has been determined the ordinary rate of increased growth, and then applied what they term a generation rate which converts additional traffic generated by a shopping center of commercial development. He said that 8 or 9 days in 1971 were picked at random and the projected traffic has indicated 13,500 vehicles per day going north on Woodlawn; 12,735 going east on Central; 12,887 going south on Woodlawn. Based on the generation rate of comparable shopping centers, the Traffic Engineer's Office feels that an increase of from 29 to 80 percent, or from 3,950 to 10,286 additional cars can be anticipated in a 24-hour period. HOLMES said that in all fairness, he should point out that two of the days chosen were during the Christmas holidays and of course the so-called generation rates were considerably higher, which accounts for the 80%; however, most of the average days studied resulted in 30 to 50 percent anticipated increase over existing traffic.

HOLMES said that while it has been mentioned that the developers are willing to dedicate additional right-of-way for widening of the streets, he questioned who would pay for improvements and pointed out that ordinarily the street improvements are assessed either to the City-at-large on major streets or adjoining property owners, and he commented further that it will be expensive to the property owners and taxpayers in this area regardless of how it is assessed.

HOLMES referred back to the matter of traffic and related problems associated with Lincoln Heights center where employees park on the residential streets, thus making it difficult for homeowners to utilize their own driveways, and he visualized the same thing happening related to subject development, because merchants like to reserve off-street parking for their customers.

In summing up the objections, HOLMES emphasized that: there is no demonstrated need for this development; the proposal will create a tremendous traffic problem, increased crime and vandalism, create additional pollution, trash, noise; and would cause homeowners and business people in the area to suffer a detriment in order to confer an advantage on a few people that have invested in subject property.

HOLMES agreed that some development should occur, and suggested that development in a residential manner (except for the existing "LC" on the corner), even at a loss to the developer is not a "drop in the bucket" when compared to the loss to the many homeowners if the development is permitted as submitted. He emphasized that it is primarily a residential neighborhood and should be retained as such. The attorney said that he has been advised that developers are looking for residential lots in the City.

TAYLOR asked Mr. Holmes if there is not just as much crime and vandalism when property is left vacant as the existing school building is now, as if developed for commercial. HOLMES said the school has experienced some vandalism, but he doubted that other types of crime would be as much.

RISING asked Mr. Holmes what he and his clients thought should be done with the property. HOLMES agreed that it should not lie idle, but stated they have made no studies, but felt it could be developed for single-family and multiple family with possibly some light commercial along Central, which he stated could no doubt return a fair return to the owners.

BURNETT referred to the COMOTARA development and said it was his understanding it would be an individual city within itself, and questioned the comparison made with respect to facilities to be provided in COMOTARA. HOLMES said he did not mean to indicate that it is strictly a shopping center development, as he understands it will be residential, office and commercial, including 6,000 homes and anticipated employment of around 13,500. He continued that his reference was primarily related to the traffic which it will generate and the fact that there will be considerable shopping center facilities provided which will have a bearing on the need for subject center.

In the discussion, it was suggested that the shopping facilities in COMOTARA will no doubt be designed primarily for the residents of that area, but HOLMES suggested that they would no doubt have hopes of drawing from beyond that point.

HENNESSY wondered if perhaps someone had put the "cart before the horse" in acquiring subject property prior to approval of zoning. HOLMES said from his experience many projects of this nature are contingent on obtaining the necessary zoning for whatever is proposed.

HENNESSY referred to the investment made by the owner and the possibility of resolving the differences brought out by the attorney so that there could be reasonable use of the property.

HOLMES said they were willing to discuss a compromise with the applicant and his attorney and have been furnished renderings and information on what is proposed, and he did not know definitely whether some compromise might be reached, but was receptive to the idea.

TAYLOR asked the feeling of the opposition with respect to the possible utilization of the existing school building for something other than school facilities. HOLMES said he had not heard of the possibility of a church acquiring the property until this meeting and he did not know how his clients would react, but did not think they would oppose its use for church facilities or private school since they have not objected to Kapaun High when it was operating.

TAYLOR commented that Mr. Holmes had mentioned redevelopment for housing and asked if he was suggesting the school building be razed. HOLMES said that was not his intent if the present building can be put to a reasonable use.

JACKSON commented that while Mr. Holmes has submitted traffic counts and projected counts as provided by the Traffic Engineer, since a representative of that Division is not present, the Commission cannot be sure the figures are correct.

HOLMES said the figures are subject to a certain amount of interpretation as he indicated earlier, especially so far as days and application of percentages from other shopping centers which were considered comparable.

RISING also indicated a desire to have the traffic expert's opinions so far as traffic problems anticipated, and asked that in the future the staff arrange to have someone from the Traffic Engineering Division present when traffic problems are foreseen.

BLAKEY commented that any time there is commercial development, it is an established fact that there will be traffic problems, and said that the figures presented by Mr. Holmes are probably very accurate, and he was willing to accept them unless Mr. Kaplan, attorney for the applicant, had some objection.

ROBERT KAPLAN, attorney representing the applicant, did not consider it necessary to delve further into the traffic matter, and said their planners, Oblinger and Smith, have met with the Traffic Engineer extensively and the matter of traffic has been previously discussed with the Traffic Engineer and Planning Department staff, and it was his feeling that they have encompassed all recommendations made, with the exception of the north entrance and its alignment with Claytonia, and as reported earlier in this meeting, the Traffic Engineer has indicated that there would probably be room for one medial break in the event Woodlawn traffic in the future should be channeled. He said there was no particular reason that the Traffic Engineer wanted the major entrance to the north aligned with Claytonia, but if the residents wanted a medial break and the shopping center developers wanted a medial break, there is room for only one. KAPLAN said he met with residents on Claytonia and it was his understanding they were not in favor of having a medial break. With respect to extension of Brookside to Murdock, KAPLAN said in the discussions it was indicated that it might be necessary to extend Brookside in the event there would be light commercial development to the west on the Bruce property.

LAKIN pointed out that any time there is this much square feet of commercial on a given corner there will be a substantial increase in traffic, and with respect to the figures presented, LAKIN said it would take sometime to go back and reconstruct the figures, but he thought the arterial system, with Central and Woodlawn with 100-foot rights-of-way, plus what would be required for additional dedication, would probably be sufficient in terms of the network to handle the high volume anticipated.

KAPLAN referred to Mr. Holmes' statement of 1,000 homes north of subject area, and said he limited himself to the 1,000 foot radius where notices were sent and there appears to be about 206 homes. In regard to the feasibility of the center, KAPLAN pointed out that the applicant does not propose to build structures that are not leased; and as customary, leases will be signed before construction starts. He stated that if there are no tenants available then there would be no construction. KAPLAN did not consider it reasonable to surmise that because there are other developments that that automatically eliminates the possibility of tenants for this site. He commented that competition is healthy.

As for the possibility of a compromise, KAPLAN said they mailed out to the residents of the 1,000 foot area, two letters explaining the proposed development and a colored aerial view, and offered to attend meetings to review the proposal and provide additional information, and indicated they were open to suggestions either at his office or to Oblinger and Smith. With very few exceptions, there was no response from the owners.

ROGER WILSON, attorney in opposition, said that as far as the shopping center itself is concerned, they are unalterably opposed, except for the part already zoned light commercial. He said he is not appearing as the attorney of record because he has a conflict in that he owns property and lives in the area. He continued that they are concerned about protecting the residential neighborhood into which it is proposed to place this major shopping center. He said they realize Central is a major thoroughfare and residents on the south side of Central are opposed to the magnitude of what is proposed.

Reference was made to the traffic figures and WILSON said they can only be considered as "rule of thumb" projections, but traffic will be increased, and in fact the whole purpose of the center is to generate traffic as it cannot be sustained by residents in the immediate area and the owner will want to draw people to the area from outside. WILSON maintained that the

need for such a center does not exist, it is a residential area and the neighbors are strongly opposed as it will create a radical change in the residential neighborhood and devalue property values. WILSON said that while KAPLAN said they see no need for a curb cut on Murdock, the City staff has recommended Brookside Parkway be extended to Murdock, which means motorists would be cutting thru and thus additional traffic on the residential streets will be added. He stated they do not see any possibility of a compromise.

WILSON said he had noted the purchase price of subject tract was around 1 1/2 million dollars, and he did not think this should be a consideration for the Planning Commission in determining proper zoning, since its responsibility is to protect neighborhoods and promote good development of commercial areas - it is not a body to promote business transactions.

WILSON stated that the homeowners are much concerned because their homes are in jeopardy, not only as to value but as to livability, and they see no possibility of a compromise so far as the use especially of Parcels 1 and 2.

HOLMES said that if he said there were 1,000 homes immediately to the north he wanted to correct that statement because what he meant was the 1,000 homes to the north, east, south and west, which may or may not be within the 1,000 foot-radius.

KAPLAN said he had nothing further to add, other than they think they have done an excellent job and engaged the services of professional planning consultants, and that while he himself resides within the area, he would prefer to see development under the plan submitted, than to leave it open for development by some one less concerned with the integrity of the neighborhood than the present owner.

GLEN VESS, 6403 East Murdock, spoke in opposition and questioned the use of the high school building for church purposes. He was advised that the building could be used for church purposes without any change in zoning. VESS said he bought a home in this area because it was a desirable residential area and if this center is permitted, it would decrease the value of his property \$10,000, and he pointed out that the residents and homeowners in this area are just as much concerned with their investment as the owner of subject property is concerned with his investment. He maintained that the price paid by the owner for the property should not be considered. He said the purchase of a home is usually the biggest investment a person makes and their values should be protected.

BURNETT asked by whose standards and what rule was being followed to determine that the residential property would be devalued.

VESS said he actually didn't have any figures, other than when Normandy Center was constructed, residents most affected in that case hired a company to make a study as to the affect on residential values and it was determined that residences would be devalued about \$5,000 on the south side of Elm and \$3,000 on the north side. He maintained that if real estate values can drop that much when back yards abut an alley, he estimated his property would be devalued \$10,000 when the center is visible from his front window, and he maintained that no one would want to buy a home directly across the street from such a center if there was an alternative to buy elsewhere.

RISING asked if there was any information available as to the success of other shopping centers in the general area, Normandy Center, for example - are there vacant stores.

TAYLOR commented that on the Zoning Committee field trip she noted a small store front vacant in Prairie Village, but she did not think the Commission could base its decision on how prosperous or how unsuccessful other activities in the surrounding area are.

RISING said he felt the same way, but believed that the time was coming when there may be new criteria for determining zoning. He referred to the recent presentation of the Planning Department staff of projected population and what Wichita might be like in the year 2000. He commented that it would seem that there should be some method of projecting how much area is needed for various land uses to provide services for a population of so many people, and that is why he asked how successful other centers in this general area were.

NANCY BACKUS, a resident of the area, said that tenant turnover in Normandy Center is tremendous and that there has been a vacancy in Prairie Village since the opening of The Mall on East Harry.

FRED LINDE, 6008 Grace, also spoke in opposition. It was his feeling that the residents who have been in this area for 17 or 18 years should have superior rights when it comes to deciding what should be done with the neighborhood. Had the shopping center been developed when homes were purchased, then it would be a different story, but since the residents were there first, he considered they should have priority and their rights should be protected.

HENNESSY complimented those present in opposition for their interest in what occurs in their neighborhood, and said the Planning Commission's recommendation would be passed on to the City Commission for a final decision.

BLAKEY stated that from his home he can look into Carl Bell's market, and that he recently voted for zoning for an apartment complex (244 apartments) only 150 feet from his front door, not because he wanted the development, but because he thought it was good zoning for the City of Wichita, and regardless of how subject application turns out, members of the Planning Commission look at good zoning and that is the primary interest of all the Commissioners - the proper land use. BLAKEY said he did not feel his home had deteriorated because of the apartment development, and in fact felt it was worth more today than when he purchased it five years ago.

JACKSON said he appreciated the interest shown by those present, and commented further that the plan submitted is one of the best submitted since he has been a member of the Commission.

MOTION: That the Planning Commission consider Case Z-1414 and DP-45 together. JACKSON moved, BURNETT seconded and it carried unanimously.

BURNETT said he also appreciated the interest shown by the people and commented further that this is a most difficult decision to make.

MOTION: That the Planning Commission recommend approval of the request for "LC" Light Commercial and "BB" Office District (Z-1414) and approval of the Community Unit Plan (DP-45), subject to the following conditions:

- A. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- B. Changing condition #12 under "General Provisions" to read as follows: A landscaped plan for the 10-foot planting area along the perimeter of the site, indicating the location, type and specifications of planting materials, shall be submitted to the Planning Department for approval prior to the issuance of any building permit.
- C. Changing condition #13 to read as follows: An interior circulation roadway shall be designed and submitted to the Department of Public Works for review and approval prior to the issuance of any building permit on Parcels #1, #2, #4 and #6.

- D. Changing condition #17 to read as follows: Determining, at the time of platting, the necessity of extending Brookside Parkway to Murdock.
- E. Determining, at the time of platting, as to whether or not the north major entrance on Woodlawn should be adjusted to align with Claytonia on the east.
- F. Indicate the proposed residential density for Parcel #1 as not exceeding 29 dwelling units per acre.
- G. Adding "Financial" to the proposed uses on Parcel #5.
- H. 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.
- I. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- J. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.

BURNETT moved, KAMEN seconded and the motion carried by a vote of 5 in favor (Burnett, Kamen, Taylor, Jackson and Blakey) and 2 opposed (Hennessy and Rising).

HENNESSY indicated his vote was because of the desirable residential neighborhood involved and an effort to preserve property values of the homeowners, and he felt the shopping center proposed would be "putting the cart before the horse."

RISING commented that there are many advantages to increasing property values and thereby taxes, but fundamentally he was opposed because of his feeling that this is really not the best use. He felt there is a good segment of subject property along Central which might be desirable for commercial development and thought there was a better way of developing the tract as a whole than as submitted. He referred to his previous statement that there will no doubt be new ways developed in time for looking at the more fundamental issues in planning.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 18, 1973:

- 2a. Case No. 2-1414 - Carl Chuzy requests change from "AA" to "BB" for commencing 960 feet north and 60 feet west of the southeast corner of the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of the 6th P.M., thence west 530 feet; thence north 90 feet; thence west 740 feet; thence north 250 feet; thence east 1,270 feet, thence south 340 feet to place of beginning, and change from "AA" and "LC" to "LC" for the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of the 6th P.M., except commencing 960 feet north and 60 feet west of the southeast corner of the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of the 6th P.M., thence west 530 feet, thence north 90 feet, thence west 740 feet, thence north 250 feet, thence east

1,270 feet, thence south 340 feet to place of beginning.
All generally located on the west side of Woodlawn between
Central and Murdock.

- 2b. Case No. DP-45 - Carl Chuzy requests approval of Commercial CUP for property legally described as the southeast quarter of the southeast quarter of Section 13, Township 27 South, Range 1 East of 6th P.M. Generally located on the west side of Woodlawn between Central and Murdock.

The Chairman asked Lakin to summarize previous considerations and actions on the above cases.

LAKIN pointed the area out on the map and reviewed the previous considerations of this application by the Planning Commission on September 14, 1972. (See minutes of that date for the staff report and discussion.) LAKIN reviewed the following revised staff report based on the revised CUP submitted subsequent to hearings by the City Commission:

Comments

1. The previous staff report is attached to this report. Attention is called to items of that report.
2. The Metropolitan Area Planning Commission, on September 14, 1972, recommended approval of the zoning and the CUP submitted at that time, subject to certain conditions. The Board of City Commissioners, in considering the case on October 31, 1972, returned the CUP and zoning request to the Planning Commission as it "did not agree with the commercial nature of the proposed Community Unit Plan."
3. After the Planning Commission meeting of September 14, 1972, the area residents submitted protest petitions against the zoning change requests which will require a 4/5ths vote of the City Commission to make any change.
4. A revised CUP has been submitted (no change in the zoning requests has been made) which:
 - A. Creates a tier of single-family lots on Murdock.
 - B. Reduces in area the tracts originally designed for offices or multi-family.
 - C. Reduces in area the large tract designated for a shopping center area.
5. The CUP as resubmitted is still substantially commercial in nature.
6. The requested light commercial totals 409,038 square feet of floor area, plus 26,000 square feet of floor area for financial uses. These figures do not include the parcel proposed as either offices or multi-family. The total acreage for Parcels 3 thru 7 is 25.55 acres. Normandy Center to the east has 8.66 acres (both "LC" and "B") with 91,300 square feet (est.) of floor area now developed (including service station). Twin Lakes, for comparison purposes, was authorized 330,000 square feet of floor area.
7. The pattern of light commercial zoning seems to have been established on Central between Oliver and Woodlawn. Continuation of these past actions would indicate the establishment of "LC" on the Central frontage. The Commission may wish to establish "LC" comparable to that on other nearby corners. If more is to be granted, the applicant should be asked to provide justification (such as market studies) for the additional "LC". Although additional "LC" and the development thereof will bring more traffic

- F. Enlarge Parcel 2 to include area deleted from Parcel 3, and establish multi-family and institutional uses with density not to exceed 12.4 dwelling units per acre. Allow parking structures (one story) to be built within the north setback line.
- G. Require solid architectural wall along the north line of Parcel 2 whenever open off-street parking areas are provided.
- H. Designate cul-de-sac on west as alternate to be determined at the time of platting.
- I. Adjust acreage, floor area figures to conform to allocation established.
- 12. Establish as standard conditions the following:
 - A. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
 - B. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
 - C. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - D. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.

A question was brought up as to how many acres are involved in this development plan and how it compares in size with others which have been developed or approved. LAKIN said subject site is 36 acres, with approximately 28 acres requested for "LC" zoning. In terms of zoning, he pointed out that Kellogg Mall (Chrysler project at northwest corner of Rock Road and Kellogg) as well as Air Park CUP at Kellogg and Ridge Road were both large sites and proposed for regional centers. These two have not been developed as yet, however. He estimated that Twin Lakes and Marina Lakes combined would about equal subject site in terms of acres. As to the largest, LAKIN indicated subject project would be one of the largest in acreage, but buildable floor area should be considered also and the staff report sets out some comparisons in this respect.

TAYLOR asked Lakin to outline again the configuration of Parcels 3 and 5 as suggested by the staff, and LAKIN did so, and indicated that it was felt rearrangement of Parcel lines as suggested would result in more reasonable and more buildable sites, and would tend to discourage stringing out of development.

LAKIN reported that protest petitions since the last hearing amounted to over 53% which would require a 4/5ths vote on the part of the City Commission to approve these requests. In discussion of the suggested revisions, LAKIN pointed out that "R-5" as suggested in the staff report is approximately the same density as the "A" Two family district, but does allow flexibility in type of development, i.e., townhouses, patio apartments, etc.

The fact that the Library Board has indicated an interest in a site in the northeast portion of this plan for a branch library was brought up. LAKIN said he understood the Library Board has been authorized to negotiate for a site 300 by 200 feet at the intersection of Murdock and Woodlawn. He felt that perhaps more frontage on Woodlawn was available north of Parcel 6 which would be better and permit the row of single-family lots to remain on Murdock.

HENNESSY asked concerning the Bruce Tract to the west of subject property and how much commercial zoning there is at that location. He also commented that the City owns a tract in the area to the west and north.

LAKIN said the City's tract for park purposes is 30 acres and that there must be about 30 to 35 acres in the Bruce Tract. He stated that the staff has favored development in this general area to the west in such a way as to avoid having to construct a bridge over the drainage ditch which would be quite expensive.

BILL YUNG, Oblinger-Smith Corporation, said they have been retained by the applicant and have prepared the revisions to the CUP as submitted earlier. He pointed out the various changes on the plan as he explained them. He stated that the basic change was along Murdock where they have indicated single-family lots because of the protest previously shown by the residents of the single-family homes to the north of Murdock. In the beginning, the developer was opposed to that idea because of the additional curb cuts and traffic on Murdock, but in an effort to please residents of the area they have redrawn the plan in this respect. He pointed out that the original proposal did not have any curb cuts on Murdock and thus posed no problem of additional traffic there.

Parcel 2, to the south of the tier of single-family lots, has been shown at a depth which they consider reasonable for the intended use (offices and/or multi-family) and it would provide some visual protection as well as sound buffer for the residences to the north.

The size of Parcel 3 (for "LC" zoning) was reduced with the creation of the changes above outlined; Parcel 6 (school site) has been retained for "LC" because of the uncertainty of what will occur on this tract. He indicated that it is still the desire of the owner to sell the building for church purposes and that negotiations are still in process. He stated that if the sale to the church does not materialize, then they may have to alter their thinking in terms of retaining the school building, and if it is removed, Parcels 3 and 6 could be designed in a far better commercial complex.

Parcel 4, YUNG stated, remains as originally submitted. Parcel 5 has been redesigned for commercial because of the interest of several food dispenser type businesses that are interested in the site. They are interested in the piece as shown which is the reason for the jog referred to by the Planning Department staff.

YUNG said they have retained Parcel 7 for a financial institution instead of the original proposed service station. LAKIN said that the Central Inspection Division has determined that banks or savings and loan associations must have "LC" zoning.

BURNETT asked Yung what his feelings were on the Planning staff proposal. YUNG said they are somewhat regulated by what they know about the market and feasibility and have been guided by what their potential clients desire, and have tried to provide protection for the residences on the north side of Murdock. He commented that it is a matter of what the market will stand and

what is feasible and the best use for this particular property. YUNG pointed out that the owner cannot allow land to remain idle indefinitely and they are attempting to design something to allow the highest and best use and in line with market and economic conditions.

BURNETT asked if he felt the market would not be as great for "R-5" type development as what has been suggested for Parcel 3. YUNG said there might be a market for that type of use, but the financial feasibility also enters into the case. With respect to lot size of the single-family lots on Murdock, YUNG said they are of the same frontage and depth as those on the north side of Murdock. Again, when questioned about high-rise or condominium apartments, YUNG said to his knowledge there has not been any strong inquiries regarding high-rise apartments.

TAYLOR asked his reaction to limiting the development of Parcel 6 to institutions and eliminating any reference to shopping center use. YUNG said they would like to have "LC" in order to have more flexibility in that it is difficult to redevelop because of the existing structure. He did not believe it would be practical, at least in their present thinking, to attempt to develop under any other type zoning.

As to his reaction to the suggestion of reducing the size of Parcel 3 to south of the existing sewer easement, he said they would like to retain the "LC" as requested, and he doubted that his client would be willing to amend the request for any more restricted type zoning.

HENNESSY checked with those in opposition to see if they wanted to present their case or speak to any comments made thus far, and RICHARD HOLMES, attorney for those in opposition, suggested the proponents complete their presentation.

ROBERT KAPLAN, attorney for the applicant, commented that YUNG has explained the technical changes in the CUP and revised plan, and he would review the plan generally and point out the actions that have been taken since the last meeting to continue the plans for a quality development, and would explain the uses for which each parcel is planned. He felt his presentation would demonstrate just how well insulated and anchored and buffered the area really would be. It was his personal opinion that the manner in which it is proposed to develop this property will result in one of the best designed developments in the City.

Parcel 7 (southeast corner of subject plan), KAPLAN said, is definitely committed to a savings and loan association which requires "LC" zoning. Parcel 3, the most substantial area, is recessed well into the 40-acre tract, to the west of which is the Bruce Tract (the owner is not opposed to this application), which is undeveloped and open area, except for a riding stable and bridle paths for horse riding.

KAPLAN pointed out that the north side of subject tract is anchored by a tier of single-family lots extending all along the south side of Murdock (cul-de-sac at the west end of Murdock), and with "BB" zoning to the south (Parcel 2) of the tier of single-family lots, so the single-family residences now existing on the north side of Murdock are double buffered ("AA" and "BB" zoning south of Murdock). He pointed out that it has been the traditional policy to buffer with "BB" between single-family and "LC" developments, and this has been accepted by the Planning Commission many times in the past. He said the single-family lots proposed are the same size as those on the north side of Murdock, with the possible exception of some around the cul-de-sac at the west end.

KAPLAN continued by pointing out that at the northeast corner of subject CUP, they anticipate a library facility in the "AA" area, commenting further that while negotiations have not

been completed for a definite location, they are very hopeful in this respect, and feel that this corner also, with such a development, would provide insulation and buffering of the area proposed for retail uses.

KAPLAN referred to Parcel 6 (school site) and the fact that they are still striving to negotiate with the church which had been referred to at previous discussions of this application as wanting to buy the property for church purposes, and he said they are still hopeful that a deal can be made in this respect. He said he and his client are trying very hard to carry through with the library and church negotiations. KAPLAN referred again to Parcel 7 and the fact that it will be a local savings and loan association which will construct a beautiful facility, and it can be assumed that the library facility will be also.

KAPLAN next referred to Parcel 4 and the fact that it is proposed also for a bank or savings and loan association, and he summarized the fact that buffering type development is proposed at all four corners (library, savings and loan, bank, and single-family). He doubted if there was another comparable development as well anchored. In referring to the Central Street frontage, KAPLAN reiterated what had already been pointed out - that a pattern of light commercial has been followed from Broadway to Beech, and there is nothing unique or unusual about the request for "LC" on Central. He said that Parcel 5 is proposed for food service and a family type restaurant operation, all of which would be quality construction. He stated that they do not anticipate any strip or string type development. Reference was made again to Parcel 3, and KAPLAN noted that retail shops would be developed, and he referred again to the buffering which has been provided.

KAPLAN suggested that it was not reasonable to compare center-for-center, based on acreage of light commercial, and it was his thinking that the Twin Lakes Center was developed prior to the limitation of 30% ground coverage. He commented that the ratio of development proposed by his client to raw ground at 30% coverage is a better ratio than at Twin Lakes Shopping Center. As an illustration he commented that 400,000 square feet of floor space on 5 acres is one thing, but the same square footage of floor area on 20 or 30 acres is something else, so he did not consider it fair to consider only the size of the tract involved.

KAPLAN felt that the plan as submitted provides for utilization of the ground in an advantageous manner and in accordance with the ordinance, and affords protection for everyone concerned because of the extremely well buffering, anchoring and desirable land uses projected. He felt that the land planners (Oblinger-Smith) have done an excellent job in designing the tract for development.

In summary, KAPLAN referred to the proposed library site and in view of Lakin's comments earlier, suggested that if negotiations are completed prior to any approval of this plan, then that particular tract would become an exception from the plan.

HENNESSY asked Kaplan if he actually felt that the suggestions made in Item 9 of the staff report would be uneconomical.

KAPLAN said they would not be the most advantageous use of the land and its cost, and that under "R-5" zoning (12 units per acre) the cost of acquisition of the property could not be achieved.

HENNESSY expressed a desire to see compromise among the applicant and those in opposition if at all possible.

KAPLAN said they would like nothing better than to have a development that everyone would be satisfied with, but several attempts have been made for compromise - they have offered certain things in the overall plan and zoning which would be a disadvantage to Mr Chuzy, but were offered in an attempt to

eliminate objection, but all such efforts have failed. In reference to the proposal submitted by the Kapaun Neighbors, KAPLAN said it is not one which his client can consider. In further explaining efforts for compromise, KAPLAN said they have conferred with one of the residents of the area and he had advised the applicant what he thought would satisfy the residents, it was reduced to writing and drawn up by Oblinger-Smith, but when it was submitted to other residents of the area, it was completely unacceptable, so there is apparently no possibility of compromise. He said his client cannot agree to a plan or development which would not be economically feasible.

KAPLAN said they have not been derelict in their attempts for conciliation even though such efforts have apparently failed. He suggested that it will no doubt be unrealistic to hope to satisfy everyone, but they have done everything they possibly can to make the proposal palatable to everyone.

In response to further information as to the possible library site, KAPLAN submitted an overlay on the CUP. There was brief discussion and the possibility pointed out of a revision in parcel configuration, depending on the final tract to be purchased by the Library Board, if such does materialize. It was noted that such a use would be permitted in any type zoning.

LAKIN said that it is his understanding the Library Board has not hired an architect yet, but the Librarian had indicated his only desire for access to the structure would be from Woodlawn. KAPLAN said they would depend on their land planner for advice as to configuration and proper site planning for development. He suggested that some of the items being discussed would no doubt be taken up during platting. He further said that if the negotiations with the Library Board are consummated, once the deed is delivered, the Library Board will be involved in platting and access points, etc., for that particular tract.

RICHARD HOLMES, attorney representing residential property owners in the area, spoke in opposition. For the record, he stated he would not repeat in full the previous arguments submitted at the prior hearing because he felt the Commissioners were all familiar with the desires of his clients.

For the record, however, he pointed out that he represented 51 out of 71 owners of property within a 200-foot radius of the CUP proposal and 149 owners within a radius of 1,000 feet, which includes all of the property owners on the north side of Murdock.

HOLMES said he would point out several basic points. There seems to be a couple of inconsistencies mentioned; one, in General Provisions #9 of the CUP it states that the existing building (Kapaun High) shall remain on Parcel 6, then in General Provision #16 it is stated that in the event Parcels 2 and 6 are developed jointly, no setback will be necessary along the eastern side of Parcel 3. HOLMES commented that Parcel 6 is indicated for shopping center, institutional and office uses and he did not see how such wording can be considered consistent with the statement that the existing building will remain on the site.

HOLMES said he considered this important in that the Revised CUP was submitted, but that no request has been made for a change in zoning. The CUP sets out certain uses for the property, but the zoning application which originally requested "BB" across the north side (now shown for "AA" development on the CUP) still remains. He was also concerned about the description for the library site and felt it is surely a very recent development and he considered it unfortunate that it has been brought out at this time. He pointed out that although Mr. Kaplan has indicated it is a proposal which has been pending for sometime, it was not publicized until just prior to this meeting, and there has been rather strong reaction from the neighbors

against such a proposal adjacent to Murdock as they don't feel it would be appropriate, and it is not included in the Revised CUP as a proposed use. He agreed, however, that the plan does indicate "AA" uses and he understands that a library facility can be permitted in such zoning.

HOLMES suggested also that the City already owns 30 acres within a one-half mile radius of this area, which could be utilized as a library site without the expense of buying another tract.

HOLMES next referred to the fact that one of the prime problems as pointed out before relates to the generation of traffic, and he stated that in discussion with the Traffic Engineer he was informed that it is anticipated, based on past experience and studies, that 400,000 square feet of light commercial development would generate from 14,000 to 30,000 additional vehicles per day in this area.

HOLMES next referred to the suggestion of the staff that some justification of the economic need for such a development should be submitted. He continued that his figures show that there are 11 shopping centers within a 3-mile radius of this particular location, and he noted that the need for a center of this size was questioned by the City Commission, which did not feel the large commercial nature of the development was advisable.

In referring to Mr. Kaplan's statement concerning double buffering on the north, HOLMES pointed out that such might serve as a double buffer to the homes on the north side of Murdock, but not for those proposed for the south side by this plan. He felt that the real issue is whether or not this is primarily a residential neighborhood and should remain as such, or whether the majority of subject property should be utilized in some fashion other than single-family. He strongly felt that the property should be utilized for something compatible with the residential area and the desires of the residents.

As for efforts to compromise, he agreed that there have been numerous meetings, and his clients are sincere in their attempts to compromise, and he felt that Mr. Chuzy has been sincere in his attempts to submit a proposal that was a minimum of what he felt he could reasonably and financially accept.

HOLMES repeated that he agrees the property must be utilized, but was strong in his belief that it should be compatible with the neighborhood and something which is acceptable to the people who have invested in quality homes and were entitled to something more than increased traffic and problems that an "LC" development of this size would entail.

HOLMES said it disturbed him that the Kapaun school site is being requested for "LC" when that is really not the manner in which the owner wants to develop, and he suggested it be considered for office or institutional zoning, and he noted again that the zoning requests are not consistent with the CUP.

HOLMES brought up the fact that Parcel 5 has been indicated for food service, and in view of the numerous times he has been asked by his clients if Mr. Blakey, who is with The Fleming Company, plans on establishing an IGA supermarket on this tract. If this is a possibility, then it has been inferred that there might be a conflict of interest for Mr. Blakey to vote on this matter.

BLAKEY said his company is seeking locations all over Wichita and admitted that they would like to have a market in this general area. He pointed out the fact that there is a Dillon market and Safeway Store, Carl Bell Market, etc., generally in the area along Central (farther to the east) and he

doubted that they would be interested in another location on subject property. BLAKEY stated that if the zoning is approved, then there would be efforts made to have an IGA store in the CUP area.

HOLMES said he raised the question only because of the numerous times he has been questioned on the matter by some of his clients.

BURNETT said he considered it an unfair question merely because Mr. Blakey is a member of the Commission, and suggested that there is likelihood that everybody on the Commission at one time or another might be construed as having a conflict of interest. He continued that the Commissioners are members of this Body to try to zone property for the welfare of the City at large in the future.

BURNETT asked Mr. Holmes what the Kapaun Neighbors really thought was desirable development. HOLMES answered that the proposal has been submitted and is shown on the wall. The plan proposes "AA" in the northern portion and for the Kapaun School structure site, "A" for the large portion west of the School; "LC" for a small area at the southeast corner of the tract and "BB" for the balance of the Central frontage west of the "LC". He indicated he did not consider it his responsibility to tell the owners how it should be developed, but did think there were more compatible uses with adjacent development than what has been projected. He conceded that since the Kapaun neighborhood plan had been submitted, they have indicated they would not oppose a reasonable depth of "LC" across the entire Central frontage.

TAYLOR said she agreed with Mr. Holmes to a certain extent concerning the question of the library branch site and the fact that it is not shown as such on the CUP.

KAMEN referred to the inference previously that there is City property close by which might have been used for the library site, and said that he has investigated this point and learned that the Park Board acquires land for their own use and not for resale, even for another public use.

JACKSON referred to the fact that the planned single-family development along Murdock will generate more traffic on Murdock than the original plan which eliminated any access to Murdock, and yet the traffic matter was one of the points for strong opposition by residents on the north side of Murdock. He pointed out that there is certain to be more traffic under the present proposal of single-family homes.

HOLMES agreed that there would be more residential traffic on Murdock, but referred back to the fear of the property owners on the north side of Murdock that Brookside Parkway to the west of subject property might some day be opened to subject area and then extended north to Murdock, thus channeling commercial traffic from the center onto Murdock. JACKSON commented that apparently the area residents are no longer concerned about traffic. HOLMES said it was not correct to say they were not concerned, but felt that the single-family development would generate much less traffic than to have access from the Center to the west and then into Murdock. HOLMES commented that it would appear to be the weighing of one matter against the other and apparently the residents are more favorable to more residential type traffic than to look into an office type development on the south side of Murdock.

The Chairman declared a recess at 8:45. The Commission reconvened with the following members present: Alvin J. Hennessy, Chairman; Bob Blakey; Marjorie Taylor; Harlan Kamen; James Burnett; Howard V. Harrison, and Abner V. J. Jackson. Member absent was Austin Rising.

CHAIRMAN HENNESSY pointed out that Howard V. Harrison, a member of the Commission, had just arrived and had not heard the previous presentation. To avoid any possible feelings of an unfair hearing, he asked Mr. Kaplan and Mr. Holmes if they would be opposed to Mr. Harrison's consideration and vote in this matter.

KAPLAN said he and his client would defer to Mr. Harrison's own sound judgment and that he had no desire to reiterate what had already been presented. HOLMES felt Mr. Kaplan had made a diplomatic statement and said he would concur and defer to Mr. Harrison's own feelings in the matter.

GLENN VESS, 6403 East Murdock, co-chairman of Kapaun Neighbors, before starting his presentation in opposition, asked Mr. Balkey if there wasn't an IGA store at Edgemoor and Central. BLAKEY agreed that there is, but that they want to relocate and as late as three weeks ago were discussing the possible sale of this site to the Library Board for a branch location.

VESS thanked the staff and Commissioners for this special meeting to hear the Kapaun Neighbors. He commented that people generally are apathetic so far as City government is concerned, crime in the streets, etc., - not that people don't resent such things, but for the most part they just talk and nothing is done however, there is one exception and that is when a person's home is threatened. He referred to the intense interest of the residents of the area in that they have attended this hearing and the one on September 14, 1972, as well as three meetings by the City Commission, which he felt was proof of the interest. He continued that the home is probably the largest purchase made by the average family, and he introduced three families of the Kapaun area which he considered a cross section of the residents.

VESS introduced Mrs. Wert, a widow who has her own home on East Central; Mr. and Mrs. George Young, residents on Murdock, who are retired; Mr. and Mrs. Bachus, a young couple on East Elm, who bought their home to raise their family; and another resident on Claytonia.

VESS referred to wording in the zoning ordinance that the purpose of zoning is to prevent overcrowding of land, to preserve property values, to promote the general welfare, public safety and the preservation of personal and property rights.

VESS pointed out that while there has been much said about efforts of the applicant to compromise, the only change that has been made is the showing on the CUP of 120 feet for single-family lots on the north edge of the subject property, and the request for zoning has not been changed. The request is still for "BB" Office Zoning on that proposed for single-family development. He emphasized the fact that they are not opposed to development, but want such development to be in keeping with the residential neighborhood. He pointed out that within a radius of three miles they have 13 shopping centers, and the one being proposed is certainly not needed. He suggested that if it was at the edge of town there would be a need, but at subject location it can only create a lot of commercial and problems for the residential area where there is already traffic congestion at the Normandy Center.

VESS said they have submitted a plan which they consider desirable and orderly for subject property, and that even in the last few days have agreed to not oppose light commercial all along the Central Street frontage for a reasonable depth, so to say the residents are opposed to development is not true.

As to the size of subject tract compared with other centers, VESS said that the CUP for The Mall is 29.1 acres; Twin Lakes is 19.3 acres; Eastgate is 23.7 acres and Park Lane 16 acres, while subject CUP encompasses approximately 36 acres. The referred to centers have offices and banks as well as retail

centers. He maintained that with the exception of the Kellogg Mall recently approved, but not under construction, subject center would be the largest in the City.

VESS felt that to approve this request would open up a vast amount of area for commercial development and, further, it would be difficult for any future Commission to avoid granting light commercial to Mrs. Bruce, the owner to the west, if it was requested. VESS said the opposition represents homes on Elm, Jacqueline, Claytonia, Murdock, Marjorie and Central and the protest submitted to the City Commission contained over 400 signatures and over and above those within the 200-foot radius, so it is not just people across the street who are opposed.

VESS said the residential type traffic to be generated from the proposed single-family homes on the south side of Murdock would not be so objectionable because it would be slow and principally passenger type vehicles as opposed to truck traffic from a commercial development.

For comparison purposes, VESS said he had analyzed taxes paid on homes in the area bounded by 9th, Mission, Edgemoor and Second, and five houses south of Central and East of Woodlawn (608 homes) and based on the formula utilized and the years chosen, this resulted in a return to the County of \$8,074,000 paid in property taxes, out of which \$2,220,000 was paid to the City. The purpose of this submission was to indicate the fact that there is a large tax return from this area which would be decreased through lowering of property values if this request is approved.

VESS referred also to several examples of attempted development through the United States which was blocked through efforts of residents and the detrimental affect such would have on residential areas. He commented that opposing arguments included traffic congestion, environmental and social problems which would result, lowering of property values, etc. VESS stated that the increased traffic and detrimental affect of what is proposed on the residential property in the general area would make it impossible to sell a home without sacrificing, and to relocate in view of the rising costs of construction in the last few years, would mean increased expenditure to replace the home sold. He commented that no potential buyer would want a home with a shopping center right across the street when he could buy in a residential area for the same money.

VESS said they have really tried to compromise with the applicant and have "gone down the road" quite a bit with the plan they have submitted. He commented that they keep hearing that sooner or later there will be "LC" on Central. He continued that it was his understanding that one of the goals of the Planning Commission so far as rezoning is to benefit most of the people involved, and in this case a fine residential neighborhood is involved, and if "LC" is granted it will only lead to more along Central. He said they realize the property will not remain vacant, but were specifically opposed to the school site (Parcel 6) becoming a shopping center.

VESS also asked where the parking lot for the library would be located if that use actually materializes, and commented that it would no doubt be open until 9:00 a.m. and have a lighted parking lot, and to locate it right across the street from the single-family homes on Murdock would not be desirable. He urged that some other location in the 40 acres be considered which would be satisfactory with the Kapaun Neighbors. VESS said all they want to do is protect the residential neighborhood and any development which will complement the area, they welcome.

HENNESSY asked if he heard correctly that the opposition is not now opposed to "LC" along Central. VESS said they would

consider "LC" if it could be limited in depth to the showing of "BB" on the Kapaun Neighbors plan, provided they were provided a covenant that would assure them that in 6 months or a year, they would not have to appear again in opposition to another application for anything on this tract. After study of the maps it was agreed it would be approximately 350 feet in depth north of Central.

BURNETT asked Vess if he was opposed to "LC" on Parcel 6 (Kapaun structure parcel) and VESS said they would be much more inclined to approve "BB" than "LC".

BURNETT asked if they were opposed to what is proposed for Parcel 1. VESS said they were not opposed to single-family, but that the request is for "BB" on this parcel.

LAKIN pointed out that that is true - the request is still for "BB", but the CUP would limit the uses permitted thereon.

JACKSON asked if the opposition would have any objection if uses in Parcel 6 were limited to institutional, and VESS said they have no objection to a church or institutional type uses.

After some discussion and computation, it was decided that to eliminate Parcel 6 for "LC" would reduce the acreage 6.21 and the leaseable floor space 108,000 square feet. It was pointed out that if Parcel 6 was approved for "BB", the residential area to the north and east would be buffered.

VESS agreed that would be true, but it would not eliminate the large area for shopping center (Parcel 3) and he stated again that it would be difficult to deny zoning when requested on the Bruce Tract to the west along the north side of Central if "LC" was approved on this parcel. He commented also that with the increased light commercial would come the widening of Central and Woodlawn and increased costs to the taxpayers. He stated that he is not arguing the point that Central will not be "LC" eventually, but to extend it to the depth requested he felt was unrealistic and not in keeping with other light commercial approvals in the City. He doubted that the Commission had ever approved anything of this magnitude in a residential area.

BLAKEY referred to the northwest quarter of this section where there is 27 acres of "LC" owned by Mr. Claude Lambe that is surrounded by residences. LAKIN indicated this zoning was granted in 1951 or 1952. VESS commented that apparently whoever was living in the surrounding areas did not care.

BURNETT asked the feelings if Parcel 3 is recommended for "BB" - Office park type development and said he was trying to find out what the Kapaun Neighbors want for this parcel.

VESS said they do not want a shopping center and would be more inclined to favor high-rise apartments or duplexes, town-houses, an "R-5" zoning, although he was merely speaking as chairman and had not checked with the entire group.

HENNESSY suggested the discussion may be reaching a point where something acceptable to all concerned might be resolved, and asked if it might be desirable to give the parties a chance to confer again.

KAPLAN said he appreciated the efforts of Mr. Burnett and the other Commissioners and while it appears there is a chance, judging from previous meetings with the opposition, a compromise is not possible, and while he is willing to negotiate, he would appreciate the Planning Commission taking a vote on this matter at this meeting.

KAPLAN stated that if Parcel 3 is to be rezoned as requested ("LC") then he would recommend to Mr. Chuzy a "BB" classification for Parcel 6, if that would appease the opposition, but it won't.

BLAKEY asked if his understanding was correct that the applicant would be willing to remove the "LC" request for Parcel 6 and accept "BB" if the balance of the application could be approved as submitted. KAPLAN said if he could feel certain that there would be no opposition expressed when this is submitted to the City Commission, then he would recommend to his client that he accept "BB" for Parcel 6, if that would resolve the disagreements.

HENNESSY said that is why he brought it up - that he felt they were getting somewhere in this matter and that he has confidence in the people involved. It was pointed out that to approve any change would require a 4/5ths vote of the City Commission and there has been indication from two of the City Commissioners that they would not be favorable to this change, so it was the feeling of the Chairman that from the applicant's standpoint it might be desirable to attempt a further compromise effort, and he pointed out that all members of the Planning Commission are trying to work with all those involved in this matter.

KAPLAN agreed with the last statement, and said he would like nothing better than to see this matter settled.

VESS said they could not compromise with "LC" on Parcel 3 to the depth shown, but would accept "A" or "R-5" zoning that would permit residential uses, such as townhouses, garden apartments or duplexes. He continued that he would want to confer with the others of the Kapaun area as to their feelings on "BB" on the Kapaun Site. He reiterated they are in favor of the "AA" on Murdock and "LC" on Central, but to a limited depth, but not for the entire depth of Parcel 3 because it would open up the area to the west for further light commercial zoning.

KAPLAN pointed out that so far as limiting the bulk of Parcel 3 to the "R-5" classification, which is really the equal of duplex zoning because it allows the same number of units per acre, but does permit a different style of architecture and townhouses, that is really the same thing the Kapaun Neighbors have proposed in their plan and is simply not feasible.

There was brief discussion about how much leaseable floor space would be lost if "LC" was approved just on the Central Street frontage in Parcel 3 for a limited depth, with multiple family housing to the north of the "LC". The question was asked whether or not the light commercial uses contemplated could be rearranged to result in the amount being equal to what is proposed for Parcel 3.

LAKIN hurriedly calculated the figures and indicated it would appear to reduce the leaseable floor area 25 to 30% of the original proposal.

VESS stressed the fact that the Kapaun Neighbors have attempted to compromise in spite of what anyone else may say, and he pointed out that the only compromise the applicant has made is to indicate single-family homes on the south side of Murdock; however, they have not changed any of their zoning requests.

JACKSON asked if they would rather have "LC" on Parcel 6 (school site) or on Parcel 3 and VESS said they don't want it on either parcel. JACKSON commented that the Kapaun Neighbors constitute the area to the north and east principally and in view of the agreement with respect to "LC" on Central it appears the residents to the west and south are not too much concerned

with development on Central. JACKSON also suggested that it might be to the best interests of the residents to the north and east to have Parcel 6 "BB" with the "LC" oriented to Central. VESS said they cannot rely on what happens in Parcel 6 and they cannot accept "LC" for the large area in Parcel 3 because of the retail uses which would be permitted, and the opening up of the Central frontage farther to the west if requested.

JACKSON pointed out that an inroad of "LC" has already been approved in the area to the west and as far as the Bruce Tract, he doubted that it would be economically feasible that the owners would ever expect to develop a shopping center if the one being discussed at this time is in existence. VESS commented that possibly not a shopping center, but there could be other freestanding and drive-in type commercial uses.

JACKSON suggested the possibility of the developers of the Bruce Tract leaning more toward condominiums or multiple-family housing in view of the shopping facilities which would be provided by the subject proposal if it is approved and the development occurs.

VESS commented that everyone is speculating as to what might happen, but in his opinion the average citizen is not interested in buying a condominium overlooking a shopping center. JACKSON disagreed, and pointed out that in recent years development has often been in exactly that manner - multiple family or high-rise apartments next to shopping facilities.

BURNETT referred to the earlier staff suggestion that Parcel 3 only extend north to the sewer line easement and a squaring off of the parcel.

KAPLAN said he read the revised staff report very carefully but would have to consider building setback, easements, etc. He stated further that if the opposition would accept "BB" on Parcel 6 rather than "LC", he would recommend such to his client, and the matter could be settled at this meeting by a vote of the Planning Commission.

JACKSON suggested another recess if there is to be further consultation by Mr. Kaplan and those in opposition.

VESS asked those of the Kapaun Neighbors whom he represents if they desired to receive or entertain anything further, or elaborate on what he had presented. There was no response. He suggested the Commissioners look at the two plans - the revised one submitted by the applicant and that submitted by the Kapaun Neighbors, and pointed out that the neighborhood is the one that has made the most compromise efforts, the only one on the part of the applicant being the showing of the single-family lots on the south side of Murdock in the CUP, but without an amendment to the zoning request for "BB" for this area. He said they would see no reason to change that zoning, and they would compromise on Parcel 6 to accept "BB", but could not compromise on the "LC" for Parcel 3.

HENNESSY asked if either faction had anything else to present because he wanted everyone to feel they had a fair and impartial hearing.

KAPLAN commented that most of what he would say would be repeating, but he did point out that although Twin Lakes may be 19.3 acres, the 28 acres requested for "LC" in subject case, would have much less ground impact. He said they analyzed the tax situation also and with commercial zoning it can do nothing but lessen tax paid by residential properties in the area.

HENNESSY expressed the Commission's thanks for the interest and presence of those at the meeting and considered it good for the community when the citizens take part.

JOHN VESS, on behalf of the Kapaun Neighbors, reviewed the compromise efforts made by those in opposition, and to Jackson's remark that the people to the south have apparently "sold out" because there is no longer opposition to "LC" along Central. VESS said they are still just as much interested as in the beginning and that they have not "sold out", but that it is just one more way in which they have attempted to compromise.

JACKSON said that maybe his choice of words was not proper, but if it is a compromise then it would appear to be to the detriment of the neighbors on the south. He stated that he was merely pointing out that the majority of the Kapaun Neighbors live in the areas to the north and east of subject property.

VESS felt that while it may be detrimental to those across the street on the south side of Central, it is not as detrimental as if there was no compromise and the entire thing became "LC".

JOHN VESS felt that the traffic congestion created by what is being proposed will not be limited strictly to the intersection, but will be widespread through the nearby residential streets.

JACKSON commented that he is concerned not just for this immediate area, but also considers the overall good of the City at large in projects of this nature.

KAPLAN stated in view of efforts of the Commission to bring together the opponent and proponent, if it will resolve the matter he would withdraw the request for "LC" on Parcel 6. HOLMES said he did not think that would resolve the matter because they are apparently still interested in having "LC" on the entire area of Parcel 3 and his clients cannot go along with that.

JACKSON commented that at least when it goes back to the City Commission, the Planning Commission will have made a strong effort for compromise.

KAPLAN asked Mr. Holmes how much "LC" his clients were willing for the applicant to have on Parcel 3, and HOLMES said they were willing to concede to the extent of that shown as "BB" on the neighborhood plan.

HENNESSY offered compliments to both the proponents and opponents and said they have done a tremendous job. His personal hope was that this matter could be accepted by all parties, and he stated he would not want to think the Planning Commission had been derelict in its efforts to help in a solution to the differences expressed.

HARRISON asked for a 5-minute recess, and the Chairman declared a short recess, after which the Commission reconvened with the same members and staff members present.

KAPLAN said that during the recess, he and those in opposition have between themselves decided that in view of the lateness of the hour, it would be appropriate and they requested the Planning Commission to vote or determine its recommendation; however, they also agreed that they would continue to discuss and meet right up to the time of the City Commission meeting to reach an amicable compromise.

HENNESSY wondered if it would be appropriate for the Commission to make a recommendation to the City Commission under these circumstances.

HARRISON commented that any type of recommendation could have some adverse influence on the City Commission if they approach it from the standpoint that there are negotiations underway. He questioned whether or not the Planning Commission should vote at this time.

HOLMES said there is a possibility of resolving things before the City Commission meeting, but there is no assurance. He felt the consensus of both factions is that the Planning Commission make its decision as it sees fit and if either side cannot "live with it" they will try to resolve the matter in the meantime.

KAPLAN said that is essentially correct as Mr. Holmes reported.

TAYLOR said the possibility of the library site concerned her and felt that if the Commission is about to make a recommendation, Mr. Kaplan should be asked if negotiations with the Library Board are serious enough to consider the site for the library or if the Commission should offer an alternate in its recommendation and ask that the site be located in the "BB" section of Parcel 2 just north of the major entrance on Woodlawn rather than on the corner of Murdock.

KAPLAN said he certainly thought that would be a possibility, but again he could not direct himself to a matter on which he has no authority. He said the Library Board approved and made a request for the corner location, whether or not the Board would find a variance of that dimension feasible or not, he did not know.

TAYLOR felt the Commission should make that recommendation for the consideration of the Library Board.

JACKSON said he would submit a motion and try to incorporate the feelings of both the applicant and the Kapaun Neighbors as he has satisfied himself that this is not only good zoning but will be compatible if there is enough talk involved among the parties that something can be worked out previous to the time this case comes before the City Commission for final approval.

MOTION: That the Planning Commission recommend to the City Commission on Case Z-1414 that Parcel 1 remain as "AA" Single-Family, and that the "BB" Office District be approved for the areas designated as Parcels 2 and 6, and that "LC" Light Commercial be approved for the remaining Parcels 3, 4, 5, and 7; and the approval of the amended CUP be subject to deleting the use "shopping center" from Parcel 6 and adding new uses "churches and schools", and subject to the following standard conditions:

- a. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
- b. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- c. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Jackson moved and Burnett seconded the motion.

BURNETT said he did not think they could say enough for the way the Commission has tried to bring the proponent and

opponents together in this case and he thought everyone involved had done an outstanding job.

HARRISON asked for a clarification of the motion and LAKIN went over it step-by-step pointing out the various parcels involved and the zoning recommended by the motion.

VOTE ON THE ABOVE MOTION: Carried by a vote of 5 in favor (Jackson, Burnett, Blakey, Taylor, and Kamen) and 1 opposed (Hennessy). Harrison abstained.

Meeting adjourned about 12:00 p. m.

Robert A. Lakin
Secretary

TO THE WICHITA - SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

Presented herewith are 400 to 438 signatures of residential and business property owners and operators of businesses in the immediate area generally surrounding and neighboring the following described real property, to-wit:

The Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 13, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas;

who, by affixing their signatures to the documents herewith presented, do protest against, disapprove of, and object to the proposed change of zoning classification of said property and the adoption of a community unit plan covering the same for which an application is now pending.

There are 71 separately owned properties located within 200 feet of the above described real property and the protest petitions herewith presented contain the signatures of the owners of 51 of those properties.

PROTEST PETITION

We, the undersigned, being residential and business property owners, and operators of businesses in the immediate area generally surrounding and neighboring the following described real property, to-wit:

The Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 13, Township 27 South, Range 1 East of the 6th P.M. Sedgwick County, Kansas;

do, by affixing our signatures to this Protest Petition, indicate our disapproval of and objection to the proposed change of zoning classification of said property and the adoption of a Community Unit Plan covering the same, for which an Application is now pending before the Wichita-Sedgwick County Metropolitan Area Planning Commission.

<u>Date</u>	<u>Name of Property Owner or Business</u>
8/23/72	Doris A. Van Dusen
	Address: 6613 East Central
8/31/72	Mr. & Mrs. George C. Christopher, II
	Address: 2447 N. Yale 67220
8-24-72	Mrs. R. D. MESSINGER
	Address: 1913 N. EDGEWOOD
8/23/72	Mrs. Herbert O. Curran
	Address: 6701 E. 14 th
23 Aug 72/	Mrs. B. L. CRONE
	Address: 311 Whitfield Place
8/25/72	Mrs. Leonard Bergquist
	Address: 6701 E. 18 th
8/26/72	Mrs. Floyd M. Hill
	Address: 1124 N. Parkwood Lane
8/	Mrs. Patricia Cole
	Address: 1015 Stratford
8/31/72	Mr. & Mrs. Dean A. Rice
	Address: 6109 Jacqueline

Date

Name of Property Owner or Business

9-6-72

Mrs Sandra K. Kjaerhaug

Address: 5609 E 17th

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

Address:

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
9-6-72	Robert R. Ellis	2
	Address: 6227 Maymie Ln	
9-6-72	Judith A. Ellis	2
	Address: 6227 Maymie Ln	
9-6-72	William H. Harrison Jr.	15
	Address: 5920 Lakewood Dr	
9-6-72	Nanda Lee Simpson	15
	Address: 5920 Lakewood Drive	
9-6-72	J. J. Johnson	10
	Address: 6227 E. 8th	
	Address:	
	Address:	
	Address:	
	Address:	

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>
<u>Aug 22, 1972</u>	<u>Rodney C. & Vicki H. Robertsen</u> <u>Address: 6008 E. Murdock</u>
<u>August 22, 1972</u>	<u>Harry Allen</u> <u>Address: 6014 Grace Lane</u>
<u>August 22, 1972</u>	<u>Frederick A. & Frances P. Lovel</u> <u>Address: 6008 Grace Lane</u>
<u>August 22, 1972</u>	<u>Tommy D. Smith</u> <u>Address: 6001 Grace Lane</u>
<u>Aug. 22-1972</u>	<u>Gene Archer</u> <u>Address: 6007 Grace Lane</u>
<u>Aug 22 1972</u>	<u>Keith J. Under</u> <u>Address: 6005 Grace Lane</u>
<u>Aug 22 1972</u>	<u>Mr & Mrs. Carl Weaver</u> 3 <u>Address: 6027 Grace Lane</u>
<u>Aug 22 1972</u>	<u>Mr & Mrs. J. A. Davis</u> 10 <u>Address: 6039 Grace Lane</u>
<u>8/22/1972</u>	<u>Mr. & Mrs. Richard L. Roby</u> 10 <u>Address: 6045 Grace Lane</u>

M. Miller
Murdock (E. of Woodlawn)

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>
Aug 13, 1972	Pauline Melone Address: 6412 E. Murdock
8/13/72	Margaret P. Bruce Address: 6411 E. Murdock
8/13/72	William M. Munis, Jr. Address: 6419 E. Murdock
8/13/72	Robert M. Morris Address: 6419 East Murdock
8-13-72	Conrad T. Sabelling Address: 6427 E. Murdock
8-13-72	Virginia E. Schelling Address: 6437 E. Murdock
8-13-72	Albert J. Egan Address: 6504 E. Murdock
8/13/72	Cletus M. Egan Address: 6504 E. Murdock
8-13-72	Eileen M. Pottbaum Address: 6503 E. Murdock

<u>Date</u>	<u>Name of Property Owner or Business</u>	
8-13-72	Clara J. Pottelbaum	8
	Address: 6503 E. Murdock	
8-13-72	W. S. Balzerick	8
	Address: 6511 East Murdock	
	Louise Balzerick	8
	Address: 6511 E Murdock	
7/13/72	King T. Medel	7
	Address: 6519 E. Miller Murdock	
8/13/72	Charles A. Rembloake	8
	Address: 6527 E. Murdock	
8/13/72	Margie Rembloake	8
	Address: 6527 E. Murdock	
8/22/72	Lala M. Jensen	6
	Address: 6404 E. Murdock	
8/22/72	Mark C. Jensen	
	Address: 6404 E. Murdock	
8/22/72	Larry D. Jensen	5
	Address: 6404 E. Murdock	
8/22/72	Leant Becker	7
	Address: 6428 E. Murdock	
8/22/72	Marion R. Green	7
	Address: 6512 E. Murdock	
8/22/72	Ray T. Green	7
	Address: 6512 E. Murdock	
8/22/72	Glean T. Zaskamp	7
	Address: 6612 E. Murdock	
8/22/72	Linda Zaskamp	7
	Address: 6602 E. Murdock	
8/22/72	Helene D. Morris	8
	Address: 6608 E. Murdock	
8/22/72	Florence K. West	2
	Address: 6403 East Murdock	
8/22/72	John S. Cross	
	Address: 6403 East Murdock	
8/22/72	Heidi M. Irons	7
	Address: 6604 East Murdock	

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
<u>8-4-72</u>	<u>Mrs. John Duvall</u>	✓
	<u>Address: 6308 E. 8th</u>	
<u>8-9-72</u>	<u>Charles C Reed</u>	10
	<u>Address: 6301 E 8th</u>	
<u>8-9-72</u>	<u>Rosetta T. Padd</u>	10
	<u>Address: 6301 E. 8th</u>	
<u>8-9-72</u>	<u>Beverly P. Filsen</u>	10
	<u>Address: 6221 East 8th</u>	
<u>8-9-72</u>	<u>Lang W Alexander</u>	9
	<u>Address: 6101 East 8th</u>	
<u>8-9-72</u>	<u>Catherine L Alexander</u>	9
	<u>Address: 6101 East 8th</u>	
<u>8-21-72</u>	<u>Sharon T. Fickler</u>	
	<u>Address: 6477 Mission</u>	
<u>8-22-72</u>	<u>Ken Kettle</u>	5
	<u>Address: 8304 Woodbunt</u>	
<u>8/19/72</u>	<u>Ray Khalil</u>	10
	<u>Address: 6320 E 8th St</u>	

Page 15

Date

Name of Property Owner or Business

<u>Date</u>	<u>Name of Property Owner or Business</u>	
	<u>Address:</u>	
Aug. 7, 1972	Mr. Elizabeth Shalid	10
	<u>Address: 6320 East 8th St</u>	
Aug. 21, 1972	Mrs Paul S Pickler	17
	<u>Address: 6314 E. 8th</u>	
Aug 21, 1972	Paul L. Pickler	17
	<u>Address: 6314 E. 8th</u>	
Aug 22, 1972	Mrs Neil Nettler	5
	<u>Address: 6314 E. 8th</u>	
O J Kastner	6410 E. 8	6
	<u>Address:</u>	
Alma Kastner	6410 E 8	5
	<u>Address: 6409 East 8th</u>	
Aug 22 1972	Sharon A. Jagg	5
	<u>Address: 6409 East 8th</u>	67206
August 22, 1972	Donald E. Jagg	5
	<u>Address:</u>	
August 23, 1972	Gwendolyn Jagg	5
	<u>Address: 6502 E. 8th</u>	
8-23-72	Milt Jagg	5
	<u>Address: 6502 E 8th</u>	
	<u>Address:</u>	
	<u>Address:</u>	
	<u>Address:</u>	
	<u>Address:</u>	
	<u>Address:</u>	
	<u>Address:</u>	
	<u>Address:</u>	
	<u>Address:</u>	

Mrs. Hoey

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>
8-22-72	Mr. + Mrs. Bill Sampson Address: 1049 N. Atmout
8-22-72	Mr + Mrs. Eldon Adley Address: 6310 Beachy
8-23-72	Edward Z Barber Address: 6109 E 12 th St
8-23-72	Mr L M Cleaver Address: 1048 Patricia
8-23-72	Bob Barber Address: 6109 E 12 th
8-23-72	Sarah Collis Address: 5823 E 2nd
8-23-72	Harold E Collis Address: 5803 E 2nd
8-23-72	L. M. Calavyn Address: 1048 Patricia
	Address:

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
<u>4/26/72</u>	<u>John W. Dolbeck</u>	12
	<u>Address: 6220 E 8th</u>	
<u>5/24/72</u>	<u>Mrs. D. M. Carson</u>	12
	<u>Address: 6214 E 8th</u>	
<u>8/26/72</u>	<u>D. Michael Carson</u>	12
	<u>Address: 6214 E. 8th</u>	
<u>8/26/72</u>	<u>C. W. Angadzi</u>	9
	<u>Address: 6107 East 8th</u>	
<u>8-26-72</u>	<u>J. Dean Engsthal</u>	12
	<u>Address: 2102 E. 8th</u>	
<u>8-26-72</u>	<u>Merri L. Way</u>	11
	<u>Address: 6002 E 8th</u>	
_____	_____	
	<u>Address: _____</u>	
_____	_____	
	<u>Address: _____</u>	
_____	_____	
	<u>Address: _____</u>	

Hadley
Claytonia & Hampton

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
<u>August 30, 1972</u>	<u>Robert P. Hadley</u>	3
	<u>Address: 6404 Claytonia</u>	
<u>August 30, 1972</u>	<u>Jerryanne Hadley</u>	3
	<u>Address: 6404 Claytonia</u>	
<u>8-30-72</u>	<u>Ernest A. Middel</u>	3
	<u>Address: 6403 Claytonia</u>	
<u>8-30-72</u>	<u>Margaret E. Miller</u>	3
	<u>Address: 6403 Claytonia</u>	
<u>8-30-72</u>	<u>Mercedes Orcutt</u>	
	<u>Address: 6412 Claytonia</u>	
<u>8-30-72</u>	<u>Mrs H.C. Orcutt</u>	
	<u>Address: 6412 Claytonia</u>	
<u>August 30, 1972</u>	<u>M. K. Hubbard</u>	8
	<u>Address: 6420 Claytonia</u>	
<u>August 30th, 1972</u>	<u>Doris A. VanHouten</u>	9
	<u>Address: 6425 Claytonia</u>	
<u>8-30-72</u>	<u>Louise Koster</u>	3
	<u>Address: 6411 Claytonia</u>	

Date

Name of Property Owner or Business

8-6-72	Kathleen Ann Tucker	9
	Address: 6635 Claytonia	
8-30-72	Robert C. Hill Jr.	9
	Address: 6419 Claytonia	
8-30-72	Jessie Ann Hill	8
	Address: 6419 Claytonia	
8-30-72	Marvin E. Lampton	8
	Address: 6511 Claytonia	
8-30-72	Sheila B. Lampton	8
	Address: 6511 Claytonia	
8-30-72	Mrs. Betty Newman	7
	Address: 6512 Claytonia	
9-1-72	Russell Newman	8
	Address:	
8-30-72	Michael Beckus	
	Address: 6626 Claytonia	
8-30-72	Ray E. Hunt	9
	Address: 6623 Claytonia	
8-30-72	Lillian St. Hunt	9
	Address: 6623 Claytonia	
8-30-72	Charles D. Hibel	8
	Address: 6520 Claytonia	
9-5-72	E. Hunt Needs	7
	Address: 6504 Claytonia	
9-5-72	Isabel F. Needs	8
	Address: 6504 Claytonia	
9-5-72	Hazel M. Harvey	8
	Address: 6604 Claytonia	
9-5-72	Wesley H. Fisher	9
	Address: 6605 Claytonia	
9-5-72	Charlotte C. Fisher	9
	Address: 6605 Claytonia	
9-5-72	Ruth J. Zimmerman	8
	Address: 6593 Claytonia	
9-6-72	L. Newman Tucker	9
	Address: 6635 Claytonia	

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>
9-4-72	Jameson Maddox 11 Address: 6215 Jacqueline
9-4-72	Patricia W. Wyley 6 Address: 920 St. James Place
9-4-72	Dwight R. Wyley 6 Address: 920 St. James
9-4-72	CSP 6 Address: 904 St. James Place
	Address: _____
	Address: _____
	Address: _____
	Address: _____
	Address: _____
	Address: _____

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<u>Date</u>	<u>Name of Property Owner or Business</u>
<u>8/30/72</u>	<u>WILLIAM L. COZINE</u> Address: <u>801 BROOKFIELD DR.</u>
<u>8-31-72</u>	<u>Jack H. Ashley Jr</u> ^b Address: <u>819 N. MISSION</u>
<u>8-31-72</u>	<u>Mary E. Lashley</u> ^b Address: <u>819 N. Mission</u>
<u>8-31-72</u>	<u>Phyllis Crawford</u> ^b Address: <u>805 N. Mission</u>
<u>8-31-72</u>	<u>A. H. Williams</u> ^b Address: <u>811 N. Mission</u>
<u>8-</u>	<u>C. P. Charles</u> Address: <u>827 N. Mission</u> ²
	<u>[Signature]</u> Address: <u>6001 E Central</u>
	Address: _____
	Address: _____

PROTEST PETITION

We, the undersigned, being residential and business property owners, and operators of businesses in the immediate area generally surrounding and neighboring the following described real property, to-wit:

The Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 13, Township 27 South, Range 1 East of the 6th P.M. Sedgwick County, Kansas;

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<u>Date</u>	<u>Name of Property Owner or Business</u>
① 8-9-72	<u>Evelyn M. Unruh</u> Address: 8107 Peach Tree Lane
① 8-9-72	<u>Lorely D. Duffin</u> Address: 4091 E. Appleby
① 8-11-72	<u>Charles Wayne Hoff</u> Address: 343 So. Fairview
① 8-11-72	<u>Evelyn Belford</u> Address: 6069 E. Lincoln
① 8-11-72	<u>Hugh H. Edgerly</u> Address: 402 N. Hillcrest
① 8-11-72	<u>Thos. H. J. Dyrnesen</u> Address: 1838 Lawrence Ct.
① 8-11-72	<u>Darlene D. Raymond</u> Address: 947 Prairie Park
① 8-11-72	<u>Rabene G. Vandenberg</u> Address: 10 Brookfield Rd
② 8-26-72	<u>Charles W. Ken Giebelberg</u> Address: 1226 Patricia

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
<u>8-24-72</u>	<u>Dwight A. Miller</u>	
	Address: <u>6135 E. Central</u> (owner)	3
<u>8-25-72</u>	<u>Don E. Wintersburg</u>	3
	Address: <u>6019 E. Central</u>	
<u>8-26-72</u>	<u>Harold D. Eslinger</u>	3
	Address: <u>6127 E. Central</u>	
<u>8-27-72</u>	<u>C.V. Parish</u>	2
	Address: <u>5915 East Central</u>	
<u>8-27-72</u>	<u>Bertha H. Parish</u>	2
	Address: <u>5915 E. Central</u>	
<u>8-27-72</u>	<u>Francis & Louella Braden</u>	3
	Address: <u>6011 E. Central</u>	8-27-72
<u>8-27</u>	<u>Broncia H. Wert</u>	3
	Address: <u>6163 E. Central</u>	
<u>8-27</u>	<u>Edna L. Wood (owner)</u>	2
	Address: <u>5825 East Central</u>	
<u>8-27</u>	<u>Rita E. Wood (owner)</u>	2
	Address: <u>5825 East Central</u>	

Date

Name of Property Owner or Business

8-28-72 Roberts 7 North Grand 2

Address: 5903 E. Central

8-28-72 Wesley H. White 2

Address: 5903 E. CENTRAL (OWNERS OF)

8-28-72 Everett A. Miller 3

Address: 6121 E. Central - Owner

8-28-72 Marynie E. Miller - Owner 3

Address: 6121 E. Central

8-28-72 Marynie E. Miller 3

Address: 6135 E. Central - owner

8-30-72 Harold R. Hammarick 3

Address: 6025 E. Central

8-30-72 Ronald K. Smith (owners as of 8-30-72) 7

Address: 6615 Claytonia

8-30-72 Phyllis L. Smith progress Co. 8-30-72

Address: 6615 Claytonia

Fred B. Blum 2

Address: 5909 E. Central

9-5-72 owner

Address:

9-6-72 Harriett L. Phares 3

Address: 4544 B. Bickley #203

Owner of 6412 Claytonia

Address:

Address:

Address:

Address:

Address:

Address:

Address:

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>
<u>Sept. 6, 1972</u>	<u>Barbara E. Singer</u> Address: <u>6636 Claytonia</u>
<u>SEPT 6, 1972</u>	<u>Robert W. Frazier</u> Address: <u>6636 Claytonia</u>
<u>Sept 10, 1972</u>	<u>Richard C. Rogers</u> Address: <u>6411 Claytonia</u>
<u>Sept 13, 1972</u>	<u>H. Kenneth Watson</u> Address: <u>6519 Claytonia</u>
<u>Sept. 13, 1972</u>	<u>M. Beatrice Watson</u> Address: <u>6519 Claytonia</u>
_____	Address: _____
_____	Address: _____
_____	Address: _____
_____	Address: _____

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>
<u>Aug 30, '72</u>	<u>Lloyd E. Turner Virginia Turner</u> <u>Address: 341 St. James</u>
<u>Aug 30, '72</u>	<u>Tolson Phyll</u> <u>Address: 6512 Onida</u>
<u>Sept. 2 - 72</u>	<u>Berdine W. Cupps</u> <u>Address: 6102 E. M. usdock</u>
<u>September 14, 1972</u>	<u>Ryan K. Wala</u> <u>Address: 6419 Onida</u>
_____	<u>Address:</u>
_____	<u>Address:</u>
_____	<u>Address:</u>
_____	<u>Address:</u>
_____	<u>Address:</u>

*Bochner
Elm*

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
<u>8-8-72</u>	<u>C.H. Steele</u>	4
	<u>Address: 6410 E Elm</u>	
<u>8-8-72</u>	<u>Doris K. Steele</u>	4
	<u>Address: 6410 S. Elm</u>	
<u>8-8-72</u>	<u>M. Bochner</u>	
	<u>Address: 1475 Willow Lane</u>	
<u>8-8-72</u>	<u>Ray Lee Decker</u>	9
	<u>Address: 6409 E Elm</u>	
<u>8-8-72</u>	<u>Mrs. A. J. Bochner</u>	
	<u>Address: 1475 Willow Lane</u>	
<u>8-8-72</u>	<u>Dai Bendall</u>	9
	<u>Address: 6512 1/2 E Elm</u>	
<u>8-8-72</u>	<u>Wesley Sease</u>	9
	<u>Address: 6509 S. Elm</u>	
<u>8-8-72</u>	<u>Ruth Sease</u>	9
	<u>Address: Same</u>	
<u>8-8-72</u>	<u>C.H. Bochner</u>	9
	<u>Address: 6517 E. Elm</u>	

Page 21

9 11

Date

Name of Property Owner or Business

8-8-72	B E Tate	9
	Address: 6525 E Elm	
8-8-72	Ruby A Tate	9
	Address: 6525 E. Elm	
8-8-72	RD Henderson	2
	Address: 6601 East Elm	
8-8-72	Mrs. L. D. Henderson	2
	Address: 6601 E. Elm	
8-8-72	Mrs. Fitz Herald	
	Address: 615 St James Place	
8-8-72	Genevieve Steiner	
	Address: 607 St James Pl.	
8-8-72	George Steiner	
	Address: 607 St James Pl.	
8-8-72	Malcolm F Brasted	9
	Address: 6618 East Elm	
8-8-72	Ralph Brasted	9
	Address: 6618 E Elm	
8-8-72	E. L. Stephens	
	Address: 1707 Nottingham	
8-8-72	Ima Stephens	
	Address: 1707 Nottingham Lane	
8-8-72	Carl Tice	9
	Address: 6604 E Elm	
8-8-72	Rosalie Tice	9
	Address: 6604 East Elm	
8-8-72	Nancy Backus	9
	Address: 6409 East Elm	
8/9/72	Mary E. Cortain	9
	Address: 6405 East Elm	
8/9/72	Dwight Cortain	9
	Address: 6405 EAST ELM ST.	
8/9/72	Rete Meng	4
	Address: 6491 East Elm	
8/9/72	Virginia Fisher	
	Address: 6512 E. 9th	

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
<u>8-9-72</u>	<u>Raymond P. Bellings</u>	4
	<u>Address: 6404 East Elm</u>	
<u>8-9-72</u>	<u>Edythe L. Bellings</u>	4
	<u>Address: 6404 East Elm</u>	
<u>8-9-72</u>	<u>Paul Bloomingsdale</u>	9
	<u>Address: 6418 E. Elm</u>	
<u>8-9-72</u>	<u>Stella E. Bloomingsdale</u>	9
	<u>Address: 6418 E. Elm</u>	
<u>8-9-72</u>	<u>W.A. Study</u>	9
	<u>Address: 6520 E. Elm</u>	
<u>8-9-72</u>	<u>Virginia Stud</u>	9
	<u>Address: 6520 E. Elm</u>	
<u>8-9-72</u>	<u>John O. McIlwain</u>	
	<u>Address: 618 St James Place</u>	
<u>8-9-72</u>	<u>Delia L. McIlwain</u>	
	<u>Address: 618 St James Place</u>	
<u>8/9/72</u>	<u>Melvin M. Williams</u>	
	<u>Address: 610 St James Pl.</u>	

Date	Name of Property Owner or Business
August 9, 1972	Virginia L. Williams Address: 610 St. James Pl
August 9, 1972	Connett M. Wise Address: 604 St. James Pl
August 9, 1972	Imo B. Wise Address: 604 St. James Place
August 9, 1972	Lalphe L. Golden Address: 534 St. James
August 9, 1972	Beicie Saddey Address: 334 St. James
Aug 9, 1972	William W. Hill Address: 508 St. James
Aug 9, 1972	Joe C. Horrocks Address: 508 St. James Pl.
Aug 9, 1972	Harold J. [unclear] Address: 507 St. James
Aug 9, 1972	Robert Estill Address: 513 St. James
Aug 9, 1972	W. P. [unclear] 9 Address: 6504 E. Elm
Aug 9, 1972	W. W. P. Buck Jr 9 Address: 6504 E. Elm
Aug 10, 1972	Mrs. Mary Margie Maltbie Address: 601 St. James
August 10, 1972	Wm. H. Maltbie Address: 601 St. James
August 10, 1972	Gina E. [unclear] Address: 615 St. James Place
August 11, 1972	Vida C. [unclear] 4 Address: 6214 E. Murchade
August 11, 1972	Beckie J. Jones Address: 830 St. Delrose
_____	Address: _____
_____	Address: _____

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<u>Date</u>	<u>Name of Property Owner or Business</u>
9/1/72	W.F. Balgwick, Jr. Address: 6021 Jacqueline
9/1/72	James Babal Balgwick Address: 6021 Jacqueline
9-1-72	John P. Kuymer Address: 6014 Jacqueline
9-1-72	Karen Hageman Address: 6014 Jacqueline
9-1-72	Regina Carmichael Address: 5627 Cox Ct
9-1-72	Jan [unclear] Address: 5627 Cox Ct
9-1-72	H.M. Millits Address: 6008 Jacqueline
9-1-72	Mrs W.M. Millits Address: 6008 Jacqueline
9-1-72	Mrs D.J. Burdick Address: 6108 Jacqueline

Date

Name of Property Owner or Business

Date	Name of Property Owner or Business
9-1-72	Address: 6108 Jacqueline Mr. Beardsky
9-1-72	Address: 6108 Jacqueline John E. Nafziger
9/1/72	Address: 6202 Jacqueline Mr. Nick Siconolfi
9/4/72	Address: 6313 Jacqueline Mrs. Simon Struss
9-4-72	Address: 6218 Jacqueline 411 Bond
9-4-72	Address: 6226 Jacqueline John D. Patton
9-4-72	Address: 6314 Jacqueline Jack Shear
9-4-72	Address: 6320 Jacqueline Donald R. Belleski 12
	Address: 6315 Jacqueline 622
9-4-72	Address: 6221 Jacqueline Mrs. H. O. Engel 11
9-4-72	Address: Mrs. Harold B. Davis
	Address: 936 St James Place
9-4-72	Address: Margaret W. Benson 944 St James Place
	Address:
	Address:
	Address:
	Address:
	Address:

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>
8/30/72	Virginia J. Osborn 13 Address: 407 St. James
8/30/72	Suzanne Chelmerick Address: 329 St. James
9/3/72	Kathryn A. Slawson Address: 105 S. Battin
9/3/72	Orval J. Lawrence Address: 105 S. Battin
9-3-72	Thomas J. Lawrence Address: 6306 Maplewood Lane
9/3/72	John P. Woolf 13 Address: 401 St. James
9-3-72	Mary L. Woolf 13 Address: 401 St. James
	Address: _____
	Address: _____

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<u>Date</u>	<u>Name of Property Owner or Business</u>
<u>August 26, 1972</u>	<u>Paul C. Lane</u> Address: <u>6214 Mayrose Lane</u> <u>Wichita, Kansas</u>
<u>8-26-72</u>	<u>Jewell M. Zimmerman</u> 10 Address: <u>6215 E 8th</u>
<u>8-29-72</u>	<u>William P. Zimmerman</u> 10 Address: <u>6215 E 8th</u>
<u>8-26-72</u>	<u>Rita J. Immich</u> 12 Address: <u>6203 E. 8th</u>
<u>8.27-72</u>	<u>Mrs. C. J. Jones</u> Address: <u>6133 Rockwood</u>
<u>8-27-72</u>	<u>Bill Halder</u> Address: <u>6127 Rockwood</u>
<u>8-27-72</u>	<u>Mr. Margaret Sullivan</u> Address: <u>6109 Rockwood Rd. P.O.</u>
<u>8/27/72</u>	<u>Mrs. Carl J. Kieck</u> Address: <u>6103 Rockwood Rd.</u>

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
9/5/72	A. M. Duffield	9
	Address: 6524 East Elm	
9/5/72	Elva Duffield	9
	Address: 6524 East Elm	
9/5/72	Dorman J. McLine	
	Address: 317 Whitfield	
9/5/72	Fred B. McLine	
	Address: 317 Whitfield	
9/5/72	Jean R. Schenck	13
	Address: 329 Whitfield	
9/5/72	Jane Schenck	13
	Address: 329 Whitfield	
9/5/72	Mar. J. Jackson	
	Address: 346 Whitfield	
9/5/72	John P. Jenista	
	Address: 340 Whitfield	
9-5-72	Patricia M. F. Jenista	13
	Address: 340 Whitfield	

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<u>Date</u>	<u>Name of Property Owner or Business</u>
<u>8-8-72</u>	<u>Marjorie J. Seibel</u> 6 Address: <u>6512 Marjorie Lane</u>
<u>8-9-72</u>	<u>Norma S. Secher</u> 10 Address: <u>6310 Marjorie Lane</u>
<u>8-9-72</u>	<u>Ed L. Secher</u> 10 Address: <u>6310 Marjorie Lane</u>
<u>8-12-72</u>	<u>Jane Stalick</u> 10 Address: <u>6250 Marjorie Lane</u>
<u>8/12-72</u>	<u>Donna Kalkreuth</u> 10 Address: <u>6250 Marjorie Lane</u>
<u>8/31-72</u>	<u>Hildegard J. Adrebarac</u> 7 Address: <u>6408 Marjorie Lane</u>
<u>8/31-72</u>	<u>Paula Kalkreuth</u> 7 Address: <u>6411 Marjorie Lane</u>
<u>8/31/72</u>	<u>John S. Secher</u> 7 Address: <u>6603 Marjorie</u>
<u>8/31/72</u>	<u>Barbara L. Secher</u> 7 Address: <u>6603 Marjorie</u>

Date

Name of Property Owner or Business

8/31/72	Karl E. Becker Virginia O. Becker Address: 751 N. Mission Rd
8/31/72	Alfred & Shirley St. George Address: 6604 Thaxton Ln.
8-31-72	John S. Hines Address: 6524 Maryanne Lane
9-1-72	George W. Smith Address: 507 HAMPTON
9-1-72	Mrs John P. Kelly Address: 6428 Jacqueline
9-1-72	Mrs. Saml. Hudson Address: 6412 Jacqueline
9-2-72	Mr. Wendell M. Smith Address: 6404 Jacqueline
9-2-72	Mr & Mrs Eldon C. Mayer Address: 6403 Jacqueline
9-2-72	A. Lee Beavell Address: 605 Hampton
9-2-72	W. Volkman Address: 618 Hampton
9-2-72	Mrs. Donald B. Elliott Address: 623 N Hampton
9-2-72	Mrs Leonard G. Grubel Sr. Address: 639 N Hampton
	Address:
	Address:
	Address:
	Address:
	Address:
	Address:
	Address:
	Address:

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<u>Date</u>	<u>Name of Property Owner or Business</u>
① 8-18-72	Lola M. Hawkins Address: 250 Patton, Wichita, Kan
② 8-26-72	Harold Moore Address: Ellen L. Moore
8-26-72	1004 Kevin Address:
① 8-26-72	Luella Turner Address: 1012 Kevin
① 8-26-72	William F. Hagelbush Address: 1003 Patricia ave
① 8-26-72	Mrs. Kenneth E. Janfeld Address: 1004 Patricia
② * 8-26-72	Mr. Raymond E. & Mrs. ^{Phyllis} Louise Address: 6004 Orinda
② + 8-26-72	Harold E. Fall Address: 6104 E. 9th Wichita, Ks.
8-26-72	Mrs. Janet (Kear) Krusko 17 Address: 6126 Lakewood

Date

Name of Property Owner or Business

W.R. Zepf ✓ Address: 6120 Rockwood 17

Clara H Pfeifer ✓ Address: 6120 Rockwood Rd. 17

8/27/72 Mrs. W.R. Zepf (Margaret)
Address: 6114 Rockwood Rd

8-27-72 Dorothy Johnson
Address: 6108 Rockwood

8-27-72 John J. Johnson MD
Address: 6108 Rockwood Rd.

8-27-72 Wathena Blakely, 18
Address: 6102 Rockwood

8-27-72 Wanda Eicher, 18
Address: 6102 Rockwood

8-27-72 ^{Edna M. Howe} Maurice Lawrence 18
Address: 6020 Rockwood Rd

8-27-72 ^{Wesley D. Wingquist} Mrs. D. L. Wingquist 16
Address: 5921 Oakwood Dr.

8-27-72 Edward S. Muffel 16
Address: 5811 Oakwood

9/6/72 Mr. and Mrs. Vera June 1
Address: 6020 C. Myrdal

Address:

Address:

Address:

Address:

Address:

Address:

Address:

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<u>Date</u>	<u>Name of Property Owner or Business</u>
<u>Aug. 8 - 1972</u>	<u>John & Nancy D. Serius</u> Address: <u>6005 E. Murdock</u>
<u>Aug - 8 - 1972</u>	<u>Mrs Edith Schmalian</u> Address: <u>6014 - E Murdock</u>
<u>Aug. 8 1972</u>	<u>Max W. Blackwell & Blanche Blackwell</u> Address: <u>6114 East Murdock</u>
<u>August 8, 1972</u>	<u>Ernie & Mc Farland</u> Address: <u>6026 - E Murdock</u>
<u>August 8, 1972</u>	<u>Ray E. McFarland</u> Address: _____
<u>August 8, 1972</u>	<u>Just Bremer</u> 4 Address: <u>6214 E. Murdock</u>
<u>August 8, 1972</u>	<u>George S. Young Thru Young</u> Address: <u>6226 E. Murdock</u>
<u>August 8, 1972</u>	<u>Robert & Howard & Linda & Beverly</u> 3 Address: <u>6302 E Murdock</u>
<u>August 8 1972</u>	<u>Ben Mackinnon</u> 2 Address: <u>6314 E Murdock</u>

Date	Name of Property Owner or Business
Aug 8, 1972	James T. Cleary - Eloise Cleary ✓ Address: 6308 East Murdock
August 8, 1972	Jean S. Rentsch - Herman E. Rentsch 4 Address: 6202 East Murdock
	Lloyd M. & Ruby F. Gohin 1 Address: 6150 E. Murdock
August 8 1972	Ellen J Draper Address: 6108 E Murdock
August 12, 1972	Dorothy Todd Bechtel Address: 610 N. BLUFF
Aug 14 - 1972	Lennor S. Hillyard 4 Address: 6220 East Murdock
Aug 16 1972	Forest L Kelley Address: 621 N Edgemoor
Aug 16, 1972	Mrs Ruth Barton Address: 617 N. Edgemoor
Aug 16, 1972	Louis S. Monte Address: 613 N. Edgemoor
Aug 16, 1972	William C. Hesser Address: 645 N. Edgemoor Dr
AUG 16 - 1972	639 - N - EDGEMOOR - Address: Glen Lewis
Aug. 16 - 1972	Morell S. Jenkins Address: 651 N. Edgemoor
Aug. 16 - 1972	Mortimer P. Sels Address: 661 N. Edgemoor
	Address: 669 N Edgemoor
Aug 16, 1972	Ethel W. Wansley Harold B. Wansley Address:
aug 16, 1972	Lavon Hartha Address: 655 N. Edgemoor
Aug. 16, 1972	John - Yvonne Pruitt Address: 6001 East 9th
Aug 16 - 72	Louise Wansley Address: 6021 E. 9th

PROTEST PETITION

We, the undersigned, being residential and business property owners, and operators of businesses in the immediate area generally surrounding and neighboring the following described real property, to-wit:

The Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 13, Township 27 South, Range 1 East of the 6th P.M. Sedgwick County, Kansas;

do, by affixing our signatures to this Protest Petition, indicate our disapproval of and objection to the proposed change of zoning classification of said property and the adoption of a Community Unit Plan covering the same, for which an Application is now pending before the Wichita-Sedgwick County Metropolitan Area Planning Commission.

<u>Date</u>	<u>Name of Property Owner or Business</u>
8/15/72	Marjorie L. Bales Address: 1120 Barclay
8/15/72	Doris A. Mitchell Address: 2001 700 Pershing
8/15/72	Deirdre and Joseph Address: 93 Rolling Hills Dr
8/15/72	May B. Hortonell Address: 9306 W. Maple
8/15/72	Rita L. Blakely Address: 3920 Meadow Lane
8-15-1972	Paul P. Denton Address: 4828 W. Central
8/16/1972	Greg Gunnus Address: 246 N. Bluff
8/16/1972	James J. O'Leary Address: 416 - J. S. H. Hwy
8/16/1972	Mrs. Madalene M. Carter Address: 102 North Edgemoor

Date

Name of Property Owner or Business

8/25/1972	Jesse P. Peffer Address: 220 Bonnie Bree Wichita, Kansas
8/25/1972	Frieda L. Russell Address: 157 Lachinvar Dr. Wichita, Kansas 67207
8/28/72	Frieda L. Russell Address: 3618 E. 9 th Wichita - 67208 682-0826
8/28/72	Guadalupe J. Proffitt Address: 6045 E. Bayley Wichita, Kansas
8/28/72	Vesta B. Kramer Address: 514 E. Broadway Wichita, Kansas
8/28/72	Lilona W. Watty Address: 2402 Altona 265-7628
8/28/72	Clara J. Heberg Address: 611 D. Belmont 682-3660
8/28/72	Aura L. Good Address: 1546 West Lynn
8/28/72	Imogene Fleming Address: R#41 Derby Pls.
8/28/72	Jama E. Sparr Address: 1243 George Washington Dr.
	Address:
	Address:
	Address:
	Address:
	Address:

PROTEST PETITION

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<u>Date</u>	<u>Name of Property Owner or Business</u>	
8/7/72	Mr. Fred Oaks	4
	Address: 6208 East Murdock	
8/7/72	Olive M. Oaks	4
	Address: 6208 East Murdock	
8/7/72	Melvin J. Scott	1
	Address: 6208 Marjorie Lane	
8/7/72	Lucy J. Short	1
	Address: 6208 Marjorie Lane	
8/7/72	Marjorie M. Paris	
	Address: 6214 Marjorie Lane	
8/7/72	Pearl A. Mc Dinty	10
	Address: 6226 Marjorie Lane	
8-7-72	C. E. Mc Dinty	10
	Address: 6226 Marjorie Lane	
8-7-72	John E. Burschfield	10
	Address: 6244 Marjorie Lane	
8-7-72	Betty E. Burschfield	10
	Address: 6244 Marjorie Lane	

Date

Name of Property Owner or Business

Aug 7, 1972	Leola Ray	10
	Address: 6320 Marjorie Lane	
Aug 7, 1972	Shirley Jean Truelke	2
	Address: 6233 Marjorie Lane	
August 7, 1972	George J. Truelke	2
	Address: 6233 Marjorie Lane	
August 8, 1972	Harold T. Howell	10
	Address: 6220 Marjorie Lane	
Aug 8, 1972	Rose Howell	10
	Address: 6220 Marjorie Lane	
8/8/1972	Saul Nelson - Bonnie Nelson	2
	Address: 6245 Marjorie	
Aug 8, 1972	Barbara S. Cavida	2
	Address: 6251 Marjorie Ln.	
	Truelke, George	
	Address:	
8-8-1972	Ray L. Hunt	2
	Address: 6301 Marjorie Lane	
8-8-1972	Miss Ray A. Maritz	2
	Address: 6301 Marjorie Lane	
8-8-1972	Carol C. Gundersalt	2
	Address: 6311 Marjorie Lane	
8/8/72	Suzanna K. Hennings	7
	Address: 6321 Marjorie Lane	
8-8-72	Paul R. Hennings	7
	Address: 6321 Marjorie	
8-8-72	Larry A. Pickett	6
	Address: 6404 Marjorie	
8.8.72	Robert C. Cochran	6
	Address: 6412 Marjorie Lane	
8-8-72	Wenge Bailey	6
	Address: 6428 Marjorie	
8-8-72	Dr. Clark Conover	6
	Address: 6504 Marjorie	
8-8-72	Manice L. Helms	6
	Address: 6512 Marjorie	

PROTEST PETITION

We, the undersigned, being residential and business property owners, and operators of businesses in the immediate area generally surrounding and neighboring the following described real property, to-wit:

The Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 13, Township 27 South, Range 1 East of the 6th P.M. Sedgwick County, Kansas;

do, by affixing our signatures to this Protest Petition, indicate our disapproval of and objection to the proposed change of zoning classification of said property and the adoption of a Community Unit Plan covering the same, for which an Application is now pending before the Wichita-Sedgwick County Metropolitan Area Planning Commission.

<u>Date</u>	<u>Name of Property Owner or Business</u>
August 16, 1972	Mrs. Ralph Cook (Kela)
"	Address: 6411 Jacqueline
"	Mrs. Mabel Bostling (Helen)
"	Address: 7328 Elm St.
"	Mrs. W. S. Padgett (Margaret)
"	Address: 606 Stratford
August 16, 1972	Mrs. K. W. Brindle (Ruth)
"	Address: 1325 St. Andrews
"	Mrs. John Morris (Marie)
"	Address: 6555 E. Central
"	Barbara F. Teshej
"	Address: 79 Drury
"	Mrs. Charles J. Danahy
"	Address: 629 Stratford
"	J. Evelyn McCabe
"	Address: 146 N. Edgemore
"	Mrs. Olivia G. Storey
"	Address: 205 So. Olivia

Date	Name of Property Owner or Business
Aug 16-1972	Earlyn D. Rattle Address: 246 So. Brookside
"	Mrs. D. W. Pross Laska Address: 3720 Sleepy Hollow
Aug 16	Marlene A. Morris Address: 326 Oak Hill
Aug. 16	Milla Curtis Address: 7330 Norfolk Dr.
"	Betty Graham Address: 16020 E. 8th
Aug 16	Patricia A. Peterson Address: 6102 Jacqueline
"	Anna Johnson Address: 114 N. Belmont
"	Bernice Covington Address: 336 S. Holly St
"	Anna Carol Swanson Address: 2349 Bullinger
"	Paul M. Elliott Address: 8601 Shannon way
"	Gene Nielsen Address: 526 Tallyrand
"	Jamie K. Nelson Address: 30 Mission
"	Rose Cook Address: 320 N. Spruce
"	Miss Patricia Cook Address: 227 N. Battin
"	Patricia Cook Address: 220 N. Park
"	Mrs. La Belle Farha Address: 4703 Loomer
"	Mary K. Bell Address: 515 South Yale
"	Jean C. Clark Address: 231 N. Brookside

Rhonda

January 23, 1973

Ford Rockwell, City Librarian

Robert A. Lakin, Director of Planning

"Kapaun" Community Unit Plan - DP-445

The Planning Commission, at their special public hearing on January 18, 1973, approved the Kapaun Community Unit Plan, subject to a series of amendments. One of them included the establishment of single-family lots completely along the north side of the tract adjacent to Murdock. They also approved, then, a tract of land immediately south thereof between this tier of single-family lots and the Kapaun School. This tract was zoned for "BB" Office District and was set out in a fashion that the Library Board could locate a branch library on this tract.

Although I know the public uses need not conform to the zoning district, this Community Unit Plan, if approved before the Library Board would take title to any land, because of the setbacks and the special controls thereon, would preclude the use of a tract of land on Murdock and Woodlawn. This is caused primarily by the setback lines that are established and the tract lines in the CUP.

The tract of land immediately south of the single-family lots being proposed is just a little over 200 feet in width along Woodlawn and the depth, of course, could be any part of the tract.

If there is any question concerning the location of the "BB" Districts or the limitations placed on other tracts involved, please contact either myself or Jack Galbraith in my office.

RAL:ber

HOLMES, DARRAH AND MELLOR

ATTORNEYS AT LAW
800 BROWN BUILDING

WICHITA, KANSAS 67202
TELEPHONE (316) 262-4403

January 22, 1973

WILBUR H. JONES
COUNSEL

R. L. HOLMES (1860-1929)
W. E. HOLMES (1887-1958)

RICHARD W. HOLMES
JOHN JAY DARRAH
PHILLIP MELLOR
JAMES R. SCHAEFER
GEORGE R. COMPTON

Mr. Jack Galbraith
Metropolitan Area Planning Commission
City Annex Building
Wichita, Kansas

Re: C-K-M Community Unit Plan

Dear Jack:

I am returning herewith the copy of the latest C-K-M Community Unit Plan on the Kapaun property which you loaned to me last week. It is my understanding that the matter will not come before the City Commission before February 20, 1973.

Thanks again for your cooperation and assistance in this matter.

Yours very truly,



Richard W. Holmes
of HOLMES, DARRAH AND MELLOR

RWH:cv



January 22, 1973

Mr. Robert W. Kaplan, Attorney
Kaplan, McMillan and Anderson
430 North Market
Wichita, Kansas 67202

Re: Z-1414 - "AA" to "BB" and
"AA" and "IC" to "LC"; and
DP-45 - CKM Commercial
Community Unit Plan

Dear Mr. Kaplan:

The Planning Commission, at a special meeting on January 18, 1973, considered the above-captioned zone case and associated amended CUP. The action of the Planning Commission on zoning was to recommend that Parcel 1 remain as "AA" Single-Family, and that the "BB" Office District be approved for the areas designated as Parcels 2 and 6, and that "LC" Light Commercial be approved for the remaining Parcels 3, 4, 5, and 7; and the approval of the amended CUP be subject to deleting the use "shopping center" from Parcel 6 and adding new uses "churches and schools", and subject to the following standard conditions:

- a. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
- b. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- c. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

Page 2 - Mr. Robert W. Kaplan
January 22, 1973

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

Based on this recommendation, it is necessary that you provide us new legals reflecting the above recommendation for "BB" and "LC", and 10 corrected copies of the CUP by February 2, 1973.

Although we announced that this case would go to the City Commission on February 6, 1973, we are advised that a full City Commission will not be available until February 20. We will send the case forward for hearing on that date, the meeting to be held in Room 201 City Building, 204 South Main. The City Manager's office advises me that they will place this item on the agenda with the notation that it will not be heard before 10:00 a.m. I would appreciate it if you and those receiving copies of this letter would advise your associates and clients of the change in dates.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber

cc: Carl Chuzy, 6572 East Central 67208
Bill Yung, Oblinger-Smith Corp., 625 1st Nat'l Bank Bldg. 67202
Richard Holmes, Brown Building 67202
John G. Vess, Jr., 6403 East Murdock 67206
Nancy Bachus, 6409 East Elm 67206

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: January 18, 1973

REVISED REPORT

Case No. Z-1414	Request: "AA" to "BB"; and "AA" and
Case No. DP-45	"LC" to "LC" together with
	an approval of a Development
	Plan

Acres: "BB" - 8	340 ft. by 1270 ft.
"LC" - 28	930 ft. by 1270 ft.

Comments

1. The previous staff report is attached to this report. Attention is called to items of that report.
2. The Metropolitan Area Planning Commission, on September 14, 1972, recommended approval of the zoning and the CUP submitted at that time, subject to certain conditions. The Board of City Commissioners, in considering the case on October 31, 1972, returned the CUP and zoning request to the Planning Commission as it "did not agree with the commercial nature of the proposed Community Unit Plan."
3. After the Planning Commission meeting of September 14, 1972, the area residents submitted protest petitions against the zoning change requests which will require a 4/5ths vote of the City Commission to make any change.
4. A revised CUP has been submitted (no change in the zoning requests has been made) which:
 - A. Creates a tier of single-family lots on Murdock.
 - B. Reduces in area the tracts originally designed for offices or multi-family.
 - C. Reduces in area the large tract designated for a shopping center area.
5. The CUP as resubmitted is still substantially commercial in nature.
6. The requested light commercial totals 409,038 square feet of floor area, plus 26,000 square feet of floor area for financial uses. These figures do not include the parcel proposed as either offices or multi-family. The total acreage for Parcels 3 thru 7 is 25.55 acres. Normandy Center to the east has 8.66 acres (both "LC"

and "P") with 91,300 square feet (est.) of floor area now developed (including service station). Twin Lakes, for comparison purposes, was authorized 330,000 square feet of floor area.

7. The pattern of light commercial zoning seems to have been established on Central between Oliver and Woodlawn. Continuation of these past actions would indicate the establishment of "LC" on the Central frontage. The Commission may wish to establish "LC" comparable to that on other nearby corners. If more is to be granted, the applicant should be asked to provide justification (such as market studies) for the additional "LC". Although additional "LC" and the development thereof will bring more traffic and to some degree congestion, this amount can be handled thru reconstruction of the intersection and sections of Central and Woodlawn. This would probably need to take the form of construction that has occurred in the Twin Lakes area.
8. It would seem that Parcel 6 (site of the school) is not well suited to light commercial uses due to the structure itself. It is recommended that the Planning Commission consider establishing "BB" and limiting the uses to offices or institutional uses, church or school. This would assist in maintaining Woodlawn as a non-commercial street.
9. For the tract(s) to the north of the commercial, a number of alternates are available.
 - A. A tier of single-family lots on Murdock with offices or multi-family to the south. As submitted and if "LC" is not reduced, Parcel 2 is not a good parcel in shape with which to design a project in keeping with the neighborhood.
 - B. The entire area could be established for multiple family with townhouses on the north, and with other types of multiple family units for the balance. The townhouse density should not exceed the "P-5" equivalent.
 - C. The entire area could be established as an office park.
 - D. Single-family lots could be platted around a series of north-south oriented cul-de-sacs, which would enter onto Murdock.
9. The neighborhood submitted an alternate land use arrangement to the City Commission. A copy of their submittal is attached.
10. If the Planning Commission concurs in the Board of City Commission's reasons for referral, i.e., other land use plans could be developed for the entire site. As an example, an office park could be created centered around

Kapaun and having its own internal street system. Another alternate is for higher density housing, such as two or three high-rise apartment buildings with groupings of townhouses clustered around them. Kapaun could be reserved for a church or institutional use.

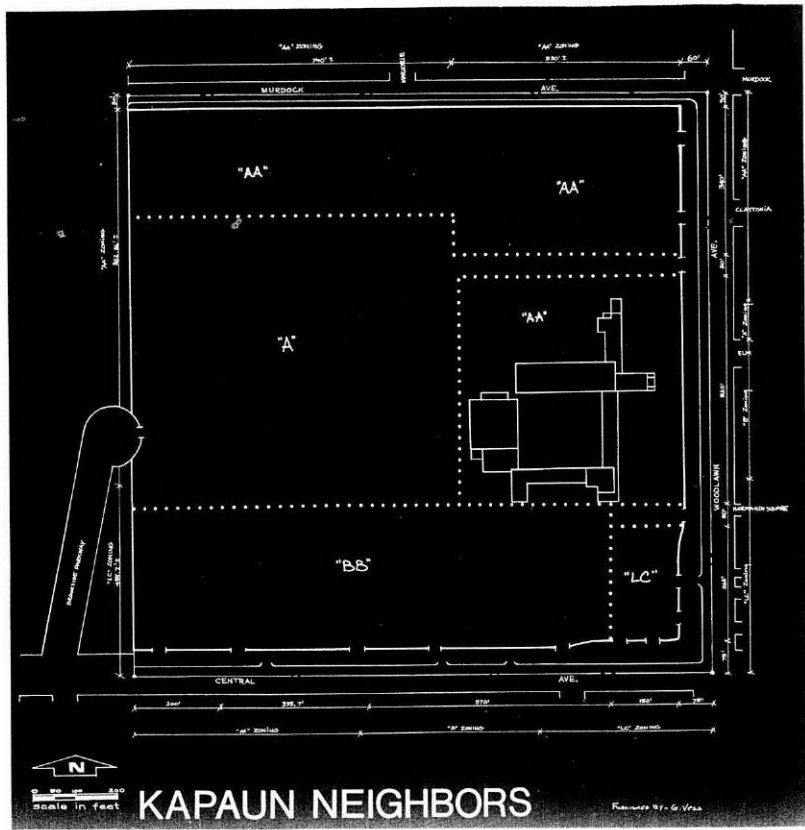
It is difficult to provide recommendations for specific conditions for the CUP until the policy questions on land use are resolved. However, based on the last received plan of the applicants, consideration could be given to the following:

- A. Reduce the "LC" areas of Parcel 3 to a depth equal to "LC" on the west (approximately the depth to the existing east-west private sewer easement).
- B. Eliminate the jog of the east boundary line on Parcel 3 by bringing the east line as drawn on the north part of the parcel straight south to Central.
- C. Reduce Parcel 5 to accommodate the boundary change in Parcel 3.
- D. Establish Central Street setback lines on Central to 150 feet to eliminate the strip commercial look and encourage center type development.
- E. Change Parcel 6 to "BB" and delete "Shopping Center" as a use, and add as new uses, "churches and schools".
- F. Enlarge Parcel 2 to include area deleted from Parcel 3, and establish multi-family and institutional uses with density not to exceed 12.4 dwelling units per acre. Allow parking structures (one story) to be built within the north setback line.
- G. Require solid architectural wall along the north line of Parcel 2 whenever open off-street parking areas are provided.
- H. Designate cul-de-sac on west as alternate to be determined at the time of platting.
- I. Adjust acreage, floor area figures to conform to allocation established.
11. Establish as standard conditions the following:
 - P. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
 - B. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Page 4 - Case No. Z-1414 and DP-45
January 18, 1973

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

Attachments 3 - Staff Report - September 14, 1972
Neighborhood Plan
Revised CUP



0 50 100
Scale in feet

KAPAUN NEIGHBORS

KAPPAUN ST. & VASA

January 9, 1973

The files

Robert A. Lakin, Director of Planning

Case No. Z-1414 and DP-45

In a meeting held with Carl Chuzy, Bob Kaplan and representatives of Oblinger and Smith, on Friday, January 5, 1973, a revised Community Unit Plan was presented by the applicant and discussed with me. At that same meeting I discussed with them my intention to schedule a public hearing on the evening of January 18, at 7:00 p.m. for further consideration of this matter after having had it referred back to the Planning Commission by the City Commission. I asked the specific question of Mr. Kaplan, attorney for the applicant, as to whether or not he felt there was any need to re-advertise the case in the newspaper before scheduling such hearing. He replied to me that in his opinion he did not see any necessity either legal or otherwise of such re-advertising.

RAL:ber

PETERSON
MATERIAL HANDLING INC.

1115 EAST HARRY STREET
WICHITA, KANSAS 67211
AREA CODE 316 263-3292

24 Nov '72

6102 Jacqueline St.,
Wichita, Kansas

Mr. Robert Lakin
Director of Planning
Wichita Planning Dept
104 S. Main St.,
Wichita, Kansas

Re: Kapaun Zoning
Woodlawn at Central

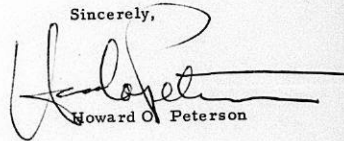
Dear Mr. Lakin :

As I understand it, there is to be a hearing with your department, the planning commission, and interested persons of the neighborhood, at some date, soon.

I will appreciate it very much if you will have your office notify me in advance, of the next meeting. Above business address will do, or, residence. I plan to be present.

Thank you.

Sincerely,



Howard O. Peterson



CONVEYOR • FORK LIFT TRUCKS • RACKS • DOCK BOARDS • GENERATORS • SLINGS

LAW OFFICES
KAPLAN, McMILLAN AND ANDERSON
ROBERT W. KAPLAN
CALVIN L. McMILLAN
D. KEITH ANDERSON

November 22, 1972

ROUTING:

<input type="checkbox"/> RW	<i>Mo</i>
<input type="checkbox"/> EK	
<input type="checkbox"/> FILE	<i>Ca. 10</i>
	<i>171100</i>

NOV 21 1972

11/28 JB

LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
262-5175

REFERENCE: ITEM 2 Public
AGENDA FOR: NOV 28 1972

Robert G. Finch, Executive Assistant City Manager
Office of City Manager
City Building
Wichita, Kansas 67202

RE: Kapaun Property Rezoning

Dear Mr. Finch:

Please consider this letter as a request for the undersigned to appear on the public agenda of the Wichita City Commission on Tuesday, November 28, 1972.

The subject of my request is the C-K-M Community Unit Plan which is generally referred to as the Kapaun property.

I will appreciate being advised of my place on the agenda as soon as possible so that I can plan my time accordingly.

Very truly yours,

KAPLAN, McMILLAN AND ANDERSON

By: *Robert W. Kaplan*
Robert W. Kaplan

RWK/drb

cc: Richard W. Holmes



LAW OFFICES
KAPLAN, McMILLAN AND ANDERSON
ROBERT W. KAPLAN
CALVIN L. McMILLAN
D. KEITH ANDERSON

yg.

LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
—
262-5175

November 22, 1972

Robert A. Lakin, Director of Planning
Metropolitan Area Planning Department
City Annex
Wichita, Kansas

RE: Kapaun

Dear Bob:

I was finally able to contact Bill Yung and he indicated that he was going to call and talk with either you or Jack Galbraith and would like to get with you next week before this matter is rescheduled. I thought that a mid-December scheduling date might be a little early if your office requires 2 weeks review time in the event an amendment was submitted.

At any rate, if members of your staff would be available next week, I understand that Bill will meet with you and discuss a new date for a public hearing at that time.

Incidentally, after reviewing to the extent I was able to do so the action of the Commission on the 31st day of October, I have asked for another hearing on the Commission agenda and will do this as soon as possible so as not to unnecessarily delay anyone.

Very truly yours,

KAPLAN, McMILLAN AND ANDERSON

BY: *Robert W. Kaplan*
Robert W. Kaplan

RWK/pn



November 1, 1972

Mr. Robert W. Kaplan, Attorney
Kaplan, McMillan and Anderson
430 North Market
Wichita, Ks. 67202

RE: E-1414 - "AA" to "BB" and
"AA" and "LC" to "LC";
DP-45 - CDM Commercial
Development Plan

Dear Mr. Kaplan:

This is to advise you that the above captioned cases were considered by the Board of City Commissioners at their regular meeting of October 31, 1972. After considerable discussion, their action was to return the application to the Metropolitan Area Planning Commission for its reconsideration, the reason given that the Commission disagreed with the nature of the Commercial C.U.P.

Based on the number of persons interested in this case and inasmuch as the Planning Commission meetings have been lasting quite late because of the number of cases being processed, we are interested in rescheduling this case at a time most convenient for all. Inasmuch as you may be interested in amending the zoning case and the C.U.P., we would appreciate your contacting us relative to your desires for rescheduling this case for rehearing.

We will be happy to schedule a time to discuss the rescheduling of this case. Please call if you have any questions concerning this matter.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:rv

cc: Carl Chusy, 6572 East Central 67208
Bill Young, Chlinger-Smith Corp., 625 1st Nat'l Bank Bldg.

Page 2 - Mr. Robert W. Kaplan
November 1, 1972

Richard Malone, Brown Building 67202
John G. Voss, Jr., 6403 East Mardeck 67206
Nancy Bachus, 6409 East Elm 67206
Alvin J. Hennessy, 501 N. Broadmoor 67206
Fred Linds, 6008 Grace 67208

LAW OFFICES
KAPLAN, McMILLAN AND ANDERSON
ROBERT W. KAPLAN
CALVIN L. McMILLAN
D. KEITH ANDERSON

October 27, 1972

ROUTING:	
<input checked="" type="checkbox"/> RW	
<input type="checkbox"/> REP	
OCT 30 1972	
<input type="checkbox"/> EK	
<input type="checkbox"/> FILE	<input type="checkbox"/>

10/31 X
LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
262-5175

REFERENCE: ITEM 12
AGENDA FOR: OCT 30 1972

Robert G. Finch, Executive Assistant City Manager
Office of the City Manager
City Building
Wichita, Kansas 67202

RE: Kapaun Memorial High School Property

Dear Sir:

I enclose herewith a copy of a letter respecting the referenced property which I would appreciate being brought to the attention of the Commissioners.

I must also advise that I have a matter pending in Federal Bankruptcy Court on Tuesday, 9:30 a.m., in addition to the jury trial matter which I had previously advised you of. A written continuance of the matter in Federal court was made; and enclosed is a copy of Judge Morton's reply. Please also bring this letter to the attention of the Commissioners.

Thank you.

Very truly yours,

KAPLAN, McMILLAN AND ANDERSON

BY: *Robert W. Kaplan*
Robert W. Kaplan

RWK/pn

encl

COPIES SENT TO CITY COMMISSION
JD, RK - 10-30-72

**Paul R. Brown
& associates**

102 Colorado Derby Bldg. / Wichita, Kansas 67202 / (316) 264-0394

Paul R. Brown Earl G. Teubner Betty M. Spingler Garnet P. Mason Ronald Hopkins

October 26, 1972

Mr. Robert W. Kaplan
Kaplan, McMillan and Anderson
430 North Market
Wichita, Kansas 67202

Re: Kapaun Memorial High School Property

Dear Mr. Kaplan:

In response to your letter of October 24, I have made a very brief analysis to give you my estimate of anticipated ad valorem taxes which should result from the development of commercial area in the Kapaun High School land. Your letter indicates that the commercial land area is approximately 21.41 acres or 932,435 square feet, more or less, and that the floor area to be considered on this site and devoted to light commercial use will be 362,926 square feet. I am assuming that this building area will be developed with 248,920 square feet for retail shops, 20,000 square feet for a bank, 78,046 square feet as a super-market and family cafeteria and with the balance of 15,960 square feet either as an automotive service facility or more likely a savings and loan facility.

If these developments take place for these respective uses, it is my estimate that the developed land value will be approximately \$1,165,775, and the buildings would have a value of approximately \$7,328,000. Thirty per cent of this combined value would be slightly over \$2,500,000, and based on the 1972 mill levy, this should reflect a total ad valorem tax of around \$230,000 per year.

Since I did not have the paving area or other land improvement structures which might be made for beautification, etc., I have not attempted to estimate any value for either of these categories.

I hope, this will give you some guidance in your analysis of this matter.

Very truly yours,

PAUL R. BROWN & ASSOCIATES

Paul R. Brown
Paul R. Brown

PRB:s

Insurance ...



Real Estate ...



Management



... Appraisals

COPIES SENT TO CITY COMMISSION

50, 842 10-30-72

FEDERAL BANKRUPTCY COURT
UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS
403 U. S. COURT HOUSE
WICHITA, KANSAS 67202
316-267-6311 EXT. 464

HON. ROBERT B. MORTON
PRESIDING

October 27, 1972

Robert W. Kaplan
430 W. Market
Wichita, Kansas 67202

Re: Bob L. and Eiko Brown
In Bankruptcy 22210-B-2 and 22211-B-2

Dear Mr. Kaplan:

Receipt is acknowledged of your request for a continuance on the hearing scheduled on Tuesday, October 31, 1972 at 9:30 a.m. regarding the dischargeability of the debt of McConnell AFB Federal Credit Union.

I regret to advise that due to our heavy calendar the request must be denied notwithstanding other conflicts of which the court has been advised.

Very truly yours,



cf/
cc: Edwin J. Dreiling
208 E. First St.
Wichita, Kansas

COPIES SENT TO CITY COMMISSION
RAC, JD, 10.30.72

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSREQUEST FOR ZONING
AND APPROVAL OF COMMERCIAL CUPCASE NO. Z-1414
DP-45

CONSIDERED BY MAPC: 9-14-72

REQUEST: "AA" to "BB" and "AA" and "LC" to "LC"
Approval of Commercial CUPREASON FOR REQUEST (AS PROVIDED BY APPLICANT):
Shopping Center development, office park and/or multiple
family residential.

GENERAL LOCATION: West side of Woodlawn between Central and Murdock

LEGAL DESCRIPTION:

"AA" to "BB" - Com. 960 feet N and 60 feet W of the SE Corner of
the SE 1/4 of the SE 1/4 of Sec. 13, Twp. 27 S, R 1 E of the 6th
P.M., th W 530 feet, th N 90 feet, th W 740 feet, th N 250 feet,
th E 1,270 feet, th S 340 feet to place of beginning.

"AA" and "LC" to "LC" - The SE 1/4 of the SE 1/4 of Sec. 13, Twp. 27
S, R 1 E of the 6th P.M., Sedgwick County, Kansas, Ex Com. 960 feet
N and 60 feet W of the SE Cor of the SE 1/4 of the SE 1/4 of Sec.
13, Twp. 27 S, R 1 E of the 6th P.M., th W 530 feet, th N 90 feet,
th W 740 feet, th N 250 feet, th E 1,270 feet, th W 340 feet to
place of beginning.

Commercial Community Unit Plan - SE 1/4 of the SE 1/4 of Sec. 13,
Twp. 27 S, R 1 E of 6th P.M.

APPLICANT: Carl Chuzy, 6572 East Central, Suite 203 67208

COUNSEL FOR APPLICANT: Robert W. Kaplan, Attorney

PROTESTORS (LIST COUNSEL) IF ANY: Richard Holmes, attorney, spoke in
opposition on behalf of property owners in the area. Roger Wilson,
attorney living in the area, spoke in opposition. Glen Vess, a
resident of the area, also spoke in opposition.SURROUNDING ZONING: To the north is "AA"; east is "AA", "A", "B" and
"LC"; south is "AA", "A", "BB" and "LC"; west is "AA" and "LC".LAND USE: Subject property is vacant; north is single-family; east is
single-family and shopping center; south is single-family, offices and
service station; west is retail business and riding stables.

PLANNING COMMISSION RECOMMENDATION:

That the request for "LC" Light Commercial and "BB" Office District
(Z-1414) be approved and that the Community Unit Plan (DP-45), be
approved, subject to the conditions as shown by the attached excerpt
from the Planning Commission minutes of September 14, 1972. BURNETT
moved, KAMEN seconded and it carried by a vote of 5 in favor (Bur-
nett, Kamen, Taylor, Jackson and Blakey) and 2 opposed (Hennessy and
Rising).

NOTE: 53.23% of the property owners within 200 feet is represented by
valid protest petitions which have been filed as provided by law.
Therefore, a 4/5ths vote on the part of the City Commission will be
required in order to approve the zone change.

ACTION: 1. Approve the zone change and CUP as recommended by the
Metropolitan Area Planning Commission, subject to the conditions of
planning, and instruct the Planning Department to forward the ordin-
ance for first reading when the plat is forwarded to the City Commis-
sion; or

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

September 18, 1972

Mr. Robert W. Kaplan, Attorney
Kaplan, McMillan and Anderson
430 North Market
Wichita, Kansas 67202

Re: Z-1414 - "AA" and "LC"
to "LC" and "BB"
DP-45 - Commercial CUP
Northwest corner of
Central and Woodlawn

Dear Mr. Kaplan:

At its regular meeting on September 14, 1972, the Metropolitan Area Planning Commission considered the above two cases. It was the action of the Planning Commission to recommend the approval of the request for the "LC" Light Commercial and the "BB" Office District, and the approval of the Community Unit Plan subject to the following conditions:

- A. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- B. Changing condition #12 under "General Provisions" to read as follows: A landscaped plan for the 10-foot planting area along the perimeter of the site, indicating the location, type and specifications of planting materials, shall be submitted to the Planning Department for approval prior to the issuance of any building permit.
- C. Changing condition #13 to read as follows: An interior circulation roadway shall be designed and submitted to the Department of Public Works for review and approval prior to the issuance of any building permit on Parcels #1, #2, #4 and #6.
- D. Changing condition #17 to read as follows: Determining, at the time of platting, the necessity of extending Brookside Parkway to Murdock.

page 2 - Mr. Robert W. Kaplan
September 18, 1972

- E. Determining, at the time of platting, as to whether or not the north major entrance on Woodlawn should be adjusted to align with Claytonia on the east.
- F. Indicate the proposed residential density for Parcel #1 as not exceeding 29 dwelling units per acre. (Please indicate the maximum number.)
- G. Adding "Financial" to the proposed uses on Parcel #5.
- H. 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.
- I. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- J. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.

It is necessary that ten copies of the plan indicating these corrections as well as changing the location of the Brookside Parkway cul-de-sac, which we previously discussed, be submitted to our office by 5:00 p.m. on September 27, 1972, so that these two cases can be forwarded to the Board of City Commissioners for their consideration at their regular meeting of October 3, 1972. The Commission meeting will start at 9:00 a.m. in Room 201 City Building, 204 South Main.

If you have any questions concerning the Commission's action, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Carl Chuzy, 6572 East Central 67208
Bill Young, Oblinger-Smith Corp., 625 1st Nat'l Bank Bldg.
Richard Holmes, Brown Building 67202
Roger Wilson, R. H. Garvey Building 67202
John G. Vess, Jr., 6403 East Murdock 67206
Nancy Bachus, 6409 East Elm 67206
Fred Linde, 6008 Grace 67208

September 18, 1972

Mr. Richard Holmes, Attorney
Brown Building
Wichita, Kansas 67202

Re: Z-1414 - "AA" and "LC"
to "LC" and "BB"
DP-45 - Commercial CUP
Northwest corner of
Central and Woodlawn

Dear Mr. Kaplan:

At its regular meeting on September 14, 1972, the Metropolitan Area Planning Commission considered the above two cases. The action of the Planning Commission is shown in the enclosed copy of our letter to Mr. Kaplan.

Inasmuch as you advised that you have obtained copies of the valid protest petition form from our office and are prepared to submit them to the City Clerk, this is to advise you that they must be submitted to the Office of the City Clerk by 5:00 p.m. on September 28, 1972, to be calculated prior to the City Commission meeting on October 3, 1972. If you need additional copies or have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Roger Wilson, R. H. Garvey Building 67202
John G. Vess, Jr., 6403 East Murodck 67206
Nancy Bachus, 6409 East Elm 67206
Fred Linde, 6008 Grace 67208

LAW OFFICES
KAPLAN, McMILLAN AND ANDERSON
ROBERT W. KAPLAN
CALVIN L. McMILLAN
D. KEITH ANDERSON

LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
—
262-5175

September 12, 1972



Wichita Sedgwick County Metropolitan Area Planning Department
City Building Annex, 104 South Main Street
Wichita, Kansas 67202

ATT: Jack Galbraith

Gentlemen:

RE: Woodlawn and Central Property

I thought it appropriate to advise you of certain recent developments on the Chaplain Kapaun Memorial High School site so that you would have such information as is presently available regarding development plans.

You will please find enclosed herewith a letter from First Bible Baptist Church of 1156 North Oliver in Wichita, confirming the several months of negotiations that have been carried on between the representatives of the church and Mr. Carl Chuzy in regard to a sale of the present structure which is incorporated as parcel six on the Community Unit Plan. I have discussed the matter with Rev. Hopper, Pastor of First Bible Baptist Church, and I understand that the purchase of the present structure by the First Bible Baptist Church has been the subject of several meetings of the church representatives and it is the desire of my client to make this structure available to the First Bible Baptist Church before considering any other use. In the event the transaction is consummated with the church, then, of course, parcel six with a maximum gross floor area of 108,160 square feet would be devoted to institutional use and would not be light commercial.

Parcel number three, which is denoted as financial and contains a

Wichita Sedgwick County Metropolitan
Area Planning Commission
ATT: Jack Galbraith
September 12, 1972
Page two

maximum gross floor area of 20,000 square feet has been reserved to a local institution for a banking facility. This parcel, therefore, is already committed.

Parcel number four containing a total of 78,046 square feet, is also committed to a local organization for the purposes of a super-market and cafeteria operation. Although the parcel contains 78,060 square feet, we are advised that the original structure will contain approximately 50,000 square feet and will be of an unusual interior architecture with unusual decor, fixturing, lighting, etc. We are advised that this particular location lends itself to a high decor operation and gourmet food sections and the like. The operator we believe to be one of Wichita's finest and the operator's market studies and analysis of the area have convinced him that this is a choice location for the type of store he anticipates. Construction will start on that store just as soon as and in the event all legal requirements are met.

Parcel number five, while designated for automotive (excluding new and used car sales) is also being considered for an additional financial institution. We have had several requests from local savings and loan facilities; and we would ask that the legend on parcel number five be amended to include not only automotive but financial as this seems to be a strong possibility at the present time. I further understand that parcel five is already encompassed within the area previously zoned light commercial. Therefore, it appears to me that in the event the transaction on parcel six is consummated with the First Bible Baptist Church, and since parcels three, four and five are either already committed or already zoned, and further since parcel one is designated for non-commercial, the only area of light commercial not already totally committed is parcel number two containing 248,920 square feet at maximum and we are working with several quality tenants in regard to this. Assuming then, the sale of parcel six to First Bible Baptist Church, it would appear that approximately 50% of the area on which light commercial zoning is requested is either already zoned or is already committed for development. Therefore, the only space available for lease will be contained within parcel two.

Parcel number one, of course, is requested for "BB" as and for

Wichita Sedgwick County Metropolitan
Area Planning Commission
ATT: Jack Galbraith
September 12, 1972
Page three

buffer with the potential of office park and/or townhouse or garden-type apartments. While the request is for "BB", in no event have we considered an apartment density in excess of that which would be permissible under R6 general residence district and this, I believe, would address itself to comment of the Metropolitan Area Planning Department as contained in paragraph numbered 3 of the Agenda.

In regard to paragraph numbered 5 of the Agenda, I should advise, as I am not sure that I have advised you previously, that an in-person meeting was held with Mr. Paul Graves regarding the non-alignment of the Woodlawn major entrance with Claytonia Street; and we understood that it was the comment of traffic engineering only that one medial break would be available in the event Woodlawn was ultimately channeled but that no position was being taken as to any necessity for aligning the major entrance with Claytonia Street except as relates to the medial break. Mr. Chuzy and I were able to confer in substantial detail with a resident on Claytonia regarding this problem and regarding the feeling of Claytonia residents regarding the medial break; and while not speaking for other homeowners, this particular resident, who is very knowledgeable regarding our Community Unit Plan, advises that he would prefer to see the major entrance and Claytonia not aligned and that he would prefer not to have a medial break to serve Claytonia Street. It is this particular resident's feeling that the non-alignment and the lack of a medial break for Claytonia would best serve to reduce traffic on Claytonia and would serve to enhance the privacy of his particular residential street.

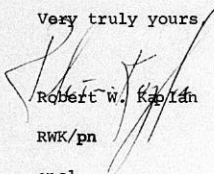
I am enclosing some additional copies of the letter from the First Bible Baptist Church in the event you see fit to distribute the same to the commissioners or further interested parties for their information.

I believe this brings you current on recent progress that we have made on the anticipated development of this site; and I think this perhaps will answer some questions that were heretofore unanswered only by reason of the fact that certain transactions have only recently progressed to the extents herein expressed.

Wichita Sedgwick County Metropolitan
Area Planning Commission
ATT: Jack Galbraith
September 12, 1972
Page four

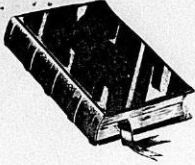
As always, regardless of the decision of the Commission on this matter, I wish to express my personal appreciation for your time and assistance in this matter.

Very truly yours


Robert W. Kaplan

RWK/pn

encl



First Bible Baptist Church

1156 NORTH OLIVER • WICHITA, KANSAS 67208 • MU 2-6545

Doyle B. Hopper, *Pastor*
Lee Drennan, *Associate Pastor*

September 8, 1972

To Whom It May Concern:

The Finance Committee of the First Bible Baptist Church, composed of twelve Deacons and six Trustees, has been in serious negotiation with Mr. Carl Chuzy and Mr. Bob Kaplan in regards to the purchase of the Kapaun High School for a new church site.

Of course, it is understood that this purchase would be subject to our ability to finance and the approval of the membership of our church. The Chairman of our Trustees is Mr. Virgil Slaughter, and the Chairman of our Deacons is Mr. Dale Folsom.

Sincerely,

Doyle B. Hopper - Pastor

Lee Drennan - Secretary of the Church Board

LOP-45
2-1414

August 3, 1972

Files

Jack H. Galbraith, Chief Planner

Request for Information by
Fred Linde on cases filed at
Kapaun

On the above date, Fred Linde came into the office and requested information as to the applications filed on the Kapaun High School site. As he lives a block to the north, he had heard of neighborhood meetings. He expressed concern over the scale of development proposed.

While in the office, I furnished him copies of City and County zoning regulations, Subdivision Regulations, list of closing and hearing dates, jurisdictional map for zoning and sub regs. He stated that he wanted to call Bob Lakin next week to discuss various general items.

JHG:ber

cc: Robert A. Lakin
Director of Planning

WICHITA-SEDFWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: SEPT. 14, 1972

Case No. Z-1414

No. DP-45

Request: "AA" to "BB" & "AA" &
"LC" to "LC"
Approval of a Development Plan
under the CUP provisions of
the zoning ordinance

Location: West side of Woodlawn between Central and Murdock

Reason: Shopping Center development, office park and/or
multiple family residential

Acres: "BB" - 8
"LC" - 28

Size: 340 ft. by 1270 ft.
930 ft. by 1270 ft.

	Land Use	Zoning
Existing	Vacant	"AA" & "LC"
North	Single-family	"AA"
East	Single-family & shopping center	"AA", "A", "B" & "LC"
South	Single-family, offices & service Station	"AA", "A", "BB" & "LC"
West	Retail business & riding stables	"AA" & "LC"

Existing R/W - Woodlawn (half) 30 ft.
Proposed R/W - Woodlawn (half) 60 & 75 ft.
Existing R/W - Central (half) 30 ft.
Proposed R/W - Central (half) 60 & 75 ft.

Platted: No
Sidewalk: No
History: None

Comments

- The applicant is requesting a zone change from "AA" and "LC" to the "BB" Office District and the "LC" Light Commercial District on approximately 36 net acres of property bounded on the south by Central Avenue, on the north by Murdock Avenue, and on the east by Woodlawn Avenue. At present, there is approximately 1.7 acres of existing "LC" zoning located at the northwest corner of Central and Woodlawn, with the balance of the area being zoned the "AA" Single family classification. All of subject property was formally utilized as the Kapaun High School complex. The applicant is requesting approximately 28 acres of "LC" zoning and 8 acres of "BB" zoning.

2. As required by the CUP provisions of the zoning ordinance and where a tract of land contains more than 6 acres proposed for light commercial development and is under single control, a development plan has been submitted for review and approval by the Planning Commission. The plan indicates the required information pertaining to proposed land use, maximum building heights and building coverage, maximum number of curb cuts, sign control, minimum building setbacks and screening controls.
3. The plan as submitted indicates 6 parcels, 5 of which propose commercial uses, including all uses permitted in shopping centers, automotive, food service, and financial, at a proposed maximum gross floor area of 471,086 square feet. The sixth parcel, which is adjacent to Murdock, indicates offices and multiple family, with the maximum gross floor area for the offices listed as 146,080 square feet. No maximum dwelling unit density has been listed for this parcel and it should be pointed out that the maximum permitted by the requested "DB" district would permit 74 dwelling units per acre. If apartments are intended, the density should be indicated on the plan.
4. In our initial discussions of this proposed project with the applicant and his representatives, we urged the proposal of residential uses on the south side of Murdock that would be compatible with the single-family homes to the north and to the east of Woodlawn. This general area has some of the highest quality homes in Wichita and it was stressed that every effort should be made to protect home owners from the encroachment of non-compatible uses.

As it was felt that it would be difficult to justify a project which now proposes 617,000 square feet of retail and office space, the applicant was encouraged to redesign the CUP to provide residential uses adjacent to Murdock (medium density apartments and townhouses) for a large portion of the area, with the commercial activities being kept adjacent to Central.

With the proposal for Kellogg Mall and other approved CUP's, as well as other developed shopping centers in this northeast area of Wichita, consideration should first be given to the justification of another shopping center of this magnitude.

5. As with other proposals for commercial development of this size, potential traffic generations and controls are a major problem. The plan proposes additional rights-of-way for both Central and Woodlawn for future acceleration-deceleration lanes and channelization of traffic. One of the concerns expressed by representatives of the Traffic Engineering Division was that the proposed north major entrance was not aligned with an existing street to the east which would pose future problems for a medial break to serve the shopping center and the neighborhood on the east and to facilitate the handling of traffic on Woodlawn.

Perimeter traffic circulation within and adjacent to the site must also be a consideration. The plan proposes to terminate both Murdock and Brookside Parkway on the west with cul-de-sacs. It is the opinion of the Department that Brookside Parkway should be extended north to connect with Murdock so as to permit adequate perimeter traffic circulation. Also, inasmuch as no access is proposed from the development to Murdock and since offices, multiple family, and shopping center uses are all proposed within the area, an interior circulation plan is also needed.

6. Upon the determination as to the appropriateness of the zone change request and the proposed development plan, approval should be subject to consideration of the following recommended conditions:
 - A. Platting of subject property within one year from the date of approval by the Board of City Commissioners or the application be considered denied and closed.
 - B. Changing condition #12 under "General Provisions" to read as follows: A landscaped plan for the 10-foot planting area along the perimeter of the site, indicating the location, type and specifications of planting materials, shall be submitted to the Planning Department for approval prior to the issuance of any building permit.
 - C. Changing condition #13 to read as follows: An interior circulation roadway shall be designed and submitted to the Department of Public Works for review and approval prior to the issuance of any building permit on Parcels #1, 2, 4 and 6.
 - D. Eliminate condition #17 and instead, indicate on the plan the extension of Brookside Parkway to connect with Murdock.
 - E. Determination as to whether or not the north major entrance on Woodlawn should be adjusted to align with Claytonia on the east.
 - F. Indicate the proposed residential density for Parcel #1.
 - G. 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.
 - H. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central

Page 4 - Case Nos. Z-1414 and dp-45
September 14, 1972

Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

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

THE VICKERS TRUSTS

1100 VICKERS-KSB&T BLDG.

WICHITA, KANSAS 67202

Telephone 316 267-5275

September 12, 1972

Mr. Robert A. Lakin, Secretary
Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Dear Mr. Lakin:

Your Notice to Adjoining Property Owners, addressed to Helen Vickers Springer, et al, concerning the Kapaun High School property, has been forwarded to me. Will you please direct future correspondence and matters concerning this property to me, as Administrator of the Vickers Trusts.

Sincerely yours,

Robert F. Vickers
Robert F. Vickers
Administrator



LAW OFFICES
KAPLAN, McMILLAN AND ANDERSON
ROBERT W. KAPLAN
CALVIN L. McMILLAN
D. KEITH ANDERSON

LAW BUILDING
430 NORTH MARKET
WICHITA, KANSAS 67202
—
262-5175

August 22, 1972

Frederick A. and Frances Linde
6008 Grace Lane
Wichita, Kansas 67208

Dear Frederick and Frances Linde:

On June 28, 1972, the Catholic Diocese of Wichita sold the Chaplain Kapaun Memorial High School site to a Wichita investor. The investor is desirous of developing the property into a fashionable shopping center, buffered on the north by an office park and/or garden type apartments. To accomplish this, the property must first be rezoned.

The investor, whom I represent, has, with the assistance of Oblinger-Smith Corporation, a leading local landscape architectural firm, filed a Community Unit Plan with the City Planning Department for its approval. The C. U. P., among other things, designates the location and zoning of the areas to be developed, their relationship to the tract as a whole, and provides for property ingress and egress, parking, etc. One of its purposes is to insure that the character of the commercial development will be appropriate to the neighborhood. The C. U. P. is not designed or meant to encompass any architectural plans or building designs in the areas to be developed. These come later in the development.

My client is concerned that perhaps you may have viewed a preliminary plan which was filed with the City Planning Department on July 14, 1972, for initial review and discussion but which was not requested by my client to come before the Metropolitan Area Planning Commission for approval. Therefore, drawings or information thus far given to you, if any, do not represent my client's development plans for this property and the same were never requested to be scheduled for presentation to the City. Since the filing of the preliminary plan and after initial review and discussion of the same with the City Planning Department, a plan was filed August 16, 1972, for approval of the Metropolitan Area Planning Commission and a public hearing requested. Legal notices will be mailed to you advising you of the time and date of this hearing. Objections to our plan, if any, may be heard at this time. It is our sincere opinion that a public meeting where all views can be freely expressed will result in the adoption of a plan most compatible to the area and its residents.

August 22, 1972
Page two

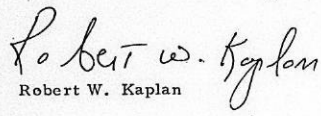
Before the public meeting with the Metropolitan Area Planning Commission is scheduled and rather than have a series of informal meetings where only a portion of the residents would likely be reached, it has been decided that a letter would be the surest way of contacting all interested persons. Also, in an effort to keep you fully apprised of our development plans, we are preparing an architectural rendering which we feel is representative of the development. We anticipate and will endeavor to obtain local television and newspaper coverage showing this rendering and other details of development prior to the public hearing in front of the Planning Commission.

We have given a great deal of consideration to preserving the quality of the fine neighborhood surrounding us. Accordingly, we have requested that Murdock Street remain as is with no outlets provided from the Kapaun property. Thus, the development will not affect traffic on Murdock on the north side of the site. Further, no request has been made for a street on the west side, so again Murdock cannot carry traffic around this site. Interior traffic lanes have been designed so traffic is handled upon the site itself with provision for controlled access on Woodlawn and Central Avenues.

This development is locally owned and financed and the developer hopes to preserve and utilize the present school building. A C. U. P. is the first phase in a development of this nature. As development progresses, we will endeavor to keep you advised. In this regard, we invite your comments. If you wish to comment, please direct your letter to myself or to Oblinger-Smith Corporation, First National Bank Building, Wichita, Kansas, Attention Mr. Bill Yung.

Very truly yours,

BY:


Robert W. Kaplan

RWK/pn

398 Notices to Property Owners sent Aug. 31, 1972

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

AUG 31 1972

NOTICE TO ADJOINING PROPERTY OWNERS:

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 1:30 p.m. on Thursday, September 14, 1972. at which time you may appear either in person or by agent or attorney, if you so desire.

DP-4⁵- The Southeast Quarter of the Southeast Quarter of Section 13, Township 27 South, Range 1 East of the 6th P.M. Sedgwick County, Kansas. Generally located on the west side of Woodlawn between Central and Murdock.

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 an approximate 36 net acre commercial, office, apartment and financial development which will include shopping center facilities, food service, automotive, office and institutional uses, and apartments. In addition, the Development Plan indicates information on maximum building coverage, gross floor area, proposed setbacks for structures, maximum building height limitations, and means of ingress and egress.

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, Robert A. Lakin, 104 South Main, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin,
Secretary

2-14/4

DP45

Rhonda

August 29, 1972

City Planning Commission
104 South Main - Fourth Floor
Wichita, Kansas 67202

Gentlemen:

I am in receipt of a letter from Mr. Robert W. Kaplan of Kaplan McMillan and Anderson law firm notifying me that the Kapaun High School has been sold to a Wichita investor who is desirous of developing the property into a shopping center buffered on the north side by an office park and/or garden apartments. I live on the north side of the Kapaun property separated only by Murdock street. I am very much opposed to the commercial development of this area for obvious reasons, such as noise, traffic, lights and general degradation of the neighborhood and subsequent devaluation of my property.

When I purchased my home the Kapaun High school was already planned and I built my home with this understanding that I would have a school adjacent to my property and not a commercial development.

I urge you to give proper consideration to the residents in the area and render a decision that will be fair to all parties involved.

Yours very truly,

W. Fred Oaks

W. Fred Oaks
6208 E. Murdock
Wichita, Kansas 67208



ZERO
in

ON SAFETY
PHASE II

THE CITY OF WICHITA

OFFICE OF CITY TRAFFIC ENGINEER

DATE August 21, 1972

TO Curtis L. Newby, Junior Planner

FROM Paul B. Graves, City Traffic Engineer

SUBJECT DP-44 - Commercial Community Unit Plan
(C-F-M CUP). Generally Located at the
Northwest Corner of Central and Woodlawn

This is in response to your memo of August 16, 1972 regarding the above subject. It has been noticed that entrances proposed along Woodlawn on the CUP do not align with the street and shopping center entrances along the east side of Woodlawn, and my only comment would be that at such a time Woodlawn is reconstructed in this area and assuming that raised medials would be used, then a decision must be made at that particular time as to which of the driveways and/or street will be accommodated with left turn provisions. Obviously, all of them cannot be accommodated. Normal conditions would indicate that the public street would receive left turn consideration and that, therefore, the shopping center would not. However, sometimes things are not normal and it may well be that the public street will not be considered for left turn provisions and that the shopping center entrance would. This matter should be pointed out at the time of the hearing on the CUP before the Planning Commission.


Paul B. Graves
City Traffic Engineer

PBG: cg

cc: Robert Lakin, Director of Planning ✓
R. W. Bruggeman, Director of Public Works
Bill McKinley, Assistant Traffic Engineer



THE CITY OF WICHITA

OFFICE OF CITY TRAFFIC ENGINEER

DATE August 21, 1972



ON SAFETY
PHASE II

TO Curtis L. Newby, Junior Planner
FROM Paul B. Graves, City Traffic Engineer

SUBJECT DP-46 - Commercial Community Unit Plan
(C-K-M CUP). Generally Located at the
Northwest Corner of Central and Woodlawn

This is in response to your memo of August 16, 1972 regarding the above subject. It has been noticed that entrances proposed along Woodlawn on the CUP do not align with the street and shopping center entrances along the east side of Woodlawn, and my only comment would be that at such a time Woodlawn is reconstructed in this area and assuming that raised medials would be used, then a decision must be made at that particular time as to which of the driveways and/or street will be accommodated with left turn provisions. Obviously, all of them cannot be accommodated. Normal conditions would indicate that the public street would receive left turn consideration and that, therefore, the shopping center would not. However, sometimes things are not normal and it may well be that the public street will not be considered for left turn provisions and that the shopping center entrance would. This matter should be pointed out at the time of the hearing on the CUP before the Planning Commission.


Paul B. Graves
City Traffic Engineer

PBG: cg

cc: Robert Lakin, Director of Planning
R. W. Bruggeman, Director of Public Works
Bill McKinley, Assistant Traffic Engineer



August 16, 1972

Dick Linn, City Engineer

Curtis L. Newby, Junior Planner

DP-46 - Commercial Community Unit Plan (C-F-M CUP).
Generally located at the northwest corner of Central
and Woodlawn.

Attached is a revised copy of the above referred to C.U.P.
for your information and files. It should be noted that the
entrances proposed along Woodlawn on the C.U.P. still do not
align with the street and shopping center entrances along the
east side of Woodlawn. Traffic Engineering may wish to comment
to this as the C.U.P. is being scheduled for hearing by the
Planning Commission on September 14, 1972.

Please advise if you have any additional comments or suggestions
regarding this C.U.P.

CLN:rme

Attachment

Copies also sent to:

M.S. Mitchell, Maintenance-Flood Control
Paul Graves, City Traffic Engineer

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

August 3, 1972

TO Files
FROM Jack H. Galbraith, Chief Planner *JHG*
SUBJECT Request for Information by
Fred Linde on cases filed at
Kapaun

On the above date, Fred Linde came into the office and requested information as to the applications filed on the Kapaun High School site. As he lives a block to the north, he had heard of neighborhood meetings. He expressed concern over the scale of development proposed.

While in the office, I furnished him copies of City and County zoning regulations, Subdivision Regulations, list of closing and hearing dates, jurisdictional map for zoning and sub regs. He stated that he wanted to call Bob Lakin next week to discuss various general items.

JHG:ber

cc: Robert A. Lakin
Director of Planning

July 26, 1972

Mr Carl Chuzy
6572 East Central
Wichita, Kansas 67208

RE: DP-45 CKM Community
Unit Plan

Dear Mr Chuzy

We have reviewed your submitted community unit plan with representatives of the Engineering, Traffic Engineering, and Flood Control Divisions of the Department of Public Works. As discussed with you prior to the submission of your applications, we were hopeful that you would propose residential uses on the south side of Murdock that would be compatible with the single family homes to the north and to the east of Woodlawn. The general area has some of the highest quality homes in Wichita and we believe that every effort should be made to protect home owners from the encroachment of non compatible uses.

Inasmuch as we feel it is difficult to justify 730,000 square feet of retail and office space, we would urge that you first consider redesigning the CUP to provide residential uses adjacent to Murdock and medium density apartments and townhouses for a large portion of the area. Also, inasmuch as you list only a shopping center for the existing school plant on Parcel #6, we are interested in your views as to how this 2-story structure can be converted and what type of retail sales it will provide for the area. You might also include offices and institutional uses on this parcel for greater flexibility.

After considering these comments expressing our concern with the magnitude of your commercial proposal and assuming that you will still be desirous of submitting this proposal to the Planning Commission for their consideration, the following are comments and recommended corrections that should be considered prior to advertising this case for a public hearing:

Mr Carl Chuzy
Page 2

1. The applicant should be aware that there is an existing drainage problem associated with subject property in that the property drains to the west across another tract of land under different ownerships and then into an existing drainage channel.
2. Public Works has advised that the existing sanitary sewer is not in a public utility easement.
3. *not done on revised plan* After considerable discussion, and based on the magnitude of your proposal as well as the need to provide access for the property to the west, Brookside Parkway should be continued on north to tie in with Murdock Avenue. The applicant should contact the Engineering Division relative to the appropriate turning radius for the intersecting streets.

OK The east right of way line for Woodlawn should be indicated on the CUP as well as the street intersections for Elm and Claytonia and the major entrance to the shopping center on the east.

5. *not done on revised plan* The proposed major entrances to subject property should be relocated to line up with Claytonia and the major entrance to the Normandie center to the east.

OK *As indicated in left on revised plan* At the time of platting, the applicant shall guarantee the construction of accel-decel lanes adjacent to both Woodlawn and Central.

OK Eliminate the word "Complete" in front of each statement on Access Control.

8. *not indicated on revised plan* Providing for five (5) parking spaces per 1000 square feet of gross leaseable area on Parcels 2, 4 and 6.

OK Correcting the "General Provisions" as shown on the enclosed marked copy.

10. The applicant should be aware that all major entrances to the shopping center should be designed and constructed to major entrance standards.

Mr Carl Chuzy
Page 3

OK Label a 35' setback from Woodlawn and Central on Parcel #5.

These are the general comments we have at this time. If you have any questions or desire to discuss the CUP in detail, we are available to meet with you at your convenience. Enclosed is a marked copy reflecting some of the suggested changes. If you concur with the recommended changes, please have your consultant make the corrections and submit 15 copies to our office so that this case, as well as the associated zoning case, can be advertised for a public hearing.

Please contact us if you desire a meeting.

Sincerely

Jack H Galbraith
Chief Planner

JHG:rw

cc: Robert W Kaplan, 430 North Market, Wichita, Kansas 67202
Bill Yung, Oblinger-Smith Corporation, 625 First National
Bank Building, Wichita, Kansas 67202

WICHITA-SEDGWICK COUNTY

DATE

July 17, 1972

METROPOLITAN AREA PLANNING DEPARTMENT

X Dick Linn, City Engineer
M. S. Mitchell, Asst. Supt. Public Works Maint.
Paul Graves, City Traffic Engineer
FROM Jack H. Galbraith, Chief Planner J.H.G.
SUBJECT C-K-M Community Unit Plan
NW Corner of Central and Woodlawn

Attached is a copy of a CUP that has just been filed on 36 acres of land at the northwest corner of Central and Woodlawn. Please note that this is for a proposed shopping center having a potential maximum gross floor area of approximately 1/2 million square feet.

In viewing this CUP, we would appreciate your comments and recommendations, particularly with regard to their proposal to terminate both Murdock and Brookside Parkway by cul-de-sacs. It would appear that the dedication for the cul-de-sac on Brookside Parkway encroaches into the area needed for future drainage. Any comments relative to drainage, the need for accel-decel lanes, location of access points, etc. are also desired.

We would appreciate your remarks by July 21, 1972, so that we can advise the applicant and schedule the case for a public hearing.

JHG:ber

Attachment

*Dick Linn responded on 7/18/72
Commented that if Brookside Parkway is proposed
to not continue onto Murdock, he felt that
it should be vacated.*

*Also that there is a private storm sewer and
sanitary sewer that is not in a public
basement.*

*Applicant will have to resolve drainage and
utility problems. J.H.G.*

July 17, 1972

Dick Linn, City Engineer
M. S. Mitchell, Asst. Supt. Public Works Maint.
Paul Graves, City Traffic Engineer
Jack H. Galbraith, Chief Planner

C-K-M Community Unit Plan
NW Corner of Central and Woodlawn

Attached is a copy of a CUP that has just been filed on 36 acres of land at the northwest corner of Central and Woodlawn. Please note that this is for a proposed shopping center having a potential maximum gross floor area of approximately 1/2 million square feet.

In viewing this CUP, we would appreciate your comments and recommendations, particularly with regard to their proposal to terminate both Murdock and Brookside Parkway by cul-de-sacs. It would appear that the dedication for the cul-de-sac on Brookside Parkway encroaches into the area needed for future drainage. Any comments relative to drainage, the need for accel-decel lanes, location of access points, etc. are also desired.

We would appreciate your remarks by July 21, 1972, so that we can advise the applicant and schedule the case for a public hearing.

JHG:ber

Attachment

July 17, 1972

Mr. Carl Chuzy
6572 East Central
Wichita, Kansas 67208

Re: Z-1414 - "AA" to "LC" and "BB"
DP-46

Dear Mr. Chuzy:

We are in receipt of your submitted application for a zone change and CUP for the area at the northwest corner of Woodlawn and Central. Attached is your receipt for the filing fee.

We have forwarded copies of the CUP to three divisions of the Department of Public Works and will advise you of their comments as well as comments of our review in approximately two weeks.

If you have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

Attachment

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 Carl Chuzy 11208

Address 6572 E. Central, Suite 203, Wichita Phone 686-7274

Agent Robert W. Kaplan

Address 430 N Market Phone 262-5125

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 AA and legally described as Lot(s)

_____, Block(s) _____

_____ Addition.

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

The Southeast Quarter of the Southeast Quarter
of Section 13, Township 27 South, Range 1 East
of the 6th P.M., Sedgwick County, Kansas

II.B There are 40.61[±] acres (round to nearest tenth) in the above described property.

III. This property is located at (address) 633 North Woodlawn.

The general location is (use appropriate section)

- a. at the northwest corner of Central
and Woodlawn; or
- b. on the _____ side of _____ (Ave.,
Street) between _____ (Ave., Street) and
_____ (Ave., Street).

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

Carl Chuzy _____
By Robert W. Kaplan Authorized Agent (if any) By _____
Authorized Agent (if any)

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

V. OFFICE USE ONLY

This application was received at the Planning Department at
230 ~~PM~~ PM on July 14, 1972 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$200 Fee.

James H. Dalbraith Name
Chief Planner Title

CERTIFICATE OF OWNERSHIP

GUARANTEE TITLE CO. INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the office of the Register of Deeds of Sedgwick County, Kansas, lying within a 1000 foot radius of the following described property.

The Southeast Quarter of the Southeast
Quarter of Section 13, Township 27 South,
Range 1 East of the 6th P.M., Sedgwick
County, Kansas.

DESCRIPTION	OWNER/OWNERS/ADDRESS
The Southeast Quarter of the Southeast Quarter of Sec. 13-27-1E.	✓ Catholic Diocese of Wichita 424 N. Broadway 67208

COURTLAND ADDITION

Block 6

Beg SE Cor Lot 23, N 85', W 126' m/1 to pt in Wly line of said lot 249' S 1/4 from NW cor of Lot 23, Southerly along W line 85.55' to SW cor, E 140' to beg.

Lot 24	✓ Melvin F. & Lucy Jo Scott 957 N. Ridgewood 67208
Lot 25	✓ Max W. & Blanche Blackwelder 1507 Park, Augusta, Ks. 67010
Lot 26	✓ Anzie D. & Ellen J. Draper 6108 E. Murdock 67208
Lot 27	✓ Berdine W. Cupps 6102 E. Murdock 67208
Lot 28	✓ Ray E. & Ermal F. McFarland 6026 E. Murdock 67208
Lot 29	✓ Vernon Lee & Janet M. Yenne 6020 E. Murdock 67208
Lot 30	✓ Edith O. Schumalian 6014 E. Murdock 67208
Lot 31	✓ Rodney C. & Vicky H. Robertson 6008 E. Murdock 67208
Lot 32	✓ J. R. & Nancy M. Servic 6002 E. Murdock 67208
Lot 33	✓ Homer L. & Dorothy T. Smith 6001 Grace Lane 67208
Lot 34	✓ Sam H. & Inez M. Archer 6007 Grace Lane 67208
Lot 35	✓ Ralph R. & Florence L. Kingsland 6015 Grace Lane 67208
Lot 36	✓ Donald R. & Claudia Jane Nordwall 6021 Grace Lane 67208

Courtland Addition Cont'd

Block 6

Lot 37	✓✓ Carl & Katherine Coover 6027 Grace Lane	67208
Lot 38	✓✓ William & Lea Ford 6033 Grace Lane	67208

Block 7

Lot 1 & W 24' of Lot 2	✓✓ Paul F. & Louise A. Hamlin 6227 Marjorie Lane	67208
E 46' of Lot 2 & W 42' of Lot 3	✓✓ George J. & Shirley Jean Froelke 6233 Marjorie Lane	67208
E 28' of Lot 3 & W 60' of Lot 4	✓✓ Paul E. & Bonnie E. Nelson 6245 Marjorie Lane	67208
E 10' of Lot 4 & all of Lot 5'	✓✓ H. B. & Barbara G. Canida 6251 Marjorie Lane	67208
Lot 6 & W 16' of Lot 7	✓✓ Frances A. Moritz 6301 Marjorie Lane	67208
E 54' of Lot 7 & W 46' of Lot 8	✓✓ Glenn W. & Carol C. Zumwalt 6311 Marjorie Lane	67208
E 24' of Lot 8 & all of Lot 9	✓✓ Carrie Lou Lovell 6321 Marjorie Lane 14422 Twinlake	67208 230
Lot 10	✓✓ Winnie B. Winchester 414 Glen Bendle 1816 Burfum 1800 Dublin	67208b
Lot 11	✓✓ Benjamin J. & Catherine G. Mackiewicz 6314 E. Murdock	67208
Lot 12	✓✓ T. & Eloise Cleary 6308 E. Murdock	67208
Lot 13	✓✓ Rodney E. & Linda K. Hover 6302 E. Murdock	67208
Lot 14	✓✓ George S. & Verna M. Young 6226 E. Murdock	67208

OAKWOOD ESTATES 2ND ADDITIONBlock 1

Lot 4	✓✓ Gordon L. & Rita E. Wood 3825 E. Central 1919 Fabrique	67208 67218
Lot 5	✓✓ Wesley H. & Roberta F. Werth 329 N. Hampton Rd	67206
Lot 6	✓✓ Fred B. & Pauline H. Blum 5903 E. Central	67208
Lot 7	✓✓ Cuburn V. & Dorothy F. Parish 5915 E. Central	67208
Lot 8	✓✓ Leslie D. & Betty Lee Henderson 6601 E. Elm	67206
Lot 9	✓✓ Bernard R. & Mary Ann Lickteig 402 N. Bluff	67208
Lot 10	✓✓ Jerry Ray & Sandra J. McMahan 3008 S. Winfield, Wichita, Ks.	

OAKWOOD ESTATES 2ND ADDITION Cont'd

Block I

- Lot 11 ✓ Francis W. & Loretta L. Braden
6011 E. Central 67208
- Lot 12 ✓ Don E. & Louise Winterburg
6019 E. Central 67208
- Lot 13 ✓ Harold R. & Barbara S. Hannawalt
6121 Oakwood Dr. 67208
- Lot 14 ✓ Pearlle A. & Bondella G. Wert
6103 E. Central 67208
- Lot 15 ✓ Donald J. & Anna Fager
6115 E. Central 67208
- Lot 16 ✓ Everett A. & Marjorie E. Miller
6403 Claytonia 67206
- Lot 17 ✓ Harold D. & Maxine Evelsizer
6127 E. Central 67208
- Lot 18 ✓ D Everett A. & Marjorie E. Miller
~~6403 Claytonia~~ 67206
6528 E. Murdock
- E 120' of N 120' of Reserve ✓ Mobil Oil Corp
335 N. Waco 67202
- N 120' of the W 120' of Reserve ✓ Ruth H. Roesing
1808 S. Vassar 67218
- All of Reserve Exc N 120' ✓ James W. Vickers
346 N. Belmont 67208

Block I cont'd

- Lot 2 ✓ Wayne L. & Naomi J. Hatfield
574 Kenneth St.
Campdell Cal.
- Lot 3 ✓ Vera Ruth Fisher
c/o Amortibanc Invest. Co.
300 West Douglas 67202

FIRST ADDITION TO WOODLAWN VILLAGE

Block K

- Lot 1 ✓ John G. Vess, Jr. & Florence K. Vess
6403 E. Murdock 67206
- Lot 2 ✓ Dale W. & Margaret P. Bruce
6411 E. Murdock 67206
- Lot 18 ✓ Glenn T. & Harriet I. Phares
959 S. Bleckley Dr. 67218
- Lot 19 ✓ Robert V. & Jerryanne Hadley
6404 Claytonia 67206

Block J

- Lot 1 ✓ D Everett A. & Marjorie E. Miller
~~6403 Claytonia~~ 67206
6528 E. Murdock
- Lot 2 ✓ Richard C. & Louise M. Kogler
6411 Claytonia 67206

FIRST ADDITION TO WOODLAWN VILLAGE Cont'd

Block J

W 59' of Lot 18 & all of Lot 19 exc
the W 110'

✓ Charles A. & Doris K. Steele
6410 E. Elm 67206

W 110' of Lot 19

✓ Raymond K. & Edythe L. Billings
6404 E. Elm 67206

Block A

Lot 8 (W 375' of S 283' Exc S 125')

✓ Mutual Life Insurance Co. of N. Y.
1740 Broadway
New York, New York 10019

Lot 8 (Bag SW Cor N 125', E 125', S 125'
W to Beg.)

✓ Garry E. & Alfred B. Beard
6414 E. 11th St. 67206

Lot 8 (Exc W 375' of S 283')

✓ Patrick C. Weigand 1/6 Int.
910 Clark 67211

*address
correspondence
to Robert J*

✓ Helen Vickers Springer, et al
Trustees of Vickers Testamentary Trust
8450 Kilarney Court 67206

Replat of Lots 1 thru 7, Block A, in
1st Addition to Woodlawn Village

*Vickers The Vickers Trust
1100 Vickers - KSD + T Bldg
Wichita 67202*

Lot 1

✓ Raymond C. & Leota Meng
6401 E. Elm 67206

COURTLAND ADDITION

Block 7

Lot 15

✓ Paul W. & Vennon L. Hillyard
6220 E. Murdock 67208

Lot 16

✓ George & Amelia Peters
6214 E. Murdock 67208

Lot 17

✓ W. Fred & Alice M. Oakes
6208 E. Murdock 67208

Lot 18

✓ Herman E. & Jean S. Rentsch
6202 E. Murdock 67208

All of Kretchmar Addition

✓ Raymond A. & Pauline F. Kretchmar
2010 Arkansas Ave. 67203

HELLAR & THOMAS ADDITION

Lots 14 & 16

✓ Richard A. & Ruth L. Huston
8027 Morningside Dr. 67207
1009 N. Edgemoor 67208

The SW₄ of SE₂ of Sec. 13-27-1E, Exc
S 630' of E 350' & exc W 476' of N650'
and Exc Beg 650' S & 30' E of NW cor sd
SW₄ SE₂, E 326', S 330', W 326', N to Beg
and Exc Ruffin 3rd Addn

✓ Rose M. Bruce
440 N. Quentin 67208

N 150' of W 175' of Lot 1, Blk A, in
Cresthill Manor Addition

✓ Leased Stations Inc.
c/o Texaco Inc. Tax Dept.
P.O. Box 52332
Houston, Texas 77052

OAKWOOD ESTATES 2ND ADDITION

Block I

Lot 1 ✓✓ Billy M. Montgomery 67208
5805 E. Central

FIRST ADDITION TO WOODLAWN VILLAGE

Block L.

Lot 31 ✓✓ Pauline Malone 67208
6412 E. Murdock

Lot 32 ✓✓ Forest D. & Lola M. Jensen 67208
6404 E. Murdock

Block N

Lot 1 ✓✓ Eldon C. & Esther Mayes 67207
8126 E. Morningside

Lot 2 ✓✓ Ralph L. & Verla C. Cook 67206
6411 Jacqueline

Lot 3 ✓✓ Arthur & Evelyn M. Murrillo 67206
6419 Jacqueline

Lot 4 ✓✓ Larry Dean & Patricia Ann Carey 67206
6427 Jacqueline

Lot 5 ✓✓ George W. & Audrey A. Johnson 67206
6503 Jacqueline

Lot 6 ✓✓ Donald M. & Margaret B. Mitchell 67206
6511 Jacqueline

Lot 7 ✓✓ William D. & Evelyn Kathleen Sadler 67206
6519 Jacqueline

Lot 8 & E 5' of Lot 9 ✓✓ Jack L. & Sophie Bernier 67206
905 St. James St.

W 70' of Lot 9 & Lot 10 Exc W 55' ✓✓ Henry D. & Maxine M. Picken 67206
6506 E. 8th

W 55' of Lot 10 & Lot 11 exc W 40' ✓✓ Milton D. & Gwendolyn R. Sandefur 67206
6502 E. 8th

W 40' of Lot 11 & Lot 12 exc W 25' ✓✓ Oscar J. Kastner 67206
6410 E. 8th

W 25' of Lot 12 & Lot 13 exc W 25' ✓✓ Joseph D. & Elizabeth W. Wallace 67206-206
c/o American Savings Assn.
291 N. Main 6406 C 8

W 25' of Lot 13 & all of Lot 14 ✓✓ Glenn A. & Barbara W. Whitworth 67209
4004 E. Kellogg

Block P

Lot 1 ✓✓ H. Neil & Marie Kottler 67208
820 N. Woodlawn Blvd

Lot 2 & W 9' of Lot 3 ✓✓ Mary E. Carter 67206
6405 E. 8th

Lot 3 exc W 9' & W 24' of Lot 4 ✓✓ Donald E. & Rebecca A. Gragg 67206
6409 E. 8th

Lot 4 exc W 24' & W 33' of Lot 5 ✓✓ James W. & Pansy Brown 67206
6501 E. 8th

Lot 5 exc W 33' & W 44' of Lot 6 ✓✓ Ralph M. & Ann C. Francis 67206
6505 E. 8th

FIRST ADDITION TO WOODBURN VILLAGE

Block P Cont'd

Lot 6 exc W 44' & Lot 7 exc Beg NE cor
Wly 10', SEly to a point 20' W of SE
Cor, Ely 20' to Beg.

✓ Richard L. & Doris Ruth Brown
900 St. James St. 67206

Lot 8 & Beg NE cor lot 7, Wly 10', SEly
to a point 20' W of SE cor of Lot 7, Ely
20', NWly to Beg.

✓✓ Dwight H. Thompson, Jr.
902 St. James St. 67206

Lot 9

✓✓ Pauline F. Sullivan
904 St. James St. 67206

Lot 10

✓✓ Paul K. & Mildred C. Brooker
912 St. James St. 67206

Lot 11

✓✓ Dwight K. Oxley III &
Patricia Warren Oxley
920 St. James St. 67206

Lot 12

✓✓ G. & Betty A. Carreras
928 St. James St. 67206

Lot 20

✓✓ M. L. & Carolyn E. Carter
915 Mission Road N. 67206

Lot 21

✓✓ Monton W. & Florence P. Brown
905 Mission Road N. 67206

Lot 22

moved;
not forwardable ✓ Abe W. & Francis Bogue
827 Mission Road 67206

Lot 23

✓✓ Jack K. & Mary E. Lashley
819 Mission Road N. 67206

Lot 24

✓✓ A. L. & Nadine Ashmore
811 Mission Road N. 67206

Lot 25

✓✓ Burris C. & Phillis W. Crawford
805 Mission Road N. 67206

Lot 26

✓✓ William B. & Dorothy F. Wallerius
6612 Marjorie Lane 67206

Lot 27

✓✓ Donald F. & Shirley H. Moore
6604 Marjorie Lane 67206

Lot 28

✓✓ Thomas S. & Gladys M. Hines
6520 Marjorie Lane 67206

Lot 29

✓✓ Maurice Leroy & Marlys I. Hollar
6512 Marjorie Lane 67206

Lot 30

✓✓ Gary H. & Nancy A. Conover
6504 Marjorie Lane 67206

Lot 31

✓✓ James A. & Alvarez Chapin
1750 S. Oliver 67218

Lot 32

✓✓ Geo. F. & Nancy C. Bailey
6428 Marjorie Lane 67206

Lot 33

✓✓ Corydon E. & Ruth V. Cochran
6412 Marjorie Lane 67206

Lot 34

✓✓ James A. & Sally S. Pickett
6404 Marjorie Lane 67206

FIRST ADDITION TO WOODLAWN VILLAGE

Block L₂

Lot 1	Hildegard M. Podrebarac 6403 Marjorie Lane	67206
Lot 2	Pauline Lyman, Jewel Lyman Don Randolph Ohlerking 6411 Marjorie Lane	67206
Lot 3	Elizabeth M. Miller Dorothy M. & Jack D. Thornton 6419 Marjorie Lane	67206
Lot 4	Abraham Jesse & Lillian M. Kaplin 6427 Marjorie Lane	67206
Lot 5	Robert R. & Joanne D. Stone 6503 Marjorie Lane	67206
Lot 6	Nellie M. Fulton & F. Eugene Fulton 6511 Marjorie Lane	67206
Lot 7	Robert G. & Connie S. Boling 6519 Marjorie Lane	67206
Lot 8	John S. & Barbara Lucile Seeber 6603 Marjorie Lane	67206
Lot 9	Bernice L. Scanlon 6611 Marjorie Lane	67206
Lot 10 & NEly 44' of Lot 11	Murl A. & Sara E. Green 763 Mission Rod N.	67206
11 Lot Exc NEly 44' & Lot 12 Exc SEly 23'	Karl E. & Virginia O. Becker 751 Mission Road N.	67206
SEly 23' of Lot 12 & Lot 13 exc Sly 6'	John W. & Neva North Myser 741 Mission Road N.	67206
Lot 19	Martin & Mildred Friedman 6626 Claytonia Terrace	67206
Lot 20	Belle Kourt 6636 E. Murdock	67206
Lot 21	Robert Albert & Carol E. Galliard 6628 E. Murdock	67206
Lot 22	Charles M. & Priscilla A. Pohlens 6620 E. Murdock	67206
Lot 23	Fort A. & Eleanor T. Zackary 6612 E. Murdock	67206
Lot 24	Mount Vernon Methodist Church 6604 E. Murdock	67206
Lot 25	Harry E. & Lanora E. Miller 6526 E. Murdock	67206
Lot 26	Arthur E. Randle 1631 May Ave., Apt. #3	67213
Lot 27	Roy L. & Marion R. Greer 6512 E. Murdock	67206
Lot 28	Albert J. Gegen, Sr. & Cletus M. 6504 E. Murdock	67206

FIRST ADDITION TO WOODLAWN VILLAGE

Block L Cont'd

Lot 29 ✓ Dean H. & Ann L. Becker
6428 E. Murdock 67206

Lot 30 ✓ Henry E. & Linda M. Mueggenborg
6420 E. Murdock 67206

Block K

Lot 3 ✓ William M. Morris, Jr. & Helen M.
6419 E. Murdock 67206

Lot 4 ✓ Donald L. & Virginia E. Schilling
6427 E. Murdock 67206

Lot 5 ✓ Cletus J. & Eileen M. Pottebaum
6503 E. Murdock 67206

Lot 6 ✓ Walter F. & K. Louise Balzerick
6511 E. Murdock 67206

Lot 7 ✓ Hugo T. & Hazel H. Wedell
6519 E. Murdock 67206

Lot 8 ✓ Chester A. & Marjorie H. Rembleske
6527 E. Murdock 67206

Lot 9 ✓ Charles F. Morris
6609 E. Murdock 67206

Lot 10 ✓ Steve & Sophie Christian
6612 Claytonia Terrace 67206

Lot 11 ✓ Francis B. & Hazel Harvey
6604 Claytonia Terrace 67206

Lot 12 ✓ Huntsman & Ruby K. Haworth
6528 Claytonia Terrace 67206

Lot 13 ✓ Charles F. & Ruth O. Stitzel
6520 Claytonia Terrace 67206

Lot 14 ✓ Kenneth F. & Betty Newman
6512 Claytonia Terrace 67206

Lot 15 ✓ G. Robert & Isabel F. Deeds
6504 Claytonia Terrace 67206

Lot 16 ✓ Doris Van Houtan
6428 Claytonia Terrace 67206

Lot 17 ✓ Marla K. Hubbard
607 Stratford 67206

Block J

Lot 3 ✓ Robert C. Hill, Jr. & Judith Ann
6419 Claytonia Terrace 67206

Lot 4 ✓ Earl T. & Jessie I. Graves
6427 Claytonia Terrace 67206

Lot 5 ✓ William A. & Ruth G. Zimmerman
6503 Claytonia Terrace 67206

Lot 6 ✓ Marvin E. & Shelia B. Lampton
6511 Claytonia Terrace 67206

Block J.

Lot 7 ✓ H. Kenneth Watson
6519 Claytonia Terrace 67206

Lot 8 ✓ Herbert J. Demmin
6527 Claytonia Terrace 67206

9

FIRST ADDITION TO WOODLAWN VILLAGE

Block J Cont'd

Lot 9	✓ Wesley H. & Charlotte C. Fisher 6605 Claytonia Terrace	67206
Lot 10	✓ Leroy J. LeCrone, Jr. & Lyndal K. W. LeCrone 6615 Claytonia Terrace	67206
Lot 11 & part of Lot 12 lying NWly and parallel to a line 12' SEly between Lot 11 & 12	✓ Ray E. & Lillian W. Hunt 6623 Claytonia Terrace	67206
Lot 12 (Exc SEly 12')	✓ G. Truman & Kathleen Ann Tucker 6635 Claytonia Terrace	67206
Lot 13	✓ Ralph E. & Mildred F. Brasted 6618 E. Elm	67206
Lot 14	✓ Carl Ticer 6604 E. Elm	67206
Lot 15 Exc W 17'	✓ Armstrong M. & Helen L. Duffield 6524 E. Elm	67206
W 17' of Lot 15 & Lot 16 exc W 47'	✓ Herbert B. & Virginia R. Stucky 6520 E. Elm	67206
W 47' of Lot 16 & Lot 17 Exc W 98'	✓ Douglas Lawrence & Roberta D. Bendell 6512 E. Elm	67206
W 8' of Lot 17 & Lot 18 Exc W 59'	✓ Paul F. & Stella E. Bloomingdale 6418 E. Elm	67206
E 90' of W 98' of Lot 17	✓ W. Phillip Buck, Jr. 6504 E. Elm	67206

REPLAT OF LOTS 1 THRU 7, BLOCK A, 1ST
ADDITION TO WOODLAWN VILLAGE

Lot 2	✓ Earl E. & Mary E. Certain 6405 E. Elm	67206
Lot 3	✓ Gary Lee & Nancy Bachus 6409 E. Elm	67206
Lot 4	✓ Richard A. & Judith E. Manka 6501 E. Elm	67206
Lot 5	✓ Waldo V. & Ruth G. Sease 6509 E. Elm	67106
Lot 6	✓ Edward F. & Charlene Ernstmann 6517 E. Elm	67206
Lot 7	✓ Raymond E. & Ruby G. Tate 6525 E. Elm	67206

COURTLAND ADDITION

Block 6

Lot 1	✓ Harry W. & Catherine L. Alexander 254 S. Glendale	67218
Lot 2	✓ Clayton W. & Eleanor C. Hargadine 6107 E. 8th St.	67208
Lot 3	✓ Emil F. & Cora Lucile Knight 6115 E. 8th St.	67208
Lot 4	✓ Thomas H. & Freda M. Montague 6121 E. 8th St.	67208

COURTLAND ADDITION

Block 6 Cont'd

Lot 5 & Lot 6 exc W 15'	✓ Charles K. Crum 6201 E. 8th St.	67208
E 55' of Lot 6 & W 33' of Lot 7	✓ Russell & Faye E. Martin 6207 E. 8th St.	67208
E 37' of Lot 7 & W 55' of Lot 8	✓ William P. & Jewell Timmerman 6215 E. 8th St.	67208
All of Lot 9 & E 15' of Lot 8	✓ Henry F. & Beverly P. Filson 6221 E. 8th St.	67208
Lot 10 & W 25' of Lot 11	✓ Charles C. & Rosetta T. Rodd 6301 E. 8th St.	67208
Lot 11 E45' & W 50' of Lot 12	✓ Kansas District Council of Assemblies of God, Inc. 1009 S. Broadway	67211
E 20' of Lot 12 & all of Lot 13	✓ Paul A. & Helen Pechin 7077 E. Central	67206
Lot 14 & E 25' of Lot 15	✓ Leota Z. Free, John N. Free and Marjorie Jean Lichty 6320 Marjorie Lane	67208
W 45' of Lot 15 & E 47½' of Lot 16	✓ Edward L. & Norma C. Larcher 6310 Marjorie Lane	67208
W 22½' of Lot 16	✓ Mid Kansas Federal Savings & Loan Assn. 230 S. Market	67202
Lot 17	D Mid Kansas Federal Savings & Loan Assn. 230 S. Market	67202
Lot 18 & E 30' of Lot 19	✓ Dennis R. & Jane M. Stalker 217 N. Brookside	67208
W 40' of Lot 19 & E 50' of Lot 20	✓ John R. & Betty E. Burchfield 6244 Marjorie Lane	67208
W 20' of Lot 20 & all of Lot 21	✓ Kenneth M. & Kathryn M. Schaeffer 6232 Marjorie Lane	67208
That prt of Lots 22 & 23 West of a line 10' NE of SW cor Lot 22 Extended NW to a point 57' W of NW cor of Lot 22 & N of a line 125' SW of NW Cor of Lot 23 extended SE	✓ Harold T. Howell 6220 Marjorie Lane	67208
That part of Lots 22 & 23 lying East of a line 10' NE of SW Cor of Lot 22 extended NW 161' m/l to a point 57' E of NW cor of Lot 22	✓ Clarence E. McGinty 6226 Marjorie Lane	67208
Lot 39	moved; not forwardable ✓ Irene E. Everitt 6039 Grace Lane	67208
Lot 40	✓ Richard E. & Carolyn E. Roby 6045 Grace Lane	67208

COURTLAND ADDITION

Block 5

Lot 1	✓✓ Harry L. & Jean Eddy 6001 E. 8th St.	67208
Lot 2	✓✓ Ralph & Grace B. Foster 6007 E. 8th St.	67208
Lot 3	✓✓ Sal & Gloria M. Bachos 6015 E. 8th St.	67208
Lot 4	✓✓ R. P. & Christine Knoblauch 6021 E. 8th St.	67208
Lot 5	✓✓ John B. & Alice M. Jones 6020 Grace Lane	67208
Lot 6	✓✓ Harry W. & Nadene M. Oller 6014 Grace Lane	67208
Lot 7	✓✓ Frederick A. & Frances Linde 6008 Grace Lane	67208
Lot 8	✓✓ Keith L. & Lois Anderson 6002 Grace Lane	67208

Block 4

Lot 1	✓✓ Ted J. & Norma Werts 6001 Jacqueline	67208
Lot 2	D ✓✓ James W. & Pansy J. Brown 6501 E. 8th St.	67208
Lot 3	✓✓ Howard D. & Pearl L. Chamers 6015 Jacqueline	67208
Lot 4	✓✓ J. T. & Betty Burlingame 7308 E. Morris	67207
E 75' of Lot 5	? Home Enterprises, Inc.	
W 5' of Lot 5 & E 69' of Lot 6	✓✓ Russell C. & Helen M. Duncan 6014 E. 8th St.	67208
W 6' of Lot 6 & E 70' of Lot 7	✓✓ Ollie K. & Mary Ann Thompson 6008 E. 8th St.	67208
W 5' of Lot 7 & all of Lot 8	✓✓ Marvin G. & Juanita A. Way 6002 E. 8th St.	67208

Block 3

Lot 1 & W 25' of Lot 2	✓✓ Donald M. & Ruth B. Brown 6101 Jacqueline	67208
E 45' of Lot 2 & W 47½' of Lot 3	✓✓ Dean A. & Marguerite P. Rice 6107 Jacqueline	67208
E 22½' of Lot 3 & all of Lot 4	✓✓ Larine Biggs 6115 Jacqueline	67208
Lot 5 & W 17½' of Lot 6	Addressee ✓ UNKNOWN Leona (Baker) Bruce 6201 E. 8th St.	67208
E 52½' of Lot 6 & W 35' of Lot 7	✓✓ James M. & Marcella R. Maddox 6215 Jacqueline	67208
E 35' of Lot 7 & Lot 8 exc E 17½'	✓✓ Hubert O. & Gloria Rose Kintzel 6221 Jacqueline	67208
E 17½' of Lot 8 & all of Lot 9	✓✓ Stanley E. & Faunda M. Johnson 6227 Jacqueline	67208

COURTLAND ADDITION

Block 3 Tont'd

- Lot 10 ✓ Charles T. & Margaret M. Laham
6301 Jacqueline 67208
- Lot 11 ✓ Lewis & Reva Weidenbaum
6309 Jacqueline 67208
- Lot 12 ✓ Donald R. & Mary Kay Boleski
6315 Jacqueline 67208
- Lot 13 ✓ George T. & Beatrice McCurry
6321 Jacqueline 67208
- Lot 14 ✓ Raymond F. & Elizabeth Shadid
6320 E. 8th St. 67208
- Lot 15 ✓ Paul L. & Estelle J. Pickler
6314 E. 8th St. 67208
- Lot 16 ✓ John C. & Wauneta Dunlop
6308 E. 8th St. 67208
- Lot 17 ✓ Sherman A. Meyer, Jr. & Helen Jean
6302 E. 8th St. 67208
- Lot 18 ✓ John G. & Barbara J. McCune
6226 E. 8th St. 67208
- Lot 19 & E 20' of Lot 20 ✓ John H. & Helen A. Dolecek
6114 3 2nd 67212
- W 50' of Lot 20 & E 50' of Lot 21 ✓ Douglas Michael & Barbara A. Carson
6214 E. 8th St. 67208
- W 20' of Lot 21 & All of Lot 22 ✓ C. George & Rita I. Immich
6202 E. 8th St. 67208
- Lot 23 & E 25' of Lot 24 ✓ Park L. & Patricia Zimmerman
6120 E. 8th St. 67208
- W 45' of Lot 24 & E 55' of Lot 25 ✓ Verle C. Brandner
6114 E. 8th St. 67208
- W 15' of Lot 25 & all of Lot 26 ✓ Floyd Leon & Paula S. Engstrand
6102 E. 8th St. 67208

- S 330' of N 1000' of W $\frac{1}{2}$ of SE $\frac{1}{4}$ 13-27-1E
Exc W 40' of S 330' & Exc Beg 670' S &
40' E of NW cor SE $\frac{1}{4}$ E 135', S 23.87',
W 135', N 23.87' to Beg. ✓ Board of Park Commissioners
104 S. Main 67202

- N 670' of W $\frac{1}{2}$ of Sec. 13-27-1E, Exc N 40',
Exc W 40' for Roads & Exc Beg. 633.87' S
& 40' E of NW Cor SE $\frac{1}{4}$ Sec. 13, E 135',
S 36.13', W 135', N 36.15' to Beg. D Board of Park Commissioners
104 S. Main 67202

- NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13-27-1E, Exc S 150' of
W 185' & exc S 30' & W 40' for streets &
exc N 1000' ✓ Rose M. Bruce
D 440 N. Quentin 67208

- S 150' of W 185' NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13-27-1E,
exc S 30' for St & Exc W 40' for St. ✓ Robert W. & Elaine Bruce
802 S. Edgemoor 67218

- Beg. 30' E of NW cor SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13-27-1E,
S 650', E 476', N 650', W to Beg. ✓ Board of Education
104 S. Main 67202

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Beg 650' S & 30' E of NW Cor SW $\frac{1}{4}$ SE $\frac{1}{4}$ 13-27-1E,
 E 326', S 330', W 326'm/1 to pt 30' E of W line
 of SE $\frac{1}{4}$, N along line 30' E of and parallel to Kansas Armory Board
 West line SE $\frac{1}{4}$ 330' to Beg. 620 N. Edgemoor 67208

CRESTHILL ADDITION

Block A

E 225' of W 640' of Lot 1 & E 225' of W 640' of Parking Res. A.	<input checked="" type="checkbox"/> D. P. & M., Inc., 327 N. Broadway	67202
E 240' of W 415' of Lot 1 & E 240' of W 415' of Parking Res. A	<input checked="" type="checkbox"/> G. Lawrence Keller, D. Cramer Reed, W. M. Turner, John H. Rogers, Stanley E. Wisdom, Wilson Rains, S. H. Marcus, W. H. Ferguson (1/8 int Each) 521 N. Brookfield	67208
S 100' of N 250' of W 175' of Lot 1	<input checked="" type="checkbox"/> Mutual of Omaha 3316 Farnam, Omaha, Nebr	
Lot 2	<input checked="" type="checkbox"/> Phillip L. & Charlotte M. Robson 427 St. James Place	67206
Lot 3	<input checked="" type="checkbox"/> Dorothy W. & B. A. Dinwiddie III 421 St. James Place	67206
Lot 4	<input checked="" type="checkbox"/> Noble L. Whiting & M. Jane 415 St. James Place	67206
Lot 5	<input checked="" type="checkbox"/> Virginia T. Osborn 407 St. James Place	67206
Lot 6	<input checked="" type="checkbox"/> John Paul & Mary Woolf 401 St. James Place	67206
Lot 7, Block A, Lot 7, 1/2 of Lot 7	<input checked="" type="checkbox"/> Floyd E. & Virginia S. Turner 341 St. James Place	67206
Lot 8	<input checked="" type="checkbox"/> Alfred B. & Mabel A. Beard 335 St. James Place	67206
Lot 16	<input checked="" type="checkbox"/> David W. & Metah J. Wise 328 Whitfield Place	67206
Lot 17	<input checked="" type="checkbox"/> John R. & Loralee R. Kuenneth 334 Whitfield Place	67206
Lot 18	<input checked="" type="checkbox"/> John E. & Patricia F. Jenista 340 Whitfield Place	67206
Lot 19	<input checked="" type="checkbox"/> Joe J. Colliatie, Jr. & Billie Rae 145 Rutland Road	67206
Lot 20	<input checked="" type="checkbox"/> Kenneth P. & Helen R. Leyh 347 Whitfield Place	67206
Lot 21	<input checked="" type="checkbox"/> Hubert R. & Margaret E. Kuhn 341 Whitfield Place	67206
Lot 22	<input checked="" type="checkbox"/> V. D. & Eileen B. Schwartz 335 Whitfield Place	67206
Lot 23	<input checked="" type="checkbox"/> David G. & Janet L. Shoemaker 329 Whitfield Place	67206
Lot 24	<input checked="" type="checkbox"/> C. Elton & Lois L. Gore 323 Whitfield Place	67206

CRESTHILL MANOR

Block A Cont'd

- Lot 28 ✓ Harry A. Funke
316 Colonial Place 67206
- Lot 29 ✓ Thomas P. & Marion H. Bashaw
322 Colonial Place 67206
- Lot 30 ✓ Amil James & Carol Ann Ablah
328 Colonial Place 67206
- Lot 31 ✓ Thomas A. & Edna S. Laham
334 Colonial Place 67206
- Lot 32 ✓ Frederick C. Lovejoy, Jr. & Bernice C.
340 Colonial Place 67206
- Lot 33 ✓ Mary Katharine Smith
346 Colonial Place 67206
- Lot 34 ✓ Loren A. & Mary Jo Watson
347 Colonial Place 67206
- Lot 35 ✓ Marlin J. & Thelma M. Blackstun
341 Colonial Place 67206
- Lot 36 ✓ Herman W. Smith, Jr. & Betty Jane
335 Colonial Place 67206
- Lot 37 ✓ J. E. & Wara Paul Schmitt
329 Colonial Place 67206
- Lot 38 ✓ Jermemiah J. & Blanche R. McCarthy
323 Colonial Place 67206
- Lot 39 ✓ John L. D. & Nancy F. Frazier
317 Colonial Place 67206

RUFFIN 3RD ADDITION

- Lot 1 ✓ Rose M. Bruce
440 N. Quantin 67208

CALIENDO ADDITION

Lot 1 & the West 75' of Parking Reserve A in Cresthill Manor *known. Unknown*
 CARO ADDITION *67208* The Sedgwick Co., Inc.
 of the Fourth National Bank & Trust Co.
 Wichita, Kansas. 67202

- N 240' of Lot 1 & N 240' of Parking Reserve B in Cresthill Manor ✓ Harvey D. Ellis
5903 Polo Dr. 67208

- All' of Lot 1, Caro Addition Exc N 240' & Parking Reserve "B" exc N 240' and Parking Reserve "A" exc W 640' of Lot 1 Block A, in Cresthill Manor ✓ E. V. Yingling, Jr.
2002 S. Greenwich Rod. 67026

OAKWOOD ESTATES 2ND ADDITION

Block 1

- Lot 19 exc W 2' ✓ Premier Petroleum, Inc.
3905 E. Central
705 W. Hillcrest 67208
- Lot 20 & W 2' of Lot 19 & E 3.5' of Lot 21 ✓ Earl L. & Hazel I. Endsley
926 Stratford 67206
Addressee Unknown
- Lot 21 exc E 3.5' ✓ Martha S. Beutel
- Lot 22 exc W 5 1/2' ✓ Norris H. & Doris W. Madden
7316 Pagent Lane 67206

OAKWOOD ESTATES 2ND ADDITION

Block 1 Cont'd

Lot 23 & W 5 1/2' of Lot 22

✓ Howard R. & Annie L. Sutherland
6026 Oakwood Drive 67208

Lot 24 & E 5.5' of Lot 25

D Howard R. & Annie L. Sutherland
6026 Oakwood Drive 67208

Lot 25 Exc E 5.5'

✓ Henry H. Hyndman/ & Janet K.
8013 E. Morris 67207

Lot 26 exc W 7.5'

D Henry H. Hyndman, Jr & Janet K.
8013 E. Morris 67207

W 7.5' of Lot 26 & all of Lot 27

✓ Ilo Fox
c/o Robert Foulston
600 Fourth Natl Bldg 67202

Lot 28

✓ George Hugh & Georgia Mildred Gee
5926 Oakwood Drive 67208

Lot 29

✓ William H. Simmons, Jr. & Wanda Lee
5920 Oakwood Dr. 67208

Lot 30

✓ Richard & E. Darlene Kirkland
5914 Oakwood Dr. 67208

Lot 31

✓ Thomas B. & Cynthia J. Honton
5908 Oakwood Dr. 67208

Lot 32

✓ Donald E. & Dorothy J. Compton
5902 Oakwood Dr. 67208

Lot 33

✓ Lucille E. Hunter
5824 Oakwood Dr. 67208

Lot 34

✓ Martin P. Breth, Jr. & Nancy Ann
2435 Porter 67204

Lot 35

Addressee
Unknown

✓ Carroll A. & Velda Jo Childs
8141 E. Zimmerly 67207

Lot 36

✓ Lonnie W. Parrish III & Susan L.
c/o Mid Kansas Fed Svgs & Loan
230 S. Market 67202

Block 2

Lot 1

✓ Lawrence A. & Karen Kay Houston
420 N. Brookside 67208

Lot 2

✓ Edward L. & Murl Heckel
5811 Oakwood Dr. 67208

Lot 3

✓ Grace M. & Hilda N. Peters
5819 Oakwood Dr. 67208

Lot 4

✓ Kathryn Carmichael
5825 Oakwood Dr. 67208

Lot 5

✓ Arthur L. & Christine H. Vermillion
5903 Oakwood Dr. 67208

Lot 6

✓ Gordon L. & Sibyl C. Koelling
5909 Oakwood Dr. 67208

Lot 7

✓ Wesley A. & Grace Elizabeth Race
5915 Oakwood Dr. 67208

OAKWOOD ESTATES 2ND ADDITION

Block 2 Cont'd

- Lot 8 ✓ Desmond L. & Hilda B. Almquist
5921 Oakwood Dr. 67208
- Lot 9 ✓ John W. & Delta J. Arnold
- Lot 10 ✓ Leo R. Helsel, Jr.
6001 Oakwood Dr. 67208
- Lot 11 ✓ James H. & Sheryl Ann Hays
6011 Oakwood Dr. 67208
- Lot 12 ✓ Floyd D. & Nelda Bader Quinlisk
6019 Oakwood Dr. 67208
- Lot 13 & Beg SEly Cor Lot 14, SWly alg
front line 14.5', NWerly to NEly Cor of
Lot 14, SEly along the NEly line to point
of beg. ✓ Robert T. & Delma Blankenship
6018 Avalon Rd. 67208
- Lot 14 Except Beg SEly Cor Lot 14, SWly along
front line 14.5', NWerly to NEly Cor of Lot 14
SEly along the NEly line to Beg. AND Lot 15 Exc
BEG SE Cor, SWly along front line 14.5', NWly to
NE cor, SEly to Beg. ✓ Arthur Wayne & Alice Smith
6010 Avalon Rd. 67208
- Lot 15, Exc Beg SE Cor, SWly along front line
14.5', NWly to NE cor, SEly to Beg. ✓ Delores V. Williamson &
Shari Dee Nichols
6002 Avalon Rd 67208
- Lot 16 ✓ O. B. & Sarah M. Herrington
5926 Avalon Road 67208
- Lot 17 ✓ Martha L. Richardson
550 Nims, Apt 216 67203
- Lot 18 ✓ H. B. & Grace B. Vaughn
5914 Avalon Rd. 67208
- Lot 19 ✓ Thelma Gatley
3032 Aloma St. 67208
- Lot 20 exc W 0.8' ✓ Alice & Lorene Hamilton
5902 Avalon 67208
- W 0.8' of Lot 21 & all of Lot 22 ✓ Robert R. & Sharon E. Linsted
5818 Avalon St. 67208
- Lot 23 ✓ John R. & Patty Ann King
5810 Avalon 67208
- Lot 24 ✓ Raymond B. Trotter
402 Brookside 67208

Block 3

- Lot 1 ✓ Lillie Cohlma
346 N. Brookside 67208
- Lot 2 ✓ William P. & Leanna J. Haney
5813 Avalon St.
- Lot 3 ✓ Donald W. & Margaret L. Osburn
5819 Avalon 67208
- Lot 4 No such
number ✓ George Metz
2202 Avalon 67208
- Lot 5 Bion C. & Kathryn Allen

OAKWOOD ESTATES 2ND ADDITION

Block 3 Cont'd

Lot 6	D	George Metz 2202 Avalon	67208
Lot 7	W	Mildred E. Keating 5909 Avalon	67208
Lot 8	W	Elizabeth C. Richardson 1303 N. Lorraine	67214
Lot 9	W	Rudy & Betty Stuehler 6005 Avalon	67208
Lot 10	D	George Metz 2202 Avalon	67208
Lot 11	W	E. T. & Thelma Quinn 6015 Avalon	67208
Lot 12	W	Lawrence D. & Mary F. Bieler 6021 Avalon	67208
Lot 18	W	Melburn & Mary H. Brodbeck 357 Ridgewood	67208
Lot 19	W	Ideal Homes of Wichita 6061 Avalon	67208
Lot 20	D	George Metz 2202 Avalon	67208
Lot 21	W	James S. Taylor 6117 Oakwood Dr.	67208
Lot 22	D	George Metz 2202 Avalon	67208
Lot 23	W	Bill O. & Mary M. Suhn 7315 Tanglewood Lane	67206
Lot 24	D	George Metz	67208
Lot 25	W	Jack O. & Edith M. Langford 363 Hillcrest	67208
Lot 26	W	Clarence E. & Ruth H. Crum 357 Hillcrest	67208
Lot 27	W	Nina L. Davis 351 Hillcrest	67208
Lot 28	W	Garold G. & Sondra M. Cox 345 N. Hillcrest	67208
Lot 29	W	Joseph S. & Thelma N. Ploughe 339 N. Hillcrest	67208
Lot 30	W	Clara H. Gifford & Betty Jean Reazin 6132 Rockwood	67208
Lot 31 exc W 3.5'	W	W. Kent & Janet Kay Kruske 620 N. Battin	67208
W 3.5' of Lot 31 & all of Lot 32		Otto C. & Clara H. Pfeifer	
Lot 33		Bernard H. & Nancy Lee Kastens	

OAKWOOD ESTATES 2ND ADDITION

Block 3 Cont'd

Lot 34 & E 2.25' of Lot 35	✓✓	Lamar & Angeline V. Wheat 3626 W. 13th	67203
Lot 35 exc E 2.25'	✓✓	Wanda Eicher & Wathena E. Blakeslee 6102 Rockwood	67208
Lot 36	✓✓	Phil M. Dunn 6038 Rockwood	67208
Lot 37	✓✓	Loretta France 6032 Rockwood	67208
Lot 38 & E 1.9' of Lot 39	✓✓	John D. & Constance A. Wareing 6026 Rockwood	67208
Lot 39 exc E 1.9'	✓✓	Maurice & Ella M. Lowe 6020 Rockwood	67208
Lot 40	✓✓	Delbert F. & Ruth M. Marshall 6026 Rockwood 6014 Rockwood	67208
Lot 41	✓✓	Thomas A. & Dianne L. Reeves 6008 Rockwood	67208
Lot 42	✓✓	LaVerne A. & Joyce L. Weber 6002 Rockwood	67208
Lot 43	✓✓	Guy D. & Linda S. Harris 5922 Rockwood	67208
Lot 44	✓✓	Ralph L. & Nicki D. Didlake 5916 Rockwood	67208
Lot 45	✓✓	James F. & Mary Catherine Westerhaus 5910 Rockwood	67208
Lot 46	✓✓	George Metz 2202 Avalon	67208
Lot 47	✓✓	Harold W. & Virginia E. Shelton 5814 Rockwood	67208
Lot 48	✓✓	George Metz 2202 Avalon	67208
Lot 49	✓✓	Edwin E. & Emma Jean Williford 5802 Rockwood	67208
Lot 50	✓✓	Frederick D. & Patricia E. Kettler 5800 Rockwood Rd.	67208
Lot 51	✓✓	Sisters of St. Joseph of Wichita 3712 E. Lincoln	67218

Deceased

Block 4

Lot 1	✓✓	Nestor Weigand, Jr. 12 Colonial Court	67207
Lot 2	✓✓	Katherine K. Reneau 6309 Oakwood Dr.	67208
Lot 3 Exc E 7'	✓✓	Ernest L. & Shari L. Norlin 6315 Oakwood Dr.	67208
E 7' of Lot 3 & all of Lot 4	✓✓	Nestor Weigand, Jr. 12 Colonial Court	67207
Lot 5	✓✓	G. Robert & Isabel Deeds 5504 Claytonia St.	67206
Lot 6	✓✓	Leo F. Mann, Sr. & Mollie 369 Woodlawn Blvd	67208

advised by title 2nd

OAKWOOD ESTATES 2ND ADDITION

Block 4 Cont'd

Lot 7	✓ Phil & Betty R. Roeser 363 N. Woodlawn Blvd	67208
Lot 8	✓ Stanley & Idell Goldstein 357 N. Woodlawn Blvd	67208
Lot 9	✓ L. S. & Lorina F. Belford 351 N. Woodlawn Blvd	67208
Lot 10	✓ William A. & Mildred L. Hull 9101 Suncrest Ave.	67212
Lot 11 & N 11.5' of Lot 12	✓ George & Belle Wilscam 339 N. Woodlawn	67208
S 4' of Lot 12 & N 23' of Lot 13	✓ Clair B. & Genevieve McColl 333 Woodlawn	67208
S 35½' of Lot 13	✓ Jack T. & Norma F. Radford 327 Woodlawn	67208
Lot 24 & S 2.5' of Lot 25	✓ Ralph E. & Sharon L. Schultz 326 N. Hillcrest	67208
Lot 25 exc S 2.5' & S 5' of Lot 26	✓ Wayne L. Erinegar & Frances Powers 332 N. Hillcrest	67208
Lot 26 exc S 5'	✓ Edward A. & Zelma Coste 338 N. Hillcrest	67208
Lot 27	D George Metz 2202 Avalon	67208
Lot 28	✓ Jack Craig McIlvain 350 Hillcrest	67208
Lot 29	✓ Ida M. Porterfield 356 Hillcrest	67208
Lot 30	✓ Casado, Inc. 302 N. Main	67202
Lot 31	✓ W. E. & Lydia L. Moore 368 Hillcrest	67208
Lot 32	✓ Nestor Weigand, Jr. 387 Woodlawn Blvd	67208

Block 6

Lot 1 & Nly 12' of Lot 2

✓ Richard H. & Ella Mae Ludwick
5805 Rockwood 67208

OAKWOOD ESTATES

Block 3

Lot 1 & Nwerly 10' of Lot 15

✓ William D. & Dianne E. Hurst
5700 Rockwood 67208

Lot 2

✓ Michael Anthony & Joyce H. Morra
515 Oakwood Dr 67208

Lot 3 & W 4' of Lot 4

✓ Randy J. & Alice M. Simon
517 Oakwood Dr. 67208

Lot 4 exc W 4' & W 1' of Lot 5

✓ William W. & Diane C. Park
529 Oakwood Dr. 67208

Lot 5 exc W 1'

✓ Administrator of Veterans Affairs
5500 E. Kellogg 67208

Lot 6

✓ Terry G. Paup
8101 E. Lynwood Blvd 67207

OAKWOOD ESTATES

Block 3 Cont'd

Lot 7	✓✓ Harold A. & G. Winifred Wiley 451 N. Brookside	67208
Lot 8	✓✓ Faye Ethel Carthrae 435 Brookside Parkway	67208
Lot 9 exc SWly 15'	✓✓ Esther V. Priestly 427 N. Brookside	67208
Lot 10 & SWly 15' of Lot 9	✓✓ Evelyn Anita Nicholson 415 N. Brookside	67208
Lot 11 and part of Lot 12 lying SEly of a line drawn parallel to and 10' NWly from line between Lots 11 & 12 extended to NEly line of Lot 12	✓✓ Alva E. & Pauline C. Smith 401 North Brookside	67208
Part of Lot 12 lying NWly of a line 10' NWly from & parallel between lots 11 & 12 & also part of Lot 13 lying SEly from line 25' SEly & parallel to line between Lots 13 & 14	✓✓ Mary C. Thompson 5730 Rockwood	67208
NWly 25' of Lot 13 & all of Lot 14 exc NWly 15'	✓✓ Henry V. & Bessie Schott 5724 Rockwood	67208
NWly 15' of Lot 14 & Lot 15 exc NWly 10'	✓✓ Harold G. & Alice K. Sidener 5718 Rockwood	67208
All of Lot 15 lying NWly of a line drawn parallel to & 10' SEly from line between lots 2 & 15	✓✓ William D. & Diane E. Hurst 5700 Rockwood	67208

Block 4

Lot 1	✓✓ L. D. & Arlie H. Good 5606 Rockwood	67208
Lot 2	✓✓ Boyd & Berneice E. Kocken 5717 E. Central	67208
Lot 3	Addresssee ✓ Unknown Edwin H. Leimbrock 5725 E. Central	67208
Lot 4	✓✓ Joanna R. Hardin 2017 S. Ridgewood	67218
Lot 5	✓✓ Grace & Evelyn Bosse 5739 E. Central	67208
Lot 6	✓✓ R. M. & Gladys L. Houser 5745 E. Central	67208
Lot 7	✓✓ Louie Royer & Colleen M. Howell 5751 E. Central	67208
Lot 8	✓✓ Gerald & Lusetta Blackford 5759 E. Central	67208
Lot 9	✓✓ James D. Atkisson, Jr. 461 N. Brookside	67208
Lot 10	✓✓ Helen & Lottie Kitchen 451 N. Brookside	67208
Lot 11	✓✓ Charles M. & Mabel Marie Wheeler 556 Oakwood Dr.	67208
Lot 12	✓✓ W. Mike Adams 540 Oakwood Dr.	67208

OAKWOOD ESTATES

Block 4 Cont'd

- Lot 13 *W* Lawrence J. & Hazel J. Nelson
532 Oakwood Dr. 67208
- Lot 14 *W* Gerald E. & Winifred Cox
526 Oakwood Dr. 67208
- Lot 15 *W* John J. & Shelia M. Immel
518 Oakwood Dr. 67208
- Lot 16 *W* Alfred R. & Bessie Edwards
510 Oakwood Dr. 67208
- Lot 17 *W* Frank H. & Launetta M. Rose
5626 Rockwood 67208
- Lot 18 *W* Glenn C. & Bernice M. Thrasher
5616 Rockwood 67208

REPLAT OF LOTS 13-14-15-16-17
BLOCK 3 OAKWOOD ESTATES 2ND

- Lot 1 *W* Genoa Kimbell
6047 Avalon Court 67208
moved, not forwardable
- Lot 2 *D* Genoa Hines
6047 Avalon Court 67208
- Lot 3 *W* Vernon F. & Lucille M. Abel
6041 Avalon Court 67208
- Lot 4 *W* Don C. & Sara Ada Poorman
6033 Avalon 67208
- Lot 5 *W* Genoa Kimbell
6047 Avalon Court 67208

OAKWOOD ESTATES 2ND ADDITION

Block 6

- Lot 20 *W* Carol Thomas Rollert & Lise W.
550 Nims 67203

HUSTON ADDITION

- Lot 1 *W* A & J Building Co.
5900 E. Central 67208

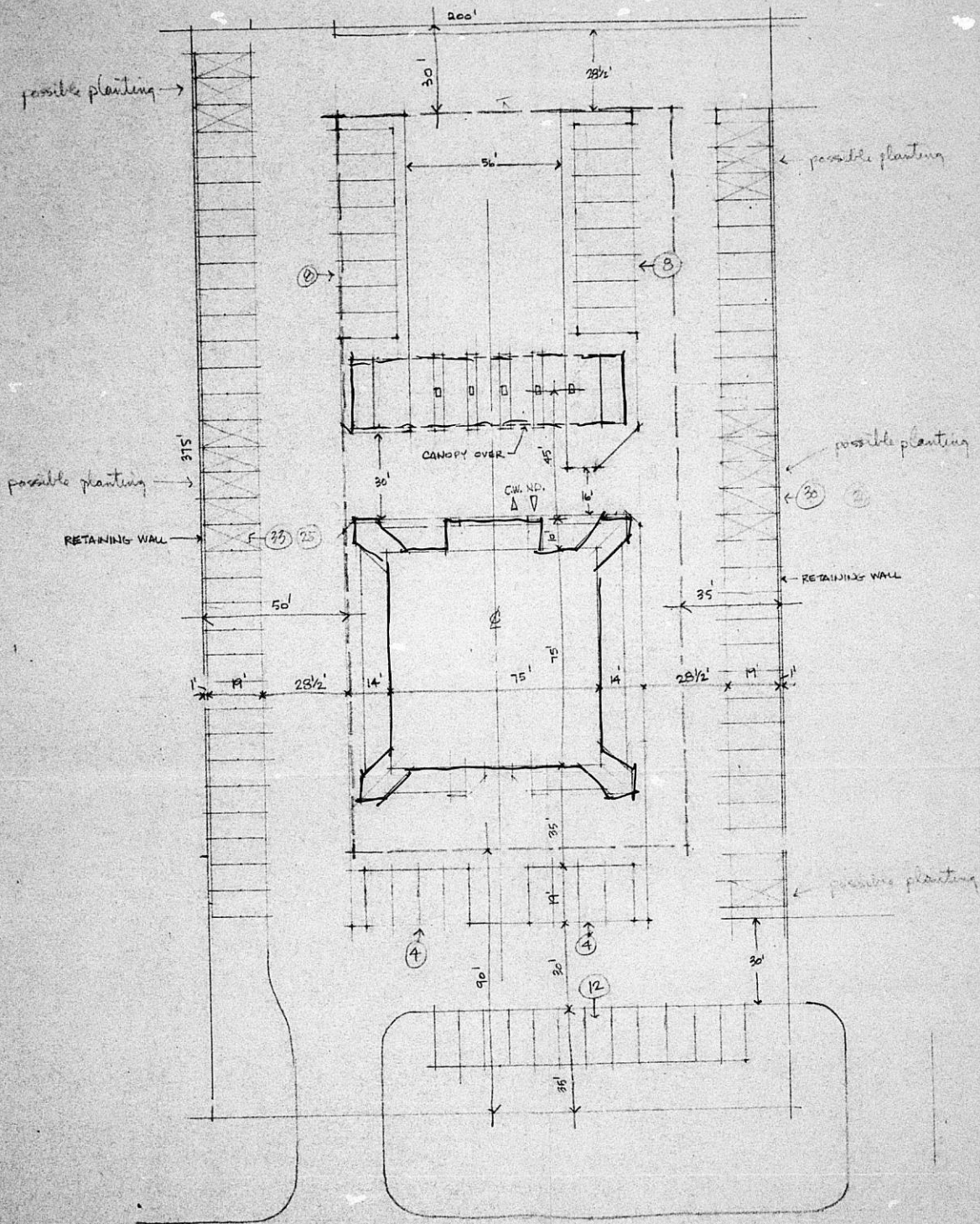
Dated this 26th day of June, 1972 at 7:00 o'clock A. M.

GUARANTEE TITLE CO., INC.

No. 39264.

By *Frank R. Hawkins*
Vice-President

*Also notify Howard Peterson
1115 E. Harry
Wichita Kan 67211*



... (KIRWAN) FACILITY

*

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