

COMMITTEE

M.A.P.C.

*defunct 12-12-74
subject subject to
condition 2-13-75*

~~B.C.C./B.C.C.~~

*Agreed with 3-11-75
minor amendments
to conditions*

DP-67 - Northborough Residential
and Commercial CUP, Southeast
corner 21st St. No. & Woodlawn

POSTED
10-11-74

ACTION

COMMITTEE _____ DATE _____

M.A.P.C. *deferred* 12-12-74
Appoint subject to 2-13-75
condition
B.C.C./B.C.C. *revised with* 3-11-75
minor amendments
to conditions

hp-67 - Northborough Residential
and Commercial CUP. Southeast
corner 21st St. No. 6 Woodlawn

Map No. 5949
Sec. 7
Twp. 27S
Range 2E

DATA SHEET
COMMUNITY UNIT PLAN

DP 67
Z-
Filed 9-25-74

APPLICATION REQUEST: Approval of proposed planned residential & commercial development.

1. Applicant Theodore Leben, et.al.
Address 1555 E. Second Phone 264-2375
2. Agent Robt. W. Kaplan
Address 430 S. Market Phone 262-5175
3. General Location Southeast corner 21st St. North and Woodlawn
Address _____
4. Proposed Use _____

AREA DATA

1. Acres 108.5 (_____ ft. by _____ ft.)
2. Existing Zoning _____ Proposed Zoning _____
3. Area (~~is~~ (is not) platted. _____ Addition _____
4. Existing R/W _____ ft. _____ ft. _____ ft.
Proposed R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date	Action
<u>12-12-74</u>	<u>Deferred</u>
<u>2-13-75</u>	<u>approved subject to conditions</u>

2. Governing Body

Date	Action
<u>3/11/75</u>	<u>Approved with minor amendments to conditions</u>

February 27, 1985

Jim Jorgensen, Acting Superintendent of Central Inspection

Louise Olivarez, Senior Planner

DP-67: Landscape plan for a portion of Parcel 3
(Two Brittany Place).

Attached are two copies of the approved plans for the required 10-foot landscaping adjacent to Rockhill Lane and Bramblewood on the portion of Parcel 3 known as Two Brittany Place. This landscaping should be installed prior to occupancy of the building. Please call me if you have any questions about this plan.

Louise Olivarez
Senior Planner

Attachments

cc: Bill Yung Design, 8225 East 35th Street North, Wichita, KS. 67226

October 5, 1984

Mr. Richard Boushka
Boushka Properties
100 North Broadway, Suite 500
Wichita, Kansas 67202

Dear Mr. Boushka:

In reviewing the possibility of expanding the Brittany C.U.P., I am concerned about

- the intensity to which a whole 1/4 section is to be developed, especially as it may impact streets and sanitary sewer; and
- the impact on adjacent properties both directly and as it may be considered precedent for future rezonings on 21st and on Woodlawn.

Rough calculations place the commercial/office square footage at nearly one million square feet (based on 35% ground coverage one floor development) equivalent impact of another regional shopping center. Since the mix of use is undetermined as is the quantity (multi-floor office buildings), the traffic impact can not be determined until more specific land use and quantities can be identified. In short, it could be equal to, greater than or less than a Towne West. Although we have just built 21st and Woodlawn, extension of the commercial obviously will require modification of the streets (additional decel lane, possible medial extension and possible signalization). For any major expansion, I will certainly request a traffic study to assess the impact of the development on the street system and what changes now and in the future will be required to handle the normal street traffic, plus the traffic from the development.

Mr. Richard Boushka
October 5, 1984
Page 2

Based on your information, staff has calculated that the housing will double (689 to 1426 DU) and that commercial/office will expand from 34.92 acres to 61.92 acres net.

When you discussed Parcel 5 (21st Street east of Bramblewood) the indication was a mixed commercial office development. I envision something like I see in Phoenix or even on your own site as similar architecture, landscaping, small detached buildings with offices, two, maybe three-story. If this is the tenor, then I can be supportive as it would appear consistent with Allied, Inc., the medical complex to the east. However, if this is frontage lined with one acre parcels, fast food, everyone with a curb cut and a discount house behind, I will not be supportive. An internal oriented design with a single major entrance from 21st and other service from the side streets would be more my idea.

The major problem, and what has kept me slow to respond, is the area south of Rockhill. I am not troubled about changing the area north of Rockhill to commercial with a single out parcel for the hotel. The area south, however, is one with several options, some much more acceptable to me. Pollack and I drove the area but I think we see it differently. Joel views the area as isolated and well buffered; railroad to the south, church and office to the west, your own to east and north. I see it as being residential to the east, residential south, residential siding and backing into the west along with residential compatible uses, i.e., church, girl scout offices and an apartment complex, with commercial to the north.

I see nothing wrong with the synagogue remaining and the front of K.C. & E. being a small apartment complex. The back of the synagogue could also be multi-family to merge with your other residential. This establishes the most consistent land use pattern, appears to be completely compatible, and from a distance, would appear marketable and double. It does get you your hotel (to the north) but obviously does not provide the skating rink, Duckwall's and out parcels.

Another, but less attractive option to me would be a single out parcel on the southeast corner of Rockhill and Woodlawn with a hotel site behind. This could be connected by skywalk to commercial office to the north. South of the out parcel and hotel, a small apartment complex seems possible. Offices might be possible, but with Parcel 5, your mid-rise offices and others in the area would seem to limit this alternate.

Mr. Richard Boushka
October 5, 1984
Page 3

Even this addition may need some attention on Woodlawn with decel and/or left turn bays.

One other option might be as in the preceding example except move the hotel on the north side of the street and an office building on the south with apartments.

The plan as submitted along Woodlawn is one I can not support. The four out parcels together with complete "LC" changes the character of Woodlawn too much. It also sets, at least in my view, the opportunity to march down Woodlawn to the south with the conversions of 1 and 2 residential lots to non-residential. Others may scoff, but 25 years of seeing it happen elsewhere in Wichita makes it real to me. This just is not Overland Park.

I have no doubt that if you pursue the plan as submitted, you will do what you say you will do. Your word has always been good and your product to the north is quality. Yet I cannot still quite see a Duckwall (even dressed up) tied to a quality hotel. Maybe a Sanger Harris or a Saks, but a Duckwall? The skating rink is a neat idea if you can make it fly. Would it work north of Rockhill? Or with a hotel on the south of Rockhill with the rink attached to the east?

Mr. Richard Boushka
October 5, 1984
Page 4

I am sorry I have been so long in responding, but I have really been distressed about being negative on this proposal. I guess I kept hoping for a bolt of inspiration to come. Let me know when you would like to talk more.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:rme

cc: B. J. Kingdon, Law/Kingdon, Inc., P. O. Box 1094, 67201
bcc:Joel Pollack, Jim Smith Realty, Inc., 337 N. Waco, 67202

Richard
Bryce
58

U.S. ~~Kingdom~~

In reviewing the possibility of expanding the Brittany
CUP. I am concerned about

- the intensity to which a whole $\frac{1}{4}$ section
is to be developed, especially as it may impact
~~the impact~~ streets + sanitary sewers, and
- the impact on adjacent properties especially
to the north directly and as it may
be considered precedent for future negotiations
on 21st and on Woodlawn.

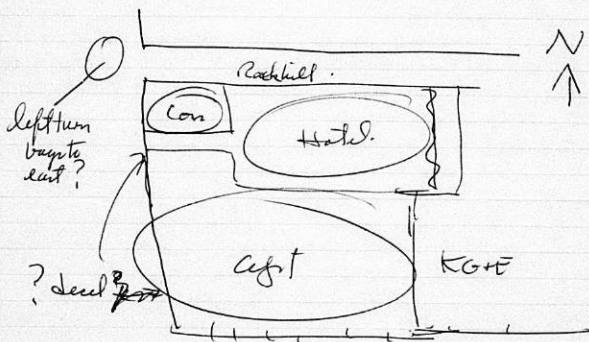
ground coverage
* below
one floor
development

Rough calculations place the commercial/office square
footage at nearly one million square feet, ^{or that}
equivalent impact of another regional shopping center. ^(variable 35% height) Since
the mix is ^{uncertain} as is the quantity (multi floor
office bldg), the traffic impact can not be determinal
until more specific land use and quantities can be identified.
In short, it could be equal to, greater than or less than
a Town West. Although we've just built 21st + Woodlawn,
extension of the commercial obviously will require modification
of the street (additional ^{seal} lane, possible median extension
& possible signalization). For any major expansion,
I will certainly request a traffic study to assess
the impact of the development on the street system and

R ~~to my~~ I see nothing wrong with the Symington remaining and the front of KG+E being a small apartment complex. The back of the Symington could also be multi-family to merge with your other residential. This establishes the most consistent land use pattern, appears to be compatible and from a di-st ne ~~way~~ would appear marketable + desirable. It does get you your hotel (to the north) but obviously does not provide the skating rink, Duckwalk + out parcels.

Another, but less attractive ^{option} to me would be a single out parcel on the SE corner of Rockhill + Woodlawn with a hotel site behind. This could be connected by the walk to commercial office to the north. South of the out parcel + hotel, a small apartment complex seems possible. Office might be possible, but with Parcel 5, your mid-rise office + others in the area would seem to limit this alternate.

willboard in sketch



Even this addition may need some attention on Woodlawn with decid +/- left turn bays -

One other option might be as in the preceding example except move the hotel on the north side of the street & an office bldg on the south with ~~off~~ adjacent meters

The plan as submitted ^{along Woodlawn} ~~with~~ is one I can not support. The four out parcels together with complete exchanges of the character too of Woodlawn too much. It also ~~is~~ ^{is} ~~not~~ ^{is} at least in my view the opportunity to march down Woodlawn to the south with the conversion of 14 residential lots to ~~non~~ non residential. Others may ~~shop~~ ^{shop} but ~~is~~ 25 year of seeing of happen elsewhere in District makes it real to me. This just ~~is~~ ^{isn't} Cleveland Park.

I have no doubt that if you pursue the plan as submitted you will do what you say you will do. Your word has always been good & your product to the north is quality. Yet I can't still quite see a Duchesne (even several bps) tied to a quality hotel. Maybe a Sengardson or a Saks but a Duchesne? The sketching mind is a neat idea if you can make it fly. Would it work W of Rockhill? Or with a hotel on the South of Rockhill with the rink attached to the East?

I'm sorry I've been so long in responding, but I've really been distressed about being negative on this proposal. I guess I kept hoping for a bit of inspiration to come. Let me know when you would like to talk more.

S,

PK -

Northborough DP-67

Drumming Unit Comparisons

CURRENT

PROPOSED

PARCEL

4 272 d.u. (apts)
or (124 d.u. townhouses)

309 d.u. (proposed high-rise apts)

5 205 d.u. (apts)
or (94 d.u. townhouses)

0 d.u.

6 85 d.u. (townhouses, 1, 2, 3, 4-family)

400 d.u. (apts or townhouses)

Note: parcel average has increased 1.7% area.

7 127 d.u. (townhouses)
or (82 d.u. s.f. patio homes)

717 d.u. (apts)

or (143 d.u. townhouses)

Note: parcel average has increased 9.22% area.

Totals. (use maximum allowed)

689 d.u. $\times 7 \text{ Trip/Day} = 4823$

1426 d.u. $\times 7 = 9982 \text{ Trip/Day}$

DP-67

Commercial & Office Acreage Comparisons

CURRENT

PROPOSED

1 .92 acres net

.92 acres net

2 19.02 acres net

19.02 acres net

3 14.98 acres net (office only)

14.98 acres net (office + comm.)

5 0.00 (non residential)

9.35 acres net (office + comm.)

X 0

17.67

Totals 34.92 acres

44.27 acres

61.92 Acres

WICHITA-SEDGWICK COUNTY

DATE

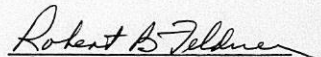
METROPOLITAN AREA PLANNING DEPARTMENT July 17, 1984

TO Robert B. Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning
SUBJECT DP-67 - Northborough C.U.P. - Adjustment of a portion of the 100-foot setback from the west line of Parcels 2 and 3

We have received a request for an adjustment of the 100-foot setback from Woodlawn on the south 230 feet of Parcel 2 (also Lot 2) and the north 135 feet of Parcel 3 (also Lot 3). A building is under construction which encroaches one foot into the 100-foot setback as specified on the C.U.P. There is no building encroachment into the 65-foot platted setback which was required in order to protect the Continental pipeline which parallels Woodlawn.

After reviewing the site plan and the provisions of the C.U.P., I believe that a one-foot reduction of a setback this large is not a substantial deviation of the provisions of the C.U.P. Your signature below will indicate your concurrence in the adjustment of the 100-foot setback to 99 feet on the above described portion of Parcels 2 and 3. If you concur, please make a notation on your official copies of the C.U.P. that this adjustment has been granted.


Robert A. Lakin
Director of Planning


Robert B. Feldner
Superintendent of Central
Inspection

RAL:LO:jps

cc: B. J. Kingdon, Law/Kingdon, Inc., P.O. Box 1094,
Wichita, Kansas 67201
Richard Boushka, Boushka Properties, Suite 500,
100 North Broadway, Wichita, Kansas 67202



LAW/KINGDON, INC.
Architects
Engineers-Planners

345 Riverview/P.O. Box 1094
Wichita, KS 67201-1094
Phone 316-268-0230

July 16, 1984

Mr. Robert Lakin
Director, Metropolitan Area Planning
Department
City Hall
455 North Main
Wichita, Kansas 67202

Re: Brittany Center Expansion
Part of Lots 2 & 3, Block 1, Northborough,
An addition to Wichita, Sedgwick County, Kansas

Dear Mr. Lakin:

The enclosed Site Plan, Sheet SA-1 shows the present location of the Brittany Center Expansion building now being completed.

We have discovered, by surveying for As-Built construction, that the building is located Ninty-Nine feet (99') from the property line (street right-of-way) and not One Hundred feet (100') from the property line as required for our building setback line.

We respectfully request an administrative approval of the Ninty-Nine feet in lieu of the desired One Hundred feet.

Thank you for your consideration.

Very truly yours,

LAW/KINGDON, INC./

B. J. Kingdon
B. J. Kingdon, AIA
President

BJK:kj

Enclosure

cc: Mr. Richard Boushka
Mr. Bob Feldner
Mr. Jack Galbraith

RECEIVED

JUL 16 1984

METROPOLITAN PLANNING
ROUTE _____

February 13, 1984

Robert B. Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

DP-67 - Northborough C.U.P. Landscape plan for portions of the west boundaries of Parcels 2 and 3.

Attached for your files are two copies of the approved landscape plan for portions of the west boundaries of Parcels 2 and 3. As stated in Mr. Dokken's letter (copy attached) the landscape plan does not include all of the west boundary or the south boundary of Parcel 3. Based on the existing uses and the fact that no buildings are proposed in the west portion of Parcel 3, we informed Mr. Dokken that landscape plans would not be required for those areas at this time.

If you have any questions, please call.

Jack H. Galbraith
Chief Planner

JHG:ADC:blw

cc: Dan Dokken, Law/Kingdom, Inc., 345 Riverview, P.O.Box 1094, Wichita, KS., 67201



LAW/KINGDON, INC.
Architects
Engineers-Planners

345 Riverview/PO Box 1094
Wichita, KS 67201-1094
Phone 316-268-0230

February 9, 1984

Mr. Art Chambers
Metro Area Planning Department
City Hall
455 North Main
Wichita, Kansas 67202

Re: Brittany Center Expansion
Northborough Community Unit Plan
Wichita, Kansas

Dear Art:

Enclosed is the landscape plan for the 10' wide planting screen required by the C.U.P. for the above referenced project.

The plan shows the planting screen extending along the entire west side of the site that will be developed at this time and not the entire distance along Woodlawn. I have not included this screen at this time because I feel that since it is not known what will be developed on the balance of parcel 3, that it would be wise to wait and plant the screen materials that would best compliment the new development. I also feel that the planting screen along Rockhill Lane should be put in at the time when parcel 3 will be developed, for the same reason as stated above. Also because the Brittany Center Expansion project will already be partially screened from Rockhill Lane because of the intervening grades which present a small hill between the street and the project. Also the developed area south of the building will be landscaped with trees and other plantings and will present a pleasant appearance to the south.

If you have any problems with these remarks or the enclosed plans, please contact me as soon as possible.

Thanks.

Very truly yours,

LAW/KINGDON, INC.

Dan Dokken
Project Architect

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT

Current Plans Division

Public Inquiry Slip

NAME Bouska, Richard DATE 1-9-84
 PHONE 2670470 PHONE Office COUNTER
 PROPERTY LOCATION Northborough (Boutlang Center) MAP # 5949
SE cor 21st + Woodlawn.

NATURE OF REQUEST:

City Zoning County Zoning _____ Conditional Use _____
 Plat _____ Lot Split _____ Vacation _____ Dedication _____
 BZA _____ Street Name Change _____ Other Drainage.

REMARKS: Discussed zoning vicinity on Res units especially Parach 6+7. (Exist 4.5 b7) has a combined 12.5 DU/A; 6+7 a lesser number 7±. I indicated w/ B.C. to E + affordable housing to E, I saw no real problem of going quarter up + for bal of tract probably in an area of 17 to 22 DU/A. all rely to a review of traffic generation + impact on new build Woodlawn + 21st South + intersection. Dick B. also inquired about building back 1/2 of K6+E + part of Hebrew congregation to CUR as MF Res.
 TP We talked about amending Parcel 2 from B6 to L6 to allow full 500' hotel, limited L6 to existing MAP use + hotel. He asked about L6 on all of Hebrew congregation land (He'd buy the temple + tear down) + the front of K6+E (also for L6). I said I would oppose. He asked about just the frontage 300-600' deep for L6. I said I opposed due to SF + off to W. + along zone of Woodlawn. I knew the development of Boulder to be quantity + maybe he can put together something that would change my mind, but the burden is on him.
 TP we also talked about drainage, the need to reduce by zero run off, ditching? + a possible SA project. We have a ~~small~~ R/R loop limiting flow + major ponding problems being in parcel on K6+E. I didn't have an answer on who would pay for drainage in B1.

ROUTE TO:
 LAKIN GALBRAITH YOUNG LITTLE OLIVARES CHAMBERS
 NAGLEY FLECK SHIRKEY RETURN TO

COMMENTS:
just this 1/4 sec? area to N? area to E?.
Bouska is going to talk to E68 about buying their land L-substitution rate success road)

October 21, 1983

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

BDP-67 - Northborough Commercial and Residential C.U.P. - Request for an administrative adjustment on Parcels 2 and 3

Attached is a copy of a letter from Dan Dokken of Law/Kingdon, P.A., requesting an administrative adjustment to the setbacks along the south boundary of Parcel 2. Specifically, Mr. Dokken wishes to place a building on the lot line between Parcel 2 and Parcel 3 (see attached site plan). Parcel 2 is zoned "IC" and Parcel 3 is zoned "BB". Although there are no platted setbacks along the area, the C.U.P. shows a thirty-foot setback on either side of the parcel boundary.

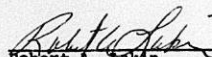
After reviewing Mr. Dokken's letter and attached site plan and the C.U.P., I feel that it would not be a substantial deviation from the intent and purpose of the C.U.P. provisions to permit the construction of a building as shown. It is my feeling that the entire area shown on the site plan constitutes a zoning lot for the purposes of issuing building permits. Therefore, I feel it would be appropriate to move the sixty-foot wide setback area on the south line of Parcel 2 provided that the balance of the site is developed as shown on the attached plan.

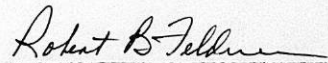
Your signature of approval will indicate that you concur that moving the sixty-foot-wide setback area south would not be a substantial deviation from the intent and purposes of the provisions of the C.U.P. Your signature will also indicate that a building may be constructed on the south boundary of Parcel 2, as shown on the attached site plan provided that the setback line along the north line of Parcel 3 shall be increased to sixty feet. The approval of Mr. Dokken's request is also subject to the balance of the site being developed as shown on the attached site plan.

I would also point out that the site plan shows a possible motel and a financial institution on Parcel 3. However, the permitted uses for Parcel 3 do not include those uses. An amendment to the C.U.P. would need to be approved before those uses could be developed.

Mr. Dokken will be notified by copy of this memorandum of our joint action approving his request subject to the conditions stated above. If you have any questions, please call.

APPROVED:


Robert A. Lakin
Director of Planning


Robert B. Feldner, Superintendent
of Central Inspection

cc: Dan Dokken, Law/Kingdon, P.A., P.O. Box 1139, 67201
Richard Boushka, Fourth Financial Center, 100 E. Douglas, 67202



Law / Kingdon, P.A.

Architects / Engineers / Planners
Construction Managers / Consultants

October 13, 1983

Mr. Robert Lakin
Mr. Robert Fellner
City of Wichita
City Hall
455 North Main
Wichita, KS 67202

Re: Brittany Center Expansion
Wichita, Kansas

Dear Messrs. Lakin and Fellner:

Boushka Properties is in the planning stage for developing additional retail and office space in the remaining undeveloped area along the south boundary line of Parcel 2 of the Northborough Community Unit Plan. Because the north-south width of this area is narrow, we are requesting that you allow the reduction of the building setback line along the south boundary of Parcel 2 from 30' to the boundary line (see the attached site plan). This reduction of the setback line will greatly enhance the viability of this project.

Items that I feel are important to consider in this decision are as follows:

Item 1 Boushka Properties owns both Parcel 2 and Parcel 3.

Item 2 The proposed building will place office space on the south side of the building facing the proposed office building on Parcel 3. This would create the same relationship that exists between the retail/office building and the office tower presently on the site.

Item 3 All services and trash collection will occur in the interior of the building and at a recessed, screened service dock similar to what exists at the existing buildings. The building will present a clean appearance to Parcel 3.

Mr. Robert Lakin
Mr. Robert Fellner
October 13, 1983
Page 2

If there is any other information that you require, please contact myself (265-8584) or Richard Boushka (267-0470). We will be glad to assist you in any way possible.

Very truly yours,

LAW/KINGDON, INC



Dan Dokken
Architect

DD/se

Enclosure

cc: Mr. Richard Boushka w/enc.

March 29, 1982

DP67

Robert Feldner, Superintendent of Central Inspection
Art Chambers, Senior Planner

Landscape plan for Northborough C.U.P.: Parcel 3,
One Brittany Place

The attached landscape plans for Parcel 3 of the North-
borough C.U.P. (DP-67) have been reviewed and approved
by Jack H. Galbraith, Chief Planner.

If you have any questions concerning the landscape plan,
please call.

Art Chambers
Senior Planner

ADC:JEF:bh

Attachments

cc: Bill Yung, 8225 E. 35th St., North, 67226

March 16, 1981

Mr. Thomas E. Pott
1133 East Second Street
Wichita, Kansas 67214

Re: DP-67 - Northborough C.U.P.
Landscape Plan

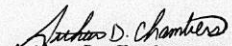
Dear Mr. Pott:

We have reviewed the landscape plan submitted and find the plan to be satisfactory. With the understanding that an irrigation plan will be submitted to this office, we have conditionally approved the landscape plan.

It is my understanding that the approved landscape plan will be revised, in the immediate future, to more adequately reflect your client's design criteria. At such time that the landscape plan is revised, please include the irrigation system and a listing of all plant materials to be used, stating their condition, common name and the scientific name. As before, you will need to submit five (5) copies of any revision.

If you have any questions regarding the plan, please call this office at your convenience.

Sincerely,


Arthur D. Chambers, AICP
Senior Planner

ADC:el

cc: Robert B. Feldner, Superintendent of Central Inspection

September 8, 1980

Dennis D. Smith
Law/Kingdon, P.A.
P.O. Box 1139
Wichita, Kansas 67201

Re: DP-67 - Northborough C.U.P.
Landscape Plan for Parcel 2

Dear Mr. Smith:

We have received the landscape plan for the Brittany Center site which you sent to us for review and approval. A review of files revealed that we had reviewed a landscape plan for the required landscaping for Parcel 2 during the first part of October, 1979. The landscape plan was approved by my memo to you dated October 19, 1979. The C.U.P. provisions do not require any additional approval of landscape plans by the Planning Department. Therefore, I see no reason why a certificate of occupancy cannot be issued.

If you have any questions or if I can be of further assistance, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:el

cc: Robert B. Feldner, Superintendent of Central Inspection



Law / Kingdon, P.A.

Architects / Engineers / Planners
Construction Managers / Consultants

September 3, 1980

RECEIVED

SEP 4 1980

METROPOLITAN PLANNING

ROUTE 25

Mr. Jack Galbraith
Metropolitan Area Planning Department
City of Wichita
City Hall
455 North Main
Wichita, Kansas 67202

Re: Brittany Center
21st and Woodlawn
Wichita, Kansas

Dear Mr. Galbraith:

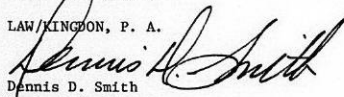
I have enclosed for approval the landscape drawings and irrigation system for this project. The landscape plan as required by the C.U.P. was submitted and approved by your office on October 17, 1979. These new drawings show the landscaping required by the C.U.P. as well as our own site landscaping.

Jack, I hope this information will allow a final approval and subsequent certificate of occupancy for this project.

Should you need any additional information for approval of these drawings, please advise.

Very truly yours,

LAW/KINGDON, P. A.


Dennis D. Smith
Project Architect

DDS:ln

Enclosure

cc: Mr. Richard Boushka w/enclosure
Mr. Tony Caputo
Mr. Forrest Rousey
Mr. Hassan Jabara
Mr. B. J. Kingdon

October 19, 1979

Mr. Dennis Smith
7 Law/Kingdon P.A.
Architects, Planners & Engineers
313 South Market
Wichita, Kansas 67201

Re: Landscape Plan - Parcel No.2
Northborough C.U.P. (DP-67)

Dear Mr. Smith:

We have received and reviewed your proposed landscape plan for Parcel No. 2 of the Northborough Community Unit Plan (DP-67) located south of 21st Street and east of Woodlawn Avenue.

On the basis of our review, we find your proposed plant materials and their intended locations to be acceptable. Your landscape plan is, therefore, approved for Parcel No. 2 of the approved community unit plan.

We will, by copy of this letter, advise the Superintendent of Central Inspection of the approval of the landscape plan.

Sincerely,

Jack H. Galbraith
Jack H. Galbraith
Chief Planner

JHG:ELY:el

cc: Robert B. Feldner, Superintendent of Central Inspection
Robert W. Kaplan, 430 N. Market, 67202



LAW/KINGDON, P.A.
Architects, Planners, & Engineers

313 S. MARKET R.O. BOX 1139
WICHITA, KANSAS 67201 (316)265-8584

TO: Metropolitan Area Planning Department
City of Wichita
City Hall
455 North Main
Wichita, Kansas 67202

PROJECT
BRITTANY CENTER
21st and Woodlawn
Wichita, Kansas

ATTN: Mr. Jack Galbraith TENANT SPACE _____

WE SEND YOU HEREWITH UNDER SEPARATE COVER

Five (5) prints of Site Landscape Plan Sheet S/L-1, dated October 17, 1979,
For Planning Department Approval. Submitted by Law/Kingdon, P.A.

THESE ARE:

- For your review and approval. Please return ONE copies with approval or corrections noted.
- For your information. For your files.
- Reviewed for compliance with Contract Documents.
- Reviewed and required corrections noted. Send sepia transparencies and ozalid prints of corrected drawings.
- Revise and resubmit per required corrections. Send sepia transparencies and ozalid prints of corrected drawings. Send copies of submittal data.
- Rejected. See Contract Documents.

Remarks: _____

- By *Dennis Smith*
Dennis Smith, Architect
- Architects Preliminary Drawings
 - Architects Drawings for Pricing
 - Architects Drawings for Construction
 - Tenant Drawings
 - Shop Drawings
 - Submittal Data
 - Samples
 - LANDSCAPE PLAN

- Copies To:
- Mr. Dick Boushka
 - Mr. Al Caro
 - Mr. B. J. Kingdon
 - Mr. Hassan Jabara

Date: October 17, 1979

TRANSMITTAL TR

WICHITA-SEDGWICK COUNTY

DATE

March 8, 1977

METROPOLITAN AREA PLANNING DEPARTMENT

TO E. H. Denton, City Manager
FROM Jack H. Galbraith, Chief Planner

SUBJECT Zone case Z-1666, "AA" & "LC" to "R-5", "BB" & "LC",
DP-67 - Commercial and Residential Community Unit Plan;
and associated plat, S/D 75-72 - Northborough Addition.
Applicant's request for platting time extension.

We are in receipt of a copy of a letter to you from Mr. Robert W. Kaplan, attorney, requesting a 120-day extension of the platting time limit requirement of the above referred to zone case beyond the April 9, 1977 deadline.

Our files indicate this is the fourth request for platting time extension and that the final plat has been approved by the Planning Commission subject to several conditions, a major one of which is drainage improvements. This condition does involve the railroad as Mr. Kaplan explains in his letter. We would concur in the request for the additional 120-day extension beyond the April 9, 1977 date. As this is the fourth request for extension of the platting time limit, the request will have to be considered by the Board of City Commissioners as required by Planning Commission Policy Statement #5. We would suggest that this request be placed on the March 29, 1977 Commission agenda which is the next City Commission meeting at which Planning items are scheduled.

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

Jack H. Galbraith
Chief Planner

JHG:CLN:rme

cc: Robert W. Kaplan, Attorney, 430 N. Market, 67202

APPROVED BY:

Robert A. Lakin
Director of Planning

December 9, 1976

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

Re: Z-1666; DP-67; and associated
plat S/D 75-72 NORTHBOROUGH
ADDITICN

Dear Mr. Kaplans

This is to advise you that on December 7, 1976 the Board of City Commissioners granted an extension of 90 days to April 9, 1977 in which to plat the above referenced plat.

If you have any questions, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:el

November 29, 1976

E. H. Denton, City Manager

Jack H. Galbraith, Chief Planner

Zone case Z-1666, "AA" & "LC" to "R-5", "BB" & "LC",
DP 67 - Commercial and Residential Community Unit Plan;
and associated plat, S/D 75-72 - Northborough Addition.
Applicant's request for platting time extension.

We are in receipt of a copy of a letter to you from Mr. Robert W. Kaplan, attorney, requesting a 90-day extension of the platting time limit requirement of the above referred to zone case beyond the January 9, 1977 deadline.

Our files indicate this is the third request for platting time extension and that the final plat has been approved by the Planning Commission subject to several conditions, a major one of which is drainage improvements. This condition does involve the railroad as Mr. Kaplan explains in his letter. We would concur in the request for the additional 90-day extension beyond the January 9, 1977 date. As this is the third request for extension of the platting time limit, the request will have to be considered by the Board of City Commissioners as required by Planning Commission Policy Statement #5. We would suggest that this request be placed on the December 7, 1976 Commission agenda which is the next City Commission meeting at which Planning items are scheduled.

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

Jack H. Galbraith
Chief Planner

JHG:CLN:rme

cc: Robert W. Kaplan, Attorney, 430 N. Market, 67202

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 4, 1976

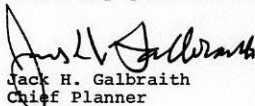
TO Robert G. Finch, City Manager (Interim)

FROM Jack H. Galbraith, Chief Planner

SUBJECT Request for extension of platting time for cases Z-1666, "AA" & "LC" to "R-5", "BB" & "LC", and DP-67, Commercial and Residential C.U.P. and S/D 75-72, Northborough Addition.

We have received a copy of a letter to you from Mr. Robert W. Kaplan, Attorney, requesting an additional 6-month extension of the one year platting time requirement of the above referred to zone case and C.U.P. Our records indicate that this is a second request for platting extension, and in accordance with the provisions of Planning Commission Policy Statement #5, it will be necessary for this request to be considered by the City Commission.

We concur in Mr. Kaplan's request for the additional 6-months to complete the plat for the reasons stated in his letter. The new completion date for the plat should be January 9, 1977, if the extension is granted. If you have any questions concerning this matter, please call.


Jack H. Galbraith
Chief Planner

JHG:CLN:rme

cc: Robert W. Kaplan, Attorney, 430 N. Market, 67202

TRIP GENERATION STUDY

Northborough

Introduction - A development covering approximately 108 acres located at the intersection of 21st Street and Woodlawn has been proposed. The development includes residential, commercial and office land uses.

Any development of this nature will produce vehicular traffic both internally and externally on the surrounding existing street system.

This brief report attempts to estimate the impact of the proposed 108-acre development on the two major adjacent streets, 21st Street and Woodlawn.

Existing Street System - The north, south and east legs of the 21st Street and Woodlawn intersection at the present time are two-lane blacktopped roadways. The west leg is a 48-foot wide pavement with curb and gutter. No parking is allowed on all four legs on either side of the street.

Woodlawn is a two-lane blacktop from 21st Street south to the north property line of the Hebrew Congregation Synagogue where a four-lane, 48-foot pavement with curb and gutter begins. The average daily traffic volumes on the two streets are shown on Figure 1. The highest volume occurs on 21st Street west of Woodlawn where the average daily traffic (ADT) is approximately 9,473 vehicles per day.

The intersection of 21st Street and Woodlawn is controlled by a two-phase, fixed-time signal. Each approach receives 17 seconds of green signal time followed by 3 seconds of amber and 20 seconds of red. Total signal cycle time is 40 seconds.

Drivers on all approaches face the required two signal indications from two signal heads suspended from an overhead cable.

3/11/75

Trip Generation - Any economic activity will, by its very nature, generate a certain amount of traffic each day. This rate of trip generation is related to the land use and the intensity of this land use.

For the development under study, the land uses and the intensity of these uses are given in Table 1. Here floor space and number of dwelling units are used to indicate the intensity with which commercial, office and residential land is used.

Table 2 gives the rate at which a given land use will generate trips for an average day or during a typical peak hour (which generally occurs from 5 to 6 p.m.)

Given in Table 3 is the total number of trips which can be expected to move in and out of the site under consideration during the peak hour. A trip is defined as the one-way movement of a vehicle from point of origin to point of destination. The total number of one-way trips moving in and out of the site during the peak hour is estimated to be 2,766 vehicles as shown in Table 3.

Trip Distribution - An estimate of the distribution of trips generated was required before increased street volumes could be estimated.

This distribution was done subjectively based on knowledge of the area and the rest of the Wichita Metropolitan Area. This distribution pattern is shown in Figures 2 and 3.

Traffic Volumes - The objective of this study is to determine the impact of the Northborough Development on adjacent 21st Street and Woodlawn. The current average daily traffic volumes on these two streets are shown in Figure 1.

The average daily volumes shown in Figure 1 were converted to peak-hour (5 to 6 p.m.) volumes by multiplying the average daily count by 7.8 percent.

These volumes were then combined with the anticipated volumes generated by the development to give an estimate of traffic volumes after development has taken place. These estimated volumes are shown in Figure 4.

Capacity - Street capacity problems occur at intersections and particularly at controlled intersections, such as the one at 21st and Woodlawn.

The capacity of a typical signalized intersection is shown in Figure 5. Shown are two capacities, Level of Service "C" and Level of Service "E". Level of Service "C" is a desirable level of service in that operation at this level would be considered very acceptable by the public. Level of service "E" is considered to be the ultimate capacity of the intersection. This, at least theoretically, is the most traffic an approach to an intersection can handle.

It should be noted in Figure 5 that the amount of green time for the approach was assumed. The capacity of the approach can be increased by increasing the green signal time. This can be provided by a traffic-actuated signal which is responsive to increased traffic demands. This type of signal is currently used at other locations in the City.

The analysis here is predicated on the fact that the 21st Street-Woodlawn intersection will be improved to a four-lane channelized intersection before Northborough is completely developed.

Conclusions - The estimated traffic counts after development shown on Figure 4 are two-way volumes while the approach capacity shown in Figure 5 is for one direction. During the peak hour the directional split is nearly 50-50 with maybe as much as 55 percent in the direction of heavier flow.

Two intersection approaches appear to be critical: eastbound 21st Street and northbound Woodlawn. If we multiply the two-way volumes by 55 percent, the directional volumes are 769 vehicles per hour and 629 vehicles per hour respectively for eastbound 21st and northbound Woodlawn. These volumes exceed the capacity of the intersection as it now exists: therefore, the standard

Intersection improvements (as shown in Figure 5) will be required when final development takes place.

With these improvements, eastbound 21st Street's future volume would exceed Level of Service "C" but would be less than Level of Service "E". The northbound Woodlawn volume would not exceed the Level of Service "C" capacity level.

The present northbound approach is nearly at capacity at the present time (6,998 vehicles per day \times .55 \times 7.8% = 300 vehicles per hour during the peak hour). This is nearly the capacity of a single lane at a signalized intersection. Therefore, with continued development in the area, additional capacity at the intersection will have to be provided. The capacity can be provided by adding one through lane and separate left- and right-turn lanes.

Prepared by:

Monroe L. Funk, P.E.
OBLINGER - SMITH CORPORATION
March 4, 1975.

TABLE 1
LAND USE AND LAND USE INTENSITY

PARCEL NUMBER	LAND USE	TOTAL AREA	INTENSITY OF LAND USE(1)
1	Commercial	1.74 Acres	12,025 ft. ²
2	Commercial	20.88	331,404 ft. ²
3	Office	17.38	261,011 ft. ²
4	Residential	14.86	272 D.U.'s
5	Residential	11.80	205
6	Residential	17.59	85
7	Residential	24.24	117

(1) Commercial and office land usage given in square feet of floor space.
Residential land usage given in total number of dwelling unit (D.U.'s).

TABLE 2
TRIP GENERATION RATES ⁽¹⁾

LAND USE	DAILY	PEAK-HOUR (5-6 p.m.)	PERCENT
Commercial	50	4.5	9.0
Office	--	2.3	--
Residential	11	0.9	8.2

(1) Commercial and office trip generation rates given in trips per 1,000 square feet of floor area. Residential trip generation rate given in trips per dwelling unit.

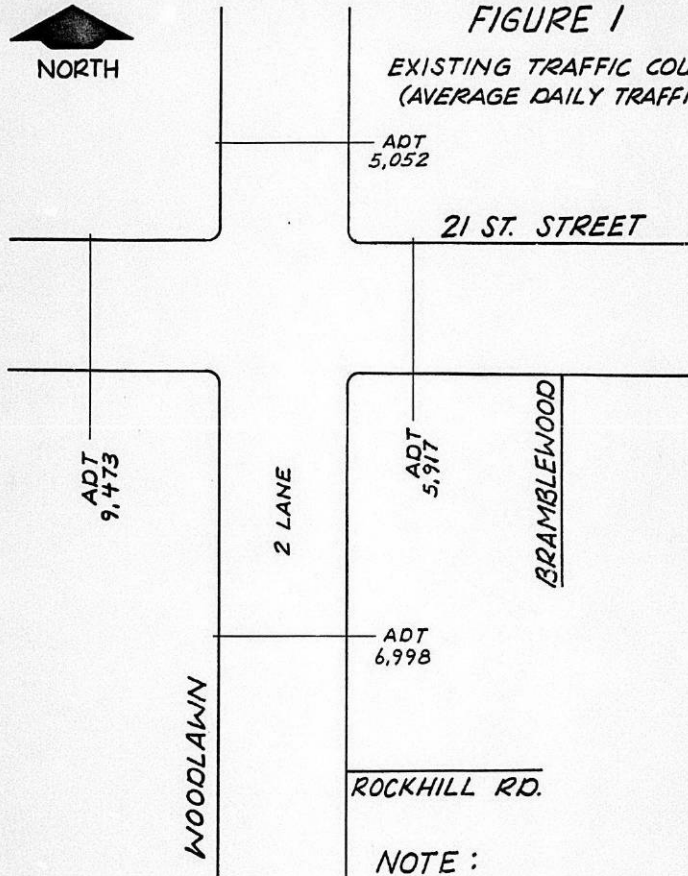
TABLE 3
 NUMBER OF TRIPS GENERATED DURING PEAK-HOUR (5-6 p.m.)

PARCEL NUMBER	LAND USE	NUMBER OF GENERATION UNITS	TRIP GENERATION RATE	TOTAL NUMBER OF TRIPS
1	Commercial	12,025 ft. ²	4.5	54
2	Commercial	331,404 ft. ²	4.5	<u>1,491</u>
			TOTAL =	1,545
3	Office	261,011 ft. ²	2.3	600
4	Residential	272 D.U.'s	0.9	245
5	Residential	205 D.U.'s	0.9	185
6	Residential	85 D.U.'s	0.9	77
7	Residential	127 D.U.'s	0.9	<u>114</u>
			TOTAL =	621
			TOTAL FOR 7 PARCELS	<u>2,766</u>



FIGURE 1

**EXISTING TRAFFIC COUNTS
(AVERAGE DAILY TRAFFIC)**



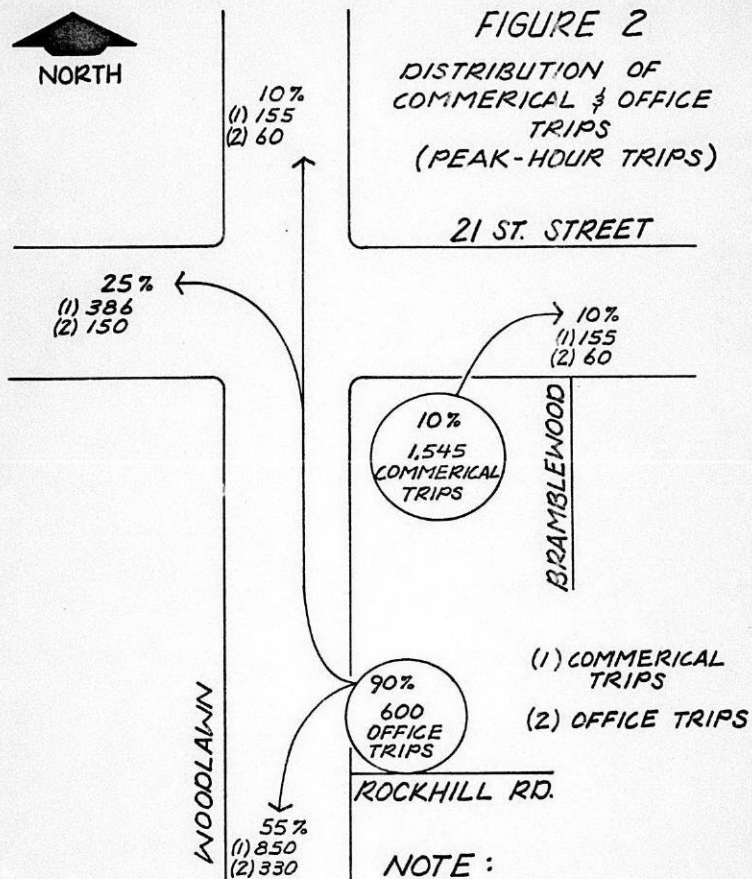
NOTE :

ALL COUNTS ARE IN BOTH
DIRECTIONS.
COUNTS TAKEN IN 1974



FIGURE 2

DISTRIBUTION OF
COMMERCIAL & OFFICE
TRIPS
(PEAK-HOUR TRIPS)



NOTE :

ALL INDICATED FLOWS
ARE IN BOTH DIRECTIONS.



FIGURE 3

DISTRIBUTION OF
RESIDENTIAL TRIPS
(PEAK-HOUR TRIPS)

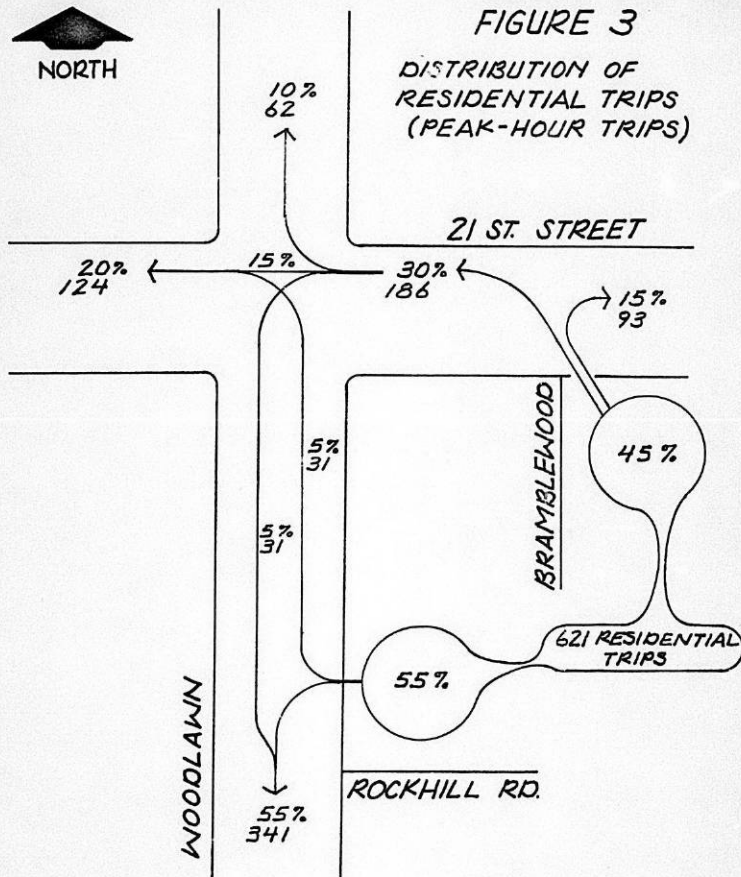




FIGURE 4
ESTIMATED PEAK-HOUR
TRAFFIC COUNTS
(5-6 PM)

(1) 394
 (2) 155
 (3) 60
 (4) 62
 (T) 671

21 ST. STREET

(1) 739
 (2) 386
 (3) 150
 (4) 124
 (T) 1,399

(1) 462
 (2) 155
 (3) 60
 (4) 186
 (T) 863

(1) 462
 (2) 155
 (3) 60
 (4) 93
 (T) 770

(1) 546
 (2) 386
 (3) 150
 (4) 62
 (T) 1,144

BRAMBLEWOOD

(1) EXISTING TRAFFIC @ 7.8% OF ADT
 (2) COMMERCIAL TRIPS
 (3) OFFICE TRIPS
 (4) RESIDENTIAL TRIPS
 (T) TOTAL PEAK-HOUR (5-6) VOLUME

WOODLAWN

(1) 546
 (2) 850
 (3) 330
 (4) 341
 (T) 2,067

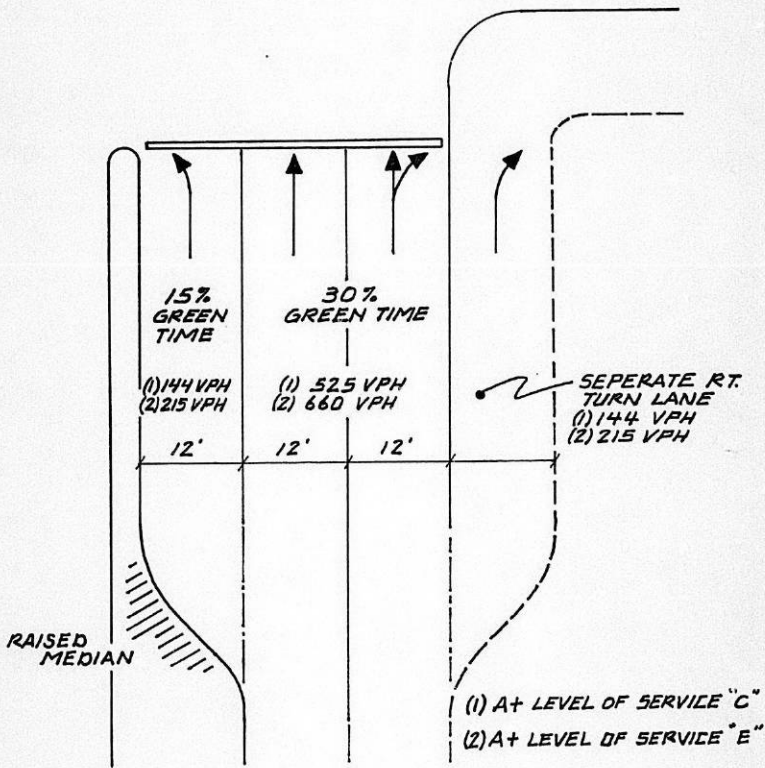
ROCKHILL RD.

NOTE :

ALL TRAFFIC COUNTS ARE
 IN BOTH DIRECTIONS.

FIGURE 5

CAPACITY OF A TYPICAL INTERSECTION APPROACH



March 12, 1975

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

Subject: E-1866 (as amended) "AA" and
"IC" to "R-5", "BB" and "IC",
and DW-67 (as amended) CUP -
SE corner 21st and Woodlawn

Dear Mr. Kaplan:

The Board of City Commissioners at their regular meeting on March 11, 1975 considered the above captioned cases. Their action was to approve these requests subject to the conditions as recommended by the Metropolitan Area Planning Commission with the exception of the following amendments to the CUP.

Amend the first sentence under Commercial and Office General Provisions No. 2 to read as follows:

The maximum number of curb cuts for Parcels 1, 2 and 3 along Woodlawn shall not exceed two (2) for each parcel for a total of six (6); and the number of curb cuts for 1 and 2 along 21st Street shall not exceed two (2) for each parcel for a total of four (4).

Add the following under Parcel Description for Parcel No. 2:

Maximum number of buildings shall not exceed six (6).

These are the only two changes the Board of City Commissioners made. Please make these corrections and submit four copies to

Mr. Robert W. Kaplan
March 12, 1975
Page Two

our office at your earliest convenience. A copy of the marked
Community Unit Plan is attached to Mr. Wiley's copy of this letter
for his information. If you have any questions concerning this
matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JWG:js

cc: Theodore Lehen, 1555 East Second, 67214
Theodore Gere, 650 Fourth National Bank Bldg., 67202
Robert M. Baren, 1130 Vickers-KSB&F Building, 67202
Gary Wiley, Oblinger-Smith Corporation
625 First National Bank Building, 67202

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONING
AND APPROVAL OF CUP

CASE NO. Z-1666 and DP-67 CONSIDERED BY MAPC: 12-12-74 Deferred
(as amended) RECONSIDERED BY MAPC: 2-13-75 Amended

REQUEST FOR: Change from "AA" and "LC" to "R-5", "BB" and "LC"
and Approval of Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To provide for a planned development consisting of residential,
office and light commercial as indicated on the associated Com-
munity Unit Plan."

GENERAL LOCATION: Southeast corner of
21st and Woodlawn

LEGAL DESCRIPTION:

See attached excerpt of Planning Commission
minutes of February 13, 1975.

APPLICANT: Theodore Leben, 1555 East Second 67214 , et al.

COUNSEL FOR APPLICANT: Robert W. Kaplan, Attorney

PROTESTORS (LIST COUNSEL) IF ANY: Warren Thomas spoke in opposition on
behalf of the owner of the southwest corner of this intersection; Phil
Snodgrass spoke in opposition on behalf of Comotara; Bob Powell, attorney
spoke in opposition on behalf of his client, and Douglas Elder spoke in

SURROUNDING ZONING: To the north and south is "AA"; east is (opposition
"R-5"; and west is "AA", "B", "BB" and "LC"

LAND USE: Subject property and that to the east is undeveloped; north is
single-family, townhouses and undeveloped; south is a church;
west is multi-family, church, Girl Scout office, restaurant and
service station.

PLANNING COMMISSION RECOMMENDATION:

That Z-1666 be approved as amended, and that DP-67 be approved, subject
to the following conditions: (See attached excerpt of Planning Commis-
sion minutes of February 13, 1975 for conditions.)
Hopper moved, Bayouth seconded and it carried by a vote of 8 in favor
(Hopper, Bayouth, Taylor, Savina, Gardenhire, Kamen, Rising and Goebel)
and 1 opposed (Gragert). (Hennessy absent.)

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

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

EXCERPT FROM PLANNING COMMISSION MINUTES OF DECEMBER 12, 1974:

15a. Case No. Z-1666 - Theodore Leben, et al. request change from "AA" to "R-6" for:
Beginning at a point on the N line of Sec. 7-27S-R2E of the 6th P.M. and 885.18 ft.+ east of the NW corner of said Section; thence S perpendicular to the N line of Sec. 7, 292 ft.+ to a point of curve, thence southeasterly along a curve to the left having a radius of 300 ft. and a delta angle of 47°+ 245'+ to the point of tangent; thence southeasterly, tangent to said curve, 100 ft. to a point of curve; thence southerly along a curve to the right, having a radius of 300 ft. and a delta angle of 47°+ 245'+ to the point of tangent, thence south, tangent to said curve, 485' to a point of curve, thence southwesterly along a curve to the right, having a radius of 350 ft. and a delta angle of 90°, 495 ft.+ to a point on the N line of Hebrew Congregation addition; thence E along the N line of said addition 355 ft.+ to the NW corner of the said Addition; thence S along the E line of said addition 455 ft. to the SE corner of said addition; thence E 1,355 ft.+ to E line of the NW 1/4 of Sec. 7; thence N along the E line of the NW 1/4 of Sec. 7, 2,100 ft.+ to the N line of Sec. 7; thence W along the N line of Sec. 7, 1,584 ft.+ to the point of beginning,

and change from "AA" to "BB" for:

Beginning at a point 1,640 ft.+ S and 695 ft.+ E of the NW corner of Sec. 7, Twp. 27S, Range 2 E of the 6th P.M.; thence N 810 ft.+ thence northeasterly wit an interior angle of 137°30'+, a distance of 430 ft.+; thence southeasterly perpendicular to above said line, 100 ft.+ to a point of curve; thence southerly along a curve to the right; having a radius of 300 ft. and a delta angle of 47°+, a distance of 245 ft.+ to a point of tangent; thence south tangent to said curve 485'+ to a point of curve; thence southwesterly along a curve to the right, having a radius of 350 ft. and a delta angle of 90°, 495 ft.+ to a point of tangent; thence west tangent to said curve 110 ft.+ to the point of beginning,

and change from "AA" and "LC" to "LC" for:

Beginning at the NW corner of Sec. 7-27S-R2E of the 6th P.M.; thence E along the N line of Sec. 7 a distance of 885.18 ft.+; thence S perpendicular to the N line of Sec. 7 a distance of 292 ft.+ to a point of curve; thence southeasterly along a curve to the left having a radius of 300 ft. and a delta angle of 47°+, a distance of 245 ft.+; thence southwesterly perpendicular to said curve, a distance of 430 ft.+; thence S parallel to the W line of Sec. 7 a distance of 810 ft.+; thence W 695 ft.+ to the W line of Sec. 7; thence N along the W line of Sec. 7, 1,640 ft.+ to the point of beginning.

15b. Case No. DP-67 - Theodore Leben, et al, request approval of a Residential, Office and Commercial Community Unit Plan for the following property: Northwest quarter of Section 7, Township 27, Range 2 East, except the north 455 feet of the south 1017 feet of the west 1148 feet and except the south 612 feet. Generally located on the southeast corner of 21st Street North and Woodlawn.

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

Comments

1. The applicant presently has approximately 7.5 acres of "LC" zoning at the southeast corner of Woodlawn and 21st Street North and is requesting additional "LC", making a total of approximately 26.3 net acres. The applicant is also requesting a change of zoning from "AA" Single-family to "R-5" General Residence (approximately 55.4 acres) and to "BB" Office, for a tract containing approximately 8.5 net acres.
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, a commercial development plan has been submitted for review and approval by the Planning Commission. Also included on the plan is a residential Community Unit Plan.
3. The Plan as submitted proposes a 55-acre single-family patio home, one, two, three and four-family dwelling, townhouse and garden apartment development, the maximum density of which is proposed for 12.4 dwelling units per net acre, or a total of 687 dwelling units for the entire 55 acres. Also proposed on the development plan is a 34.8 acre commercial and office development which will include a shopping center and/or comparison and convenience shopping, automotive, financial and other service oriented businesses as well as offices, clinics and laboratories. In addition to indicating the proposed building locations for single-family patio homes, townhouses and garden apartments, the development plan indicates setbacks for structures, screening and landscaping, sign height limitations, means of ingress and egress in and through the area, interior circulation, proposed parking ratio, maximum building coverage and maximum building heights.
4. In order for the Planning Commission to recommend approval of the residential portion of the CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
 - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
5. After our review of the initial CUP with divisions of the Department of Public Works, we advised the applicant that we felt there were major problems associated with this CUP, such as drainage, densities, and location and amount of those areas being requested for "BB" and "LC" zoning, and the number of curb cuts proposed to 21st Street and Woodlawn from Parcel #2, which the Traffic Engineering Division recommended be reduced to one opening on 21st Street and two on Woodlawn. These points of access could be constructed as major openings to serve the proposed development. The number of openings proposed on the plan does not appear to be neces-

sary for the development of a shopping center, and in the event a number of separate uses are proposed, it is recommended that the maximum number of buildings be indicated for the commercial and office parcels.

6. The Maintenance-Flood Control Office advises that some provision should be made for the extension of the drainage right-of-way through the KG&E property to the south and the drainage openings under the railroad tracks to the south must be enlarged; failure to extend such drainage will require a substantial floodway to be designated on the plat. They also advise that all three of the cul-de-sacs in Parcel #6 need drainage easements east to the main drainage right-of-way.

It should also be noted that the most intensive uses on the CUP (Parcels 1, 2 & 3), are the farthest from the drainage ditch and the street system alone will not adequately carry the drainage; a storm sewer system must be developed to carry the drainage to the drainage ditch. The applicant was made aware of the drainage problems and the CUP proposes that drainage problems will be resolved at the time of platting.

7. KG&E representatives advise that their easement on the east is 108 feet rather than 100 feet as indicated, and they also questioned the 15-foot access easement being indicated in their easement on the east side of the drainage ditch. For such access easement to remain will require written approval from them prior to platting.
8. The major concerns of the plan as viewed by the staff are with the amounts of "LC" (26.3 acres), and "BB" (8.5 acres) with a total square feet of floor space proposed at approximately 598,600 square feet. In our initial review with the developers, we pointed out that it would appear there is already sufficient "LC" zoning at this intersection and in the general vicinity. There are within the area five approved commercial community unit plans, which contain approximately 62 acres of light commercial with a proposal for a maximum gross floor area of well over one million square feet. Taking into consideration the institutional land uses to the west and south, it is difficult to justify the amount of "LC" and "BB" proposed and the development of such intense uses across from apartments. The staff urged that consideration be given to redesigning the CUP to provide for compatible uses adjacent to those uses already existing, however, Parcels 2 and 3 were not changed. The Planning Commission may want to consider requiring the applicant to provide justification as to why additional "LC" is needed in this area.
9. The proposed residential density of the development, 687 dwelling units on approximately 55 acres, exceeds that permitted in the "AA" single-family zone and, therefore, the applicant is requesting the "R-5" General Residence District which, if approved, would increase the density of the proposed development from 7.3 to 12.4 dwelling units per acre. It should be noted that the plan reflects two density proposals for Parcels 4, 5, and 7. For example, Parcel 7 reflects 77 spaces for patio homes, however, the plan also indicates that if townhouses are developed, dwelling units could be increased to 127. Parcels 4 and 5 reflect 10 dwelling units per acre if developed for townhouses and 20 per acre if developed as garden apartments.
10. Should the Planning Commission determine that the zone change requests are appropriate and find that the four conditions listed in Comment #4 have been satisfied, the following are recommended conditions of approval.
 - a. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.

- b. Delete the word "condominium" under General Provision #1 Residential.
- c. Building setbacks along the 40-foot Continental Pipeline easement will be determined at the time of platting. All paving over the easement shall be with the approval of the company and any change in elevation or relocation of the pipeline shall be without cost to the City of Wichita.
- d. Change General Provision #8 for commercial and #6 for Residential to read as follows: "Signs as permitted by the zoning district."
- e. 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.
- f. 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.
- g. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

It was pointed out that comparatively little of the present light commercial zoning in other CUP's in this general area is developed.

ROBERT KAPLAN, attorney for the applicants, said he would discuss three areas: the request for "LC" and "BB" zoning; density proposed for the residential development; and drainage. He said these were the primary points discussed with the staff and are of primary concern.

In discussing the request for "LC" zoning, KAPLAN pointed out that the 1965-1985 Commercial Land Use Plan, defines various centers size-wise, and indicates a Community Center as being 20 to 35 acres and indicates the need for such a center in Study Area #30, which relates to the area between 13th and 29th, Woodlawn and Webb Road. KAPLAN pointed out that if there was such a need projected in 1965 prior to Comotara, then certainly there is the need now with the development of the Comotara project. KAPLAN pointed out that the Commercial Land Use Plan indicates a need for a Community Center in Study Area #30 at about the intersection of the Northeast Circumferential and the Northeast Diagonal and at that time the two were tentatively designed to meet south of 29th Street and east of Rock Road. The alignment of the two roadways has been refined, however, to meet almost at Greenwich Road between Webb and Greenwich, which is farther east than tentatively planned at the time the Commercial Land Use Plan was prepared. So, the original suggested location for a Community Center is beyond Study Area #30, so the subject center is being proposed. KAPLAN maintained that if such a center was anticipated to serve growth in this area 10 years ago, then it is certainly needed now. When questioned as to the total amount of commercial acreage suggested in the Commercial Land Use Plan for Study Area #30, KAPLAN said he could not answer; however, Gragert considered it relevant to have this information in view of the various other commercial sites which have been approved or developed in Study Area #30. Along this same line, KAPLAN pointed out that there is not a single commercial site in the entire northeast quadrant which would qualify as a Community Center because they are much smaller than 20 to 25 acres. KAPLAN said the concentration of a commer-

cial center in a larger and expanded development was preferable to several smaller ones. GRAGERT was still concerned that at least five other areas have been approved for commercial development in the northeast area, and KAPLAN still maintained that none were of sufficient capacity to handle a Community Shopping Center as being proposed by the applicants, and he pointed out the limited acreage of several of the existing commercial sites in the northeast quadrant.

KAPLAN submitted a map showing the location of centers in the City of Wichita which are of sufficient size to perhaps be considered as being a Community Center, pointing out specifically the Twin Lakes/Sweetbriar/Marina Lakes development at 21st and Amidon in the northwest quadrant; Westlink, Ridge Plaza in the southwest quadrant; and The Mall, Eastgate, Towne East in the southeast quarter, and noting the absence particularly of such a center in the northeast quadrant. KAPLAN referred to the City policy of extending service to areas where they are needed, and in this case, it is an effort to provide retail services to a residential area where they are needed. He felt that in view of the serious void of such services in the northeast quadrant, the development proposed would serve that need.

As for the residential aspects of the development, KAPLAN said there is no question about the need for homes, which was emphasized by the Director of Planning only a few days ago, when it was predicted that an additional 63,000 dwelling units would be needed by 2000. Additionally, there is a need for homes which people can afford to buy, and the economics of today's market requires more multiple family dwellings and there has been more of that type in the last few years than of single-family homes. It was KAPLAN'S opinion that the residential CUP being proposed meets both the criteria for additional units and also provides them in a manner which is economically feasible. Reference was made specifically to the increased cost of single-family homes because of special assessments, which is less with increased density, and in subject case the increased density does not mean that any aesthetics or green areas have been sacrificed.

KAPLAN referred to an overlay map which graphically demonstrated the situation, and he pointed out that in Parcel #6 there is proposed 71% open space which will be guaranteed in the text of the Plan, and building coverage will not exceed 30%.

Hill was excused from the meeting.

At the request of KAPLAN, Gary Wiley with Oblinger-Smith Corporation, reviewed the method utilized in computing the ground coverage and open space for each parcel. KAPLAN said the point he wanted to make was that even with the proposed maximum development, there would still be open space, attractive dwellings, and he said they would guarantee that the maximum ground coverage would be no more than 30%. KAPLAN said he would rather discuss maximums than minimums, which is the way the plan has been prepared for presentation, which actually is the most disadvantageous from the applicant's standpoint.

KAPLAN referred to Parcel #7 and said that the street which is shown on the plan as deadending at the Kansas Gas & Electric Company easement should be redesigned to provide for a cul-de-sac, the original idea being to allow access to KG&E, but there is no need from the developer's standpoint to go that far south with the street.

KAPLAN pointed out that this would be a well insulated development with the Kansas Gas & Electric 108-foot easement on the east; KG&E property to the south, and two major arterials along the north and west sides, both streets being Secondary Aid Routes and also serving as buffers.

Next KAPLAN referred to the drainage situation and stated that he has discussed it with a KG&E representative, as drainage would have to cross that Company's property adjacent on the south, then

go under the railroad track and it will require a larger culvert. He said they have obtained figures from the Flood Control Office as to volume of water expected and it has been computed as 7.75 cubic feet of water per second and of that 7.75, 2.95, or almost 3 feet would come from the Comotara development farther to the north. Adding to that figure the drainage from the KG&E property makes 3.30 feet of the 7.75 cubic feet that comes from other than the applicant's property, and in the end approximately 26% of the total water that will drain from subject area is actually from subject tract.

KAPLAN pointed out that so far as traffic congestion, they will guarantee construction of accel and decel lanes along both Woodlawn and 21st Street.

KAPLAN said that his clients are and have been for many years residents of Wichita and interested and active in community affairs and in the Hebrew Congregation Church which adjoins subject property on the south, and would certainly not propose any type of development that would adversely affect the church. KAPLAN said the congregation of the church has approved the project based on that assumption and what is being proposed is not a "fast buck deal."

TAYLOR inquired if the applicant concurred in the staff suggestion as to number of access points on Woodlawn and 21st Street. KAPLAN said the plan provides for one major opening on Woodlawn, and he would like to retain the others. As to the possibility of strip type development KAPLAN said that while more access points may indicate such development, in this particular case that will not be the case. He continued to point out, however, that in Towne East there are several freestanding buildings. TAYLOR was not in favor of more than one major opening even though there may be several freestanding buildings developed. KAPLAN referred again to the fact that they guarantee accel-decel lanes on both major streets and that there should not be any traffic congestion whatsoever.

HENNESSY referred to the fact that smaller centers which already have the zoning have not developed in recent years, and inquired as to how soon this one might actually materialize if it is approved, commenting also that if soon, it would certainly eliminate competition from others previously approved. KAPLAN said that while he could not answer definitely, the applicants are substantial citizens and men of their word, and he felt the project would go forward as quickly as possible. In response to a question of whether or not less acreage would be accepted for the "LC" request, KAPLAN said they felt 26 acres is actually required to develop a community center properly, but that he could not categorically say that less would not be accepted. He suggested, however, that the Commission indicate what is considered appropriate and he would discuss the matter with his clients and they would have to make a decision as to acceptance.

An inquiry was made by one of the Commissioners as to committed tenants for the center, and KAPLAN said that he had not been involved in any investigations or studies along that line, but that his clients have visited locally and beyond the City of Wichita and State of Kansas, but he had no information as to possible leases.

RISING commented that there are other CUP areas of substantial acreage already approved and questioned whether it would be fair to grant this application for a larger share of "LC". KAPLAN responded that it would certainly not be fair to grant less than others, and referred also to the possibility of other centers not being developed since some have had the proper zoning for sometime and still no progress so far as development has been made. He stressed the fact that subject location is better than some other sites. When asked if any consideration had been given to providing a service road on the project area, WILEY said that nothing had been considered along that line at this time.

LAKIN pointed out that if the Commercial Land Use Plan had actually been followed since its preparation, this plan might be practical, but as an example, rather than 6 or 7 acres of "LC" at the northeast corner of 21st and Oliver, 13 acres were granted, and several other similar cases have occurred. He felt that there is just so many square feet of commercial development that would be practical, and he would like an opportunity to analyze the area further so far as distribution of commercial development.

LAKIN said that no doubt this northeast area would need a community center, but felt that one should consider the fact that what was previously proposed as neighborhood centers cannot be construed as such centers in view of the larger acreage of light commercial zoning granted, and he referred to several other centers. He suggested that the applicants and attorney should have read other planning reports, such as the Transportation Study and Sewer Report. He pointed out that the capital improvement program so far as services is based on 9 dwelling units per acre and that the Sewer Plan information was computed on the same basis. If development is permitted beyond that which can be served by City services, then it will require replacement of utility lines, and it was his opinion that the limits of the capital improvement program must be recognized.

LAKIN referred to another CUP where numerous entrances were permitted which eventually led to sell-offs of parcels within the CUP, and necessitated amendments to the plan. He suggested the desirability of limiting the number of buildings and providing sufficient setback to guard against strip type development. LAKIN stated that Towne East development will have a terrific impact on the City services, and if everything develops as approved up and down Rock Road, there will be the need for a roadway 12 lanes to handle the traffic.

HENNESSY was concerned that there are so many "give-away" programs, and not much being done to provide sewers and utilities, and he suggested the possibility that the project could be stymied because of the lack of the City to provide for such extensions.

LAKIN said the Sewer Plan deals with such matters, but that he did not feel that one quarter section would make any difference, but such cannot continue without running into trouble. He stated that from the standpoint of sewers, the City can serve this particular location.

KAPLAN said regarding traffic and service roads, that after discussing the matter with one of the applicants, he was authorized to advise that the applicants will provide a private road for interior circulation and limit major access to Woodlawn on Parcel #2 to two points, assuming they could still keep the two access points on Parcel #1.

WARREN THOMAS, representing Womer Construction Company, pointed out that they have been developers in Wichita for many years, and he felt that the 600 feet by 600 feet originally allotted by the County at section line corners is not sufficient for a proper development, and when they petitioned for additional acres at the southwest corner of 21st and Woodlawn, they were held to under 10. As for the fact that it has not been developed, THOMAS said he has been in negotiation with major tenants from time to time and they have felt that the area is not ready for such development, and since the zoning is already established, he did not consider it fair to grant someone else as much as 26 acres. He said they have spent thousands of dollars on the southwest corner to extend sewer and have all kinds of specials without any help, and it was his opinion that they should be entitled to get some of the investment back. As for what it requires for a shopping center, THOMAS said that Womers developed the first real center in Wichita, being Boulevard Plaza, on 4 1/2 acres, and while it was "tight", it has served the surrounding area as a center for 25 years and contributed much in the way of tax dollars.

THOMAS said he was in favor of free enterprise and interested in seeing any development which would help support the community, but in view of the troubles being experienced at Eastgate Center in retaining tenants, he questioned whether or not there are actually too many tenants lined up for Towne East Center, and for this reason did not believe there was a need for 26 acres more of light commercial zoning.

THOMAS reviewed the fact also that they had asked for more zoning for multiple housing on their property and had been restricted. He said when they started developing housing 14 years ago, the Board of Education was going to provide a school in the neighborhood of 19th and Edgemoor, but none has been provided at this time, and there are school problems presently. THOMAS said the applicants are entitled to more than the 600x600 foot square of light commercial, but certainly not as much as 26 acres.

DR. R. D. ROYCE, a veterinarian with offices on 21st Street in an area west of Woodlawn, was interested in whether an access road which might be installed at some future time would affect his business. He commented that growth in the city and population makes his business grow, but also sometimes swallows up the small businessman, which was his reason for concern. KAMEN said it was not likely that any access road would extend as far to the west as Dr. Royce's property.

PHIL SNODGRASS, representing Comotara interests, said they have recently sold 10 acres of their light commercial and should be able to respond to any demand for development in this general area. He commented also that the same land planners did their original land use plan and at that time determined approximately 10 acres of light commercial would be sufficient for the area, and now come up with a figure of 26 acres. It was his feeling that the original 600x600 foot area would be adequate at this time, and if a further need developed, it could be enlarged. When questioned about the Comotara light commercial area, SNODGRASS said it was doubtful that there could be any major stores in the 10 acres sold, but would likely be the typical neighborhood shops - drug store, barber shop and, hopefully, a grocery store. He said that if Comotara develops as anticipated, more commercial development would be needed to serve the general area.

BOB POWELL, attorney representing the Evangelical Free Church, expressed concern for the possibility of a medial in Woodlawn which would prohibit left turns by northbound traffic into the church parking lot. He asked when a determination would be made as to whether or not there would be mountable medials. CHAIRMAN KAMEN said that Woodlawn and this intersection is scheduled in the Capital Improvement Program for 1978 and that the determination would be made at that time.

DOUGLAS ELDER, 1642 Culen, spoke in opposition and said they already have shopping center facilities. As for insulation of adjoining properties, he felt the residential density proposed is too high, and also would like to see the light commercial reduced so as to not extend so far to the south. He suggested the applicants be required to redesign the development with less light commercial and less residential density.

DON ELLIOTT, representing Kansas Gas & Electric, said he was not present to speak pro or con on the matter, but was concerned only because of the substation adjoining on the south. He said this site was purchased in 1948 and serves the electrical needs of many customers in the northeast area and is probably one of the most vital links in the distribution system, serving an area of 38 square miles, from Central to 17th, Woodlawn to 127th Street East. It is a multi-million dollar installation and it is anticipated that in excess of 3/4 million will be spent within a few years in view of the Comotara growth and industry in the area.

Referring to the drainage, ELLIOTT said they were concerned that the projected 300,000 gallons of water per minute would not end up on their property, and that if handled as agreed to, there should be no problem in this respect.

HENNESSY felt there would be a problem with so much commercial zoning, but would not want to turn the request down without the applicant considering the possibility of reducing the amount of commercial. He reviewed the present commercial areas in the northeast area and thought they should be considered too and whether or not the economic situation would actually support all if developed. He complimented the applicants and the attorney with respect to the plan, but stated he could not vote in favor of so much commercial zoning.

GRAGERT said he agreed and would not like to vote against a development of this kind, but felt the residential density is too high, the drainage needs to be resolved, and was most concerned about the large amount of commercial requested. He pointed out that in view of the traffic congestion at 21st and Amidon, which presently has about the same acreage of light commercial that would be on this intersection if this request is granted, it would not be advisable to approve the request as presently submitted.

HOPPER asked just where the magic theory is going to come from as to what is needed in the way of commercial development, and noted that the others have received their windfalls but failed to produce any development up to this time.

After more discussion as to a motion, the following motion was made:

MOTION: That these cases be referred back to the staff to discuss again with the developers as to the possibility of reducing the "LC" request as well as the residential density, to perhaps be reduced to no more than 11 acres of "LC" and density 9 or 10 units per acre. Rising moved.

RISING said he recognized that the Commission has an obligation to developers like Womer, Comotara and others, who are already in the area, but also wanted to recognize the applicants as capable and substantial individuals, and he complimented them on their willingness to cooperate so far as the cul-de-sac, access on Woodlawn, the private interior road, etc.

The above motion was not seconded.

MOTION: That these cases be referred to the Zoning Committee and staff to work with the developers and all parties who have indicated an interest at this meeting, to discuss the amount of commercial and residential requested as well as the density of the residential request, and the drainage problems to possibly arrive at a compromise acceptable to the entire area, and then report back to the Planning Commission. Gragert moved and Hennessy seconded.

HENNESSY commented that this is apparently the last ground in the area for development and that something will have to be done with it. He considered it very important to all parties, the Commission and the entire community that the success of this center depends on the success of some of the others.

TAYLOR said she was opposed to the above motion as it would be a departure from the usual procedure to ask the applicant to confer with outsiders in reviewing plans. She noted that heretofore conferring with the staff has been suggested, but that it did not seem

proper to call in other people, and she stated that if she were a developer she would not like to share plans and details with other developers. RISING said he agreed with Mrs. Taylor's statement.

VOTE ON ABOVE MOTION: Motion lost by a vote of 2 in favor (Gragert and Hennessy) and 5 opposed (Taylor, Rising, Hopper, Kamen, and Goebel). (Arnholz, Gardenhire and Hill absent.)

MOTION: That a decision on these cases be deferred to the meeting of January 23, 1975, so that the applicants, attorney and staff could discuss further the CUP with respect to the amount of commercial and office area, the proposed density for residential use, access points, and drainage. Taylor moved, Rising seconded and it carried by a vote of 6 in favor (Taylor, Rising, Hopper, Kamen, Goebel and Gragert) and 1 opposed (Hennessy). (Arnholz, Gardenhire and Hill absent.)

EXCERPT FROM PLANNING COMMISSION MINUTES OF FEBRUARY 13, 1975:

- 16a. Case No. Z-1666 - Theodore Leben, et al. request change from "AA" to "R-5" for:

Beginning at a point on the N line of Sec. 7-27S-R2E of the 6th P.M. and 885.18 ft.+ east of the NW corner of said Section; thence S perpendicular to the N line of Sec. 7, 292 ft.+ to a point of curve; thence southeasterly along a curve to the left, having a radius of 300 ft. and a delta angle of 47°+, 245'+ to the point of tangent; thence southeasterly, tangent to said curve, 100 ft. to a point of curve; thence southerly along a curve to the right, having a radius of 300 ft. and a delta angle of 47°+, 245 ft.+ to the point of tangent; thence south, tangent to said curve, 485'+ to a point of curve; thence southwestwardly along a curve to the right, having a radius of 350 ft. and a delta angle of 90°, 495 ft.+ to a point on the N line of Hebrew Congregation Addition; thence E along the N line of said addition to 355 ft.+ to the NW corner of the said Addition; thence S along the E line said Addition 455 ft. to the SE corner of said addition; thence E 1,355 ft.+ to E line of the NW 1/4 of Sec. 7; thence N along the E line of the NW 1/4 of Sec. 7, 2,100 ft.+ to the N line of Sec. 7; thence W along the N line of Sec. 7, 1,584 ft.+ to the point of beginning,

and change from "AA" to "BB" for:

Beginning at a point 1,640 ft.+ S and 695 ft.+ E of the NW corner of Sec. 7, Twp. 27S, Range 2 E of the 6th P.M.; thence N 810 ft.+; thence northeasterly with an interior angle of 137°30'+, a distance of 430 ft.+; thence southeasterly perpendicular to above said line, 100 ft.+ to a point of curve; thence southerly along a curve to the right; having a radius of 300 ft. and a delta angle of 47°+, a distance of 245 ft.+ to a point of tangent; thence south tangent to said curve 485'+ to a point of curve; thence southwestwardly along a curve to the right, having a radius of 350 ft. and a delta angle of 90°, 495 ft.+ to a point of tangent; thence west tangent to said curve 110 ft.+ to the point of beginning,

and change from "AA" and "LC" to "LC" for:

Beginning at the NW corner of Sec. 7-T27S-R2E of the 6th P.M.; thence E along the N line of Sec. 7 a distance of 885.18 ft.+; thence S perpendicular to the N line of Sec. 7 a distance of 292 ft.+ to a point of curve; thence southeasterly along a curve to the left, having a radius of 300 ft. and a delta angle of 47°+, a distance of 245 ft.+; thence southwesterly perpendicular to said curve a distance of 430 ft.+; thence S parallel to the W line of Sec. 7 a distance of 810 ft.+; thence W 695 ft.+ to the W line of Sec. 7; thence N along the W line of Sec. 7. 1,640 ft.+ to the point of beginning.

All generally located on the SE corner of 21st Street North and Woodlawn.

- 16b. Case No. DP-67 - Theodore Leben, et al. request approval of a Residential and Commercial Community Unit Plan for area described as:

Northwest Quarter of Section 7, Township 27, Range 2 East, except the north 455 feet of the south 1,017 feet of the west 1,148 feet and except the south 612 feet. Generally located on the southeast corner of 21st Street North and Woodlawn.

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

Comments

1. On December 12, 1974, the Planning Commission considered subject applications at which time several Commissioners went on record as not being in support of the amount of light commercial requested and the proposed 12.4 dwelling units per acre. Suggestions were made to reduce the amount of "LC" to approximately 10 acres and the density to approximately 9 or 10 dwelling units per acre. Action of the Planning Commission was to defer the requests to allow the applicants and their agent an opportunity to further discuss the CUP with the Planning Department staff.
2. Based on the comments and action of the Planning Commission, it was visualized that a redesign of the plan would occur, that the residential density would be lowered and that the amount of "LC" would be substantially reduced. The plan has been resubmitted, however, at the same density as originally submitted, 12.4 dwelling units per acre (55 acres), or a total of 687 dwelling units. The amount of proposed commercial has been reduced from approximately 26 acres to 20 acres with a reduction of maximum gross floor area from 449,367 square feet to 343,429 square feet. Although the commercial was reduced, the amount of proposed "BB" Office was increased from 8.5 acres to approximately 15 acres and the maximum floor area was increased from 149,324 square feet to 195,758 square feet.
- The applicant's consultant has also submitted an alternate design proposal of Parcels 6 and 7, which they feel clearly shows that if townhouses are developed, there will be more density than if developed with single-family patio homes or cluster detached dwellings, however, the useable open space will be greater. The City Engineer advises that the proposed curb cuts on the alternate plan violates the curb cut ordinance, and suggests that the issue be resolved at the time of platting.
3. In order for the Planning Commission to recommend approval of the residential portion of the CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:

- a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
 - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
4. As pointed out in our initial report, there are still major drainage problems, both on the site and to the south through the KG&E property, and the openings under the railroad tract must be enlarged. Failure to extend the drainage will require a substantial floodway to be designated on the plat. The drainage of the cul-de-sac to the east will be resolved at the time of platting.

The most intensive uses on the CUP (Parcels 1, 2 and 3), are the farthest from the drainage ditch and the street system alone will not adequately carry the drainage; a storm sewer system must be developed to carry the drainage to the drainage ditch. The applicant was made aware of the drainage problems and the CUP proposes that drainage problems will be resolved at the time of platting.

- 5. KG&E representatives have questioned the 15-foot access easement being indicated on their easement on the east side of the drainage ditch. For such access to remain will require written approval from them prior to platting
- 6. Although the plan has been amended, the major concerns of the plan as viewed by the staff, are still the amounts of "LC" (approximately 20 acres), and "BB" (approximately 15 acres), and with the total amounts of 539,187 square feet of combined commercial and office floor area. It appears that there is already sufficient "LC" zoning at this intersection and in the general vicinity. There are within the area five approved commercial CUP's which contain approximately 62 acres of light commercial with a proposal for a maximum gross floor area of over one million square feet. The staff still questions the need for an additional community shopping center and office complex of this proposed magnitude. The Planning Commission may want to consider requiring the applicant to provide justification as to why this intensity is needed in this area.

The number of proposed access points has been changed, however, it is still proposed to have 6 curb cuts to Woodlawn from Parcels 1, 2 and 3, and 4 to 21st Street from Parcels 1 and 2. The plan reflects that a minimum of one major approach will be constructed for Parcel 2 to both 21st and Woodlawn.

- 7. Should the Planning Commission determine that the zone change requests are appropriate and find that the four conditions listed in Comment #3 have been satisfied, the following are recommended conditions of approval.
 - a. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
 - b. Delete the word "advertising" under General Provision #8 Commercial.

- c. Delete the second paragraph under General Provision #8 Commercial.
- d. Building setbacks along the 40-foot Continental Pipeline easement will be determined at the time of platting. All paving over the easement shall be with the approval of the company and any change in elevation or relocation of the pipeline shall be without cost to the City of Wichita.
- e. 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.
- f. 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.
- g. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

GRACERT thought the Commission had previously asked for a showing of percentage of open space. GALBRAITH said the applicant has tried to show the amount of open space by alternate plans rather than by a definite percentage.

RISING questioned the amount of undeveloped area on the five previously approved CUP's referred to in this area. GALBRAITH said that each of the CUP's is zoned light commercial and all together amount to 62 acres, and it was agreed that of the 62 acres, practically none of the area is actually developed.

RISING then asked what the policy is so far as a location of commercial, i.e., how many acres of light commercial development is required to serve a specified number of acres. GRACERT asked also as to the basis or standard used to determine whether or not 1,000,000 square feet of retail space is too much in this area.

GALBRAITH said it does not seem there is any justification for approving another community shopping center when there are several near the same size already approved, but not developed. As for the fact that previously approved centers have not developed as yet, GALBRAITH said it is only recently that residential development to any extent has occurred in the area, and it should not have been expected that shopping centers would have developed first.

KAMEN noted that apparently there are no plans for the centers already approved, and GALBRAITH agreed, however, he said that the Planning Department staff does not see the building plans and that it is possible some are being reviewed.

SAVINA asked the policy so far as distance related to apartment development as well as commercial.

GALBRAITH said many of the apartments developed have been under a Community Unit Plan and either on major streets or near major street intersections. On Comotara, the Commission has looked with favor on 7 dwelling units per acre and a zone change was not required to construct multiple-family townhouses.

SAVINA felt that since the other centers have not developed, this application should receive favorable consideration in view of the many apartments in the area.

ROBERT KAPLAN, attorney for the applicant, said he would not repeat his previous arguments as most of the Commissioners have already heard them. KAPLAN said the objective is the same as previously presented in that the applicants still envision a community shopping center. He pointed out that at the previous meeting they had shown a map indicating the various centers in the area and yet the fact that none are developed to any extent, and that the north-east quadrant of the City is wide open for a community shopping center. He said they felt there is a need for such a center in the northeast area and that what they propose is reasonable and would be beneficial to the community.

KAPLAN said that while it is true there are about 62 acres of light commercial in what the staff considers the immediate area, with the exception possibly of the Chelsea Station at 21st and Rock Road with 17 acres of light commercial, none are large enough for a community size center. It was his feeling that subject location is much more strategically located for such a center than at Rock Road and 21st (a mile east). He said that apartments are developing much more rapidly on Woodlawn than on Rock Road, at least this far north, and for this reason he felt they were in a better position to market a center than would be possible on Rock Road.

KAPLAN said they have discussed with representatives of the Jabes Addition (Chelsea Station at 21st and Rock Road), the possibility of sharing of the cost for drainage improvements in the area and various proposed agreements are being negotiated, depending on whether this application is approved, and if it is not, then likely the drainage would not be solved at this time.

As for the staff feeling that there has not really been any significant change on the plan, KAPLAN pointed out that they have reduced the request for light commercial by 25% - from approximately 26 acres to approximately 20 acres, which he considered a substantial reduction in the light commercial request. He said this was done with what he felt was the tenure of the previous meeting and they felt with 20 acres a feasible and desirable center could be developed and avoid stripping out the area, which no one approves of.

KAPLAN said they hoped the Commission would not compel them to accept less than the 20 acres, and felt that even though they have reduced the light commercial by 25% as a result of comments at the previous meeting, they could develop a center which they and the City could be proud of.

KAPLAN next referred to the discussion with the staff related to density. He said that overall in the residential parcels, they have proposed 12.4 dwelling units per acre, and he was advised by the staff that the City as a whole so far as municipal services (sewers, streets, water lines, etc.), is geared to 9 to 10 units per acre on a quarter section.

KAPLAN spoke further as to density, pointing out that while the City's basis for planning services may be based on 7 to 9 dwellings per acre in a quarter section of land, by the time one takes out the KG&E property, its 108-foot easement, area for drainage, area occupied by a church in this quarter section, and spread the proposed number of dwelling units over the entire quarter section, it averages 4.3 units per acre. KAPLAN said he considered this an important fact to be considered.

As for open space which had been brought up by one of the Commissioners earlier, KAPLAN said it is as follows as related to the various parcels, after taking out parking, circulation area, and building coverage: Parcel 4 would have ground coverage of 39%, 61% open space; Parcel 5 would have 41% coverage, 59% open space; Parcels 6 and 7 would have 71% open space.

KAPLAN said he understood the Jabes Tract at 21st and Rock Road was approved for 12.4 dwelling units per acre, and that the only item discussed with Jabes is cooperation on drainage improvements.

KAPLAN also pointed out that the plan as shown represents the maximum possible and it may not be developed to that extent, but he considered it desirable to show the maximum, and if it is developed to that extent there would still be substantial open space.

KAPLAN next discussed the fact that the site will require a considerable amount of off-site drainage improvements, and that there will be cooperation from KG&E, and that he has discussed the matter with the Flood Control Office. He pointed out that a part of subject site drains to the canal and that part drains to the north, and that any improvement will be providing for Comotara drainage also, even to a greater extent than drainage from subject site.

KAPLAN said his clients would do a commendable job and that they definitely would not do anything which would jeopardize their own church immediately adjacent to the development, or that would adversely affect the community or City in general.

GRAGERT asked what the minimum residential density is that they could "live with." KAPLAN said he had discussed with the land planner the possibility of 20 units per acre in Parcels 4 and 5 which would reduce the overall density to about 11.65 units per acre. KAPLAN said this possibility was discussed with the land planner, but not with his clients. GRAGERT asked if any professional feasibility studies had been done in relation to this project and indicated the need for a community shopping center of the size proposed. KAPLAN answered that they have not hired a professional to prepare a market feasibility study or market analysis.

KAPLAN continued that in looking at the City overall, it is obvious that the northeast quadrant needs a community size center in view of the residential development. In response to questions about the sharing of drainage improvement costs with the Jabes Addition, KAPLAN said it is the Jabes tract residential area which drains to the west and not the commercial, and he did not know if Jabes was in the process of development of his commercial or not. He pointed out also that the Jabes Addition was approved without a drainage plan, but that it is his understanding that building permits will not be issued until the drainage problem is solved by Jabes.

Regarding the density of 4.3 dwelling units per acre when spread over the entire quarter section, as opposed to 12.4 proposed on subject site, GRAGERT commented that the concentration would cause more problems than if spread over the entire quarter, so far as traffic congestion and other municipal facilities in the way of sewer and water.

KAPLAN did not think the concentration in this particular case would make any difference in view of the main utility lines already established, and the two major streets.

GARY WILEY pointed out that they have provided for 70-foot rights-of-way for the principal streets (to be paved to a width of 40 feet), which he suggested should adequately handle traffic. He said the residential streets are proposed for the normal street standard widths.

GRAGERT still felt that if traffic is spread throughout a quarter section there would be much less congestion. KAPLAN pointed out that they have provided for additional right-of-way for Woodlawn for a major intersection improvement.

GARDENHIRE felt to deny this request would be penalizing this applicant merely because the owners of other centers have not developed theirs, and she did not consider that it would be proper.

GALBRAITH said it cannot be assumed that the other centers would not be developed and that residential development in the area has not existed to the extent necessary to support a center until

very recently, and the staff did not see the justification for more commercial when there is already 62 acres undeveloped in the area.

KAMEN assumed development of the Jabes property at Rock Road and 21st Street was "farther down the road" since residential development has not occurred in that particular area to any extent at this time.

RISING thought the Commission might be "put in a box" if it does not consider more "LC", just because 62 acres in the general area have already been approved. He questioned also just how many acres should be considered necessary in an area, and possibly some of the previous approvals should not have been given. He said he could not be comfortable to deny this request after approving the others.

GRACERT pointed out that if this request had been prior to some of the others, then the others would be in the same position as this applicant is now.

GALBRAITH said the staff was not questioning the need for some additional light commercial at this intersection, but was questioning a community sized center as requested.

WARREN THOMAS, representing Hilltop Developers and Womers, who own the southwest corner of subject intersection, and also representing several homeowners in the area, spoke in opposition. He pointed out that 15 years ago when the Womer tract was acquired, they petitioned for 23 acres of light commercial, but were only allowed 13, and he doubted that that would have been granted if they had not had immediate plans for the bowling alley.

THOMAS said he has been in the development business for a long time, and was the first to agree that 6 acres of light commercial is not enough to develop a desirable center of any size; but he doubted the feasibility of a major center such as proposed in this area, in view of the problem Eastgate Center is having in obtaining and retaining leases, as well as the difficulty being experienced at Towne East, the new center at Kellogg and Rock Road.

THOMAS pointed out that the areas already approved are not being developed until a certain amount of residential develops; that shopping center developers or tenants are not going to invest in an area until there are residences, and right now is about the time to start developing shopping centers in this area. He said he has worked with people over 10 years to try to get them interested in the site at the southwest corner of this intersection, but until just recently it has not been feasible because of the lack of supporting residents.

THOMAS also said that they have spent considerable money in helping to bring utilities to the area and in developing Woodlawn, yet at no time has there been financial assistance from subject tract. THOMAS said his people developed houses in the area to provide support for a center, and now they are concerned about the high density being proposed for subject tract, at the same time understanding that a certain amount of development is necessary, but are opposed to the magnitude of subject project, i.e., 20 acres of light commercial and 15 acres of office, plus the 55 acres for multi-family development.

KAMEN asked Mr. Thomas if he would welcome additional population in the area to help support his own commercial tract, and THOMAS agreed that it would be desirable unless it is of such magnitude that it actually drives people away because of the density.

PHIL SNODGRASS, representing the Comotara interests, said they were concerned about the possible traffic congestion which would be generated and they would not like another situation like 21st and Amidon. He did not take issue with the proposed residential development as he was aware of the costs involved, but did feel that about 10 acres of light commercial would be more reasonable in view of the other commercial centers in the area.

HOPPER felt that just because there are several sites zoned for commercial does not mean they will be developed, and it is a matter of whether a developer can or cannot produce or develop his property.

MOTION: That the Planning Commission recommend to the City Commission that Case Z-1666 be approved, and that DP-67 be approved, subject to conditions suggested in the staff report. Hopper moved and Bayouth seconded.

GRAGERT spoke in opposition to the motion, noting that there has not been sufficient showing of the need for a center of the size proposed and the excessive density proposed. He said it was inconceivable to him that anyone would propose to develop 20 acres of light commercial without a market survey. It was his opinion also that the centers already zoned will soon be developing in view of the residential units being developed in the general area over the last few years.

As for street congestion, KAMEN said the City does not usually make street improvements until traffic volume justifies it, and in all cases, the Subdivision Committee in considering plats, will require certain things of the developer.

GRAGERT did not think the owner at the southwest corner had been given sufficient opportunity to develop and that subject applications are premature.

TAYLOR pointed out that at the previous meeting the Commission seemed inclined to favor not more than 17 or 18 acres of "LC" and KAMEN pointed out that the applicants have reduced the light commercial 25% as stated by the attorney.

GRAGERT said the Commission at the other meeting had also felt that the density of the residential area was too great, and asked that it be lowered, and yet it has not been reduced, and the only lower figure even mentioned was 11.65 units per acre, and he did not think there was sufficient justification for that high a density.

TAYLOR emphasized that the number of curb cuts should be carefully considered by the Subdivision Committee if this is approved and it is platted.

RESTATEMENT OF MOTION: That the Planning Commission recommend to the City Commission that Z-1666 be approved as amended, and approval of the amended DP-67 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 applications be considered denied and closed.
- B. Delete the word "advertising" under General Provision #8 Commercial.
- C. Delete the second paragraph under General Provision #8 Commercial.
- D. Building setbacks along the 40-foot Continental Pipeline easement will be determined at the time of platting. All paving over the easement shall be with the approval of the company and any change in elevation or relocation of the pipeline shall be without cost to the City of Wichita.
- E. 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.

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

Motion carried by a vote of 8 in favor (Hopper, Bayouth, Taylor, Savina, Gardenhire, Kamen, Rising, and Goebel) and 1 opposed (Gragert). (Hennessy absent.)

Approved Commercial CUP's in Vicinity of 21st & Woodlawn

DP-35 Womers Crestview Village CUP
Southwest corner of 21st and Woodlawn

	<u>Net Acres</u>	<u>Light Commercial</u>	<u>Maximum</u>
			<u>Gross Floor Area</u>
Parcel A	.45 Acres or	19,500 sq. ft.	8,775 sq. ft.
Parcel B	13.18 Acres or	574,410 sq. ft.	258,485 sq. ft.
Total	13.63 Acres or	593,910 sq. ft.	267,260 sq. ft.

DP-62 Chelsea Station CUP
Southwest corner of 21st and Rock Road

	<u>Net Acres</u>	<u>Light Commercial</u>	<u>Maximum</u>
			<u>Gross Floor Area</u>
Parcel 1	.92 Acres or	40,085 sq. ft.	12,025 sq. ft.
Parcel 2	17.17 Acres or	707,531 sq. ft.	283,012 sq. ft.
Total	18.09 Acres or	747,613 sq. ft.	295,037 sq. ft.

DP-46 Comotara Phase I CUP
East side of Woodlawn in area north of 21st

	<u>Net Acres</u>	<u>Light Commercial</u>	<u>Maximum</u>
			<u>Gross Floor Area</u>
Parcel 1C	10.8 Acres or	470,448 sq. ft.	120,000 sq. ft.

DP-56 Plaza Twenty One CUP
Northwest corner of 21st and Woodlawn

	<u>Net Acres</u>	<u>Light Commercial</u>	<u>Maximum</u>
			<u>Gross Floor Area</u>
Parcel 1	.36 Acres or	15,625 sq. ft.	7,031 sq. ft.
Parcel 2	6.62 Acres or	288,367 sq. ft.	129,765 sq. ft.
Total	6.98 Acres or	303,992 sq. ft.	136,796 sq. ft.

DP-8 University Gardens CUP
Northeast corner of 21st and Oliver

	<u>Net Acres</u>	<u>Light Commercial</u>	<u>Maximum</u>
			<u>Gross Floor Area</u>
Parcel 1	.92 Acres or	40,075 sq. ft.	12,000 sq. ft.
Parcel 2	12.09 Acres or	536,640 sq. ft.	190,992 sq. ft.
Total	13.01 Acres or	576,715 sq. ft.	202,992 sq. ft.

February 18, 1975

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

Re: Z-1666 (as amended) "AA" and "LC"
to "R-5", "BB" and "LC"; and DP-67
(as amended) Community Unit Plan -
Southeast corner of 21st Street
and Woodlawn

Dear Mr. Kaplan:

Our letter to you dated February 14, 1975, advised the action of the Planning Commission on the above-captioned cases, and that they would be forwarded to the Board of City Commissioners for consideration at their regular meeting on March 4, 1975.

We were advised this morning that the City Commission will not meet on March 4, 1975, and, therefore, you and those receiving copies of this letter, are now advised that the cases will be scheduled for consideration by the City Commission on March 11, 1975, the meeting to start at 9:00 a.m. in Room 201 City Building, 204 South Main.

If you have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Theodore Leben, 1555 East Second 67214
Theodore Gore, 650 4th National Bank Bldg. 67202
Robert M. Beren, 1130 Vickers-KSB&T Building 67202
Warren A. Thomas, P. O. Box 394 67201
Dr. R. D. Royse, 6224 Peach Tree Lane 67218
Phil Snodgrass, Wichita Land Company,
2500 Clairborn Circle 67226
Robert Powell, Century Plaza Building 67202
Douglas Elder, 1642 Culen 67206
Don Elliott, KG&E, P. O. Box 208 67201
Gary Wiley, Oblinger-Smith Corporation,
625 Frist National Bank Building 67202
City Manager's Office

2-18-75

NORTHBOROUGH

REQUEST OF ZONE CHANGE FROM "AA" AND "LC" TO "LC"

BEGINNING at the Northwest corner of Section 7, Township 27 South, Range 2 East of the 6th Principal Meridian;

THENCE, east along the north line of Section 7 a distance of 885.18 feet \pm ;

THENCE, south perpendicular to the north line of Section 7 a distance of 292 feet \pm to a point of curve;

THENCE, southeasterly along a curve to the left, having a radius of 300 feet and a delta angle of 47° \pm , a distance of 245 feet \pm ;

THENCE, southwesterly, perpendicular to said curve, a distance of 430 feet \pm ;

THENCE, south parallel to the west line of Section 7 a distance of 330 feet \pm ;

THENCE, west 695 feet \pm to the west line of Section 7;

THENCE, north along the west line of Section 7, 1,160 feet \pm to the point of beginning.

The above described tract contains 22.62 acres \pm .

REQUEST OF ZONE CHANGE FROM "AA" TO "BB"

BEGINNING at a point on the west line of Section 7, Township 27 South, Range 2 East of the 6th Principal Meridian, 1,160 feet \pm south of the northwest corner;

THENCE, east 695 feet \pm ;

THENCE, north 330 feet \pm ;

THENCE, northeasterly, with an interior angle of $137^{\circ}30'$ \pm , a distance of 430 feet \pm ;

THENCE, southeasterly, perpendicular to above said line, 100 feet \pm to a point of curve;

THENCE, southerly along a curve to the right; having a radius of 300 feet and a delta angle of 47° \pm , a distance of 245 feet \pm to a point of tangent;

THENCE, south, tangent to said curve 485 \pm to a point of curve;

THENCE, southwesterly, along a curve to the right, having a radius of 350 feet and a delta angle of 90° , 549.5 feet \pm to a point of tangent;

THENCE, west, tangent to said curve, 805 feet \pm to the west line of Section 7;

THENCE, north along the west line of Section 7, 480 feet \pm to the point of beginning.

The above described tract contains 17.4 acres \pm .



KANSAS GAS AND ELECTRIC COMPANY

February 10, 1975

DON H. ELLIOTT
DIVISION MANAGER

Mr Jack Galbraith
Metropolitan Area Planning Department
City of Wichita
104 South Main
Wichita, Kansas 67202

Re: Leben-Gore-Beren CUP

Dear Jack:

Your Metropolitan Area Planning Commission minutes of December 12, 1974, indicate our concern with the drainage problem we anticipate relative to the development adjacent to our Northeast Substation location. I wish to reaffirm our concern regarding this matter.

We have no quarrel with the proposed development as outlined in your Notice to Adjoining Property Owners (1/31/75). We do feel that direct access to our property via the use of a cul-de-sac at the developers southerly property line is extremely important. We believe a curb cut (minimum of 12') at the end of the proposed cul-de-sac and drive should be provided for access to our property. As we explained, this substation is a very critical and an integral link in the city's electrical system. It is imperative that nothing be done to jeopardize this facility and its continued reliability. The volume of water indicated to us by the developers' engineering consultant is of a magnitude sufficient to cause irreparable damage to our property.

We are most anxious and willing to work toward the resolution of this problem. I understand an acceptable plan will be a condition of platting before construction actually begins. We feel that any costs incurred as a result of this drainage should be assumed by the developers rather than by KG&E and our customers. We look forward to working with your department and all other parties involved in this matter.

Sincerely,

DHE/jh



February 14, 1975

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

Re: Z-1666 (as amended) "AA" and "LC"
to "R-5", "BB" and "LC", and DP-67
(as amended) Community Unit Plan -
Southeast corner of 21st Street
and Woodlawn

Dear Mr. Kaplan:

At the regular meeting of the Metropolitan Area Planning Commission on February 13, 1975, the above-captioned applications were reconsidered. The action of the Commission was to recommend approval of the zone change request as amended, and also approval of the amended 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 applications be considered denied and closed.
- b. Delete the word "advertising" under General Provision #8 Commercial.
- c. Delete the second paragraph under General Provision #8 Commercial.
- d. Building setbacks along the 40-foot Continental Pipeline easement will be determined at the time of platting. All paving over the easement shall be with the approval of the company and any change in elevation or relocation of the pipeline shall be without cost to the City of Wichita.
- e. 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.

Page 2 - Mr. Robert W. Kaplan
February 14, 1975

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

These cases will be forwarded to the Board of City Commissioners for consideration on March 4, 1975, provided that we receive amended legal descriptions for that portion of the application being requested for "BB" and "LC" and the submission of 10 copies of the amended Community Unit Plan by 5:00 p.m. on February 26, 1975. The meeting of the Board of City Commissioners will begin at 9:00 a.m. in Room 204, City Building, 204 South Main.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Theodore Leben, 1555 East Second 67214
Theodore Gore, 650 4th National Bank Bldg. 67202
Robert M. Beren, 1130 Vickers-KSB&T Building 67202
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Gary Wiley, Oblinger-Smith Corporation
625 First National Bank Building 67202
City Manager's Office



KANSAS GAS AND ELECTRIC COMPANY

February 10, 1975

DON H. ELLIOTT
DIVISION MANAGER

Mr Jack Galbraith
Metropolitan Area Planning Department
City of Wichita
104 South Main
Wichita, Kansas 67202

Re: Leben-Gore-Beren CUP

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We have no quarrel with the proposed development as outlined in your Notice to Adjoining Property Owners (1/31/75). We do feel that direct access to our property via the use of a cul-de-sac at the developers southerly property line is extremely important. We believe a curb cut (minimum of 12') at the end of the proposed cul-de-sac and drive should be provided for access to our property. As we explained, this substation is a very critical and an integral link in the city's electrical system. It is imperative that nothing be done to jeopardize this facility and its continued reliability. The volume of water indicated to us by the developers' engineering consultant is of a magnitude sufficient to cause irreparable damage to our property.

We are most anxious and willing to work toward the resolution of this problem. I understand an acceptable plan will be a condition of platting before construction actually begins. We feel that any costs incurred as a result of this drainage should be assumed by the developers rather than by KGE and our customers. We look forward to working with your department and all other parties involved in this matter.

Sincerely,

DHE/jh



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

REVISED STAFF REPORT

MAPC HEARING DATE: Feb. 13, 1975

Case No. Z-1666	Request: "AA" & "LC" to "R-5", "BB" and "LC"
Case No. DP-67 (as amended)	Residential and Commercial CUP

Location: Southeast corner of 21st and Woodlawn

Reason: "To provide for a planned development consisting of residential, office and light commercial as indicated on the associated Community Unit Plan."

Acres: 108.5	Size: 1500 ft. by 2400 ft.
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	<u>Land Use</u>	<u>Zoning</u>
Existing North	Undeveloped Single-family, townhouses & undeveloped	"AA" & "LC" "AA"
East	Undeveloped	"R-5"
South	Church	"AA"
West	Multi-family, church, girl scout office, restaurant and service station	"AA", "B", "BB" & "LC"

Adequate street and drainage rights-of-way to be acquired at the time of platting.	Platted: No Sidewalk: No History: None
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Comments

1. On December 12, 1974, the Planning Commission considered subject applications at which time several Commissioners went on record as not being in support of the amount of light commercial requested and the proposed 12.4 dwelling units per acre. Suggestions were made to reduce the amount of "LC" to approximately 10 acres and the density to approximately 9 or 10 dwelling units per acre. Action of the Planning Commission was to defer the requests to allow the applicants and their agent an opportunity to further discuss the CUP with the Planning Department staff.
2. Based on the comments and action of the Planning Commission, it was visualized that a redesign of the plan would occur, that the residential density would be lowered and that the amount of "LC" would be substantially reduced. The plan has been resubmitted, however, at the same density as originally submitted, 12.4 dwelling units per acre (55 acres), or a total of 687 dwelling units. The amount of proposed commercial has been reduced from approximately 26 acres to 20 acres with a reduction of maximum gross floor area from 449,367 square feet to 343,429 square feet. Al-

though the commercial was reduced, the amount of proposed "BB" Office was increased from 0.5 acres to approximately 15 acres and the maximum floor area was increased from 149,324 square feet to 195,758 square feet.

The applicant's consultant has also submitted an alternate design proposal of Parcels 6 and 7, which they feel clearly shows that if townhouses are developed, there will be more density than if developed with single-family patio homes or cluster detached dwellings, however, the useable open space will be greater. The City Engineer advises that the proposed curb cuts on the alternate plan violates the curb cut ordinance, and suggests that the issue be resolved at the time of platting.

3. In order for the Planning Commission to recommend approval of the residential portion of the CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
 - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
4. As pointed out in our initial report, there are still major drainage problems, both on the site and to the south through the KG&E property, and the openings under the railroad tract must be enlarged. Failure to extend the drainage will require a substantial floodway to be designated on the plat. The drainage of the cul-de-sac to the east will be resolved at the time of platting.

The most intensive uses on the CUP (Parcels 1, 2 and 3), are the farthest from the drainage ditch and the street system alone will not adequately carry the drainage; a storm sewer system must be developed to carry the drainage to the drainage ditch. The applicant was made aware of the drainage problems and the CUP proposes that drainage problems will be resolved at the time of platting.

5. K&E representatives have questioned the 15-foot access easement being indicated on their easement on the east side of the drainage ditch. For such access to remain will require written approval from them prior to platting.
6. Although the plan has been amended, the major concerns of the plan as viewed by the staff, are still the amounts of "LC" (approximately 20 acres), and "BB" (approximately 15 acres), and with the total amounts of 539,187 square feet of combined commercial and office floor area. It appears that there is already sufficient "LC" zoning at this intersection and in the general vicinity. There are within the area five approved commercial CUP's which contain approximately 62 acres of light commercial with a proposal for a maximum gross floor area of over one million square feet. The staff still questions the need for an additional community shopping center and office complex of this proposed magnitude. The Planning Commission may want to consider requiring the applicant to provide justification as to why this intensity is needed in this area.

The number of proposed access points has been changed, however, it is still proposed to have 6 curb cuts to Woodlawn from Parcels 1, 2 and 3, and 4 to 21st Street from Parcels 1 and 2. The plan reflects that a minimum of one major approach will be constructed for Parcel 2 to both 21st and Woodlawn.

7. Should the Planning Commission determine that the zone change requests are appropriate and find that the four conditions listed in Comment #3 have been satisfied, the following are recommended conditions of approval.
 - a. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
 - b. Delete the word "advertising" under General Provision #8 Commercial.
 - c. Delete the second paragraph under General Provision #8 Commercial.
 - d. Building setbacks along the 40-foot Continental Pipeline easement will be determined at the time of platting. All paving over the easement shall be with the approval of the company and any change in elevation or relocation of the pipeline shall be without cost to the City of Wichita.
 - e. 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.

Page 4 - Case No. Z-1666 and Case No. DP-67 (As amended)
February 13, 1975

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

Approved Commercial CUP's in Vicinity of 21st & Woodlawn

DP-35 Womers Crestview Village CUP
Southwest corner of 21st and Woodlawn

		<u>Net Acres Light Commercial</u>	<u>Maximum Gross Floor Area</u>
Parcel A	.45 Acres or	19,500 sq. ft.	8,775 sq. ft.
Parcel B	13.18 Acres or	574,410 sq. ft.	258,485 sq. ft.
Total	13.63 Acres or	593,910 sq. ft.	267,260 sq. ft.

DP-62 Chelsea Station CUP
Southwest corner of 21st and Rock Road

		<u>Net Acres Light Commercial</u>	<u>Maximum Gross Floor Area</u>
Parcel 1	.92 Acres or	40,085 sq. ft.	12,025 sq. ft.
Parcel 2	17.17 Acres or	707,531 sq. ft.	283,012 sq. ft.
Total	18.09 Acres or	747,613 sq. ft.	295,037 sq. ft.

DP-46 Comotara Phase I CUP
East side of Woodlawn in area north of 21st

		<u>Net Acres Light Commercial</u>	<u>Maximum Gross Floor Area</u>
Parcel 1C	10.8 Acres or	470,448 sq. ft.	120,000 sq. ft.

DP-56 Plaza Twenty One CUP
Northwest corner of 21st and Woodlawn

		<u>Net Acres Light Commercial</u>	<u>Maximum Gross Floor Area</u>
Parcel 1	.36 Acres or	15,625 sq. ft.	7,031 sq. ft.
Parcel 2	6.62 Acres or	288,367 sq. ft.	129,765 sq. ft.
Total	6.98 Acres or	303,992 sq. ft.	136,796 sq. ft.

DP-8 University Gardens CUP
Northeast corner of 21st and Oliver

		<u>Net Acres Light Commercial</u>	<u>Maximum Gross Floor Area</u>
Parcel 1	.92 Acres or	40,075 sq. ft.	12,000 sq. ft.
Parcel 2	12.09 Acres or	536,640 sq. ft.	190,992 sq. ft.
Total	13.01 Acres or	576,715 sq. ft.	202,992 sq. ft.

DP-67 and Z-1666 - 74 NOTICES TO ADJOINING PROPERTY OWNERS mailed out on
Feb. 3, 1975 for MAPC meeting of 2-13-75.

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

NOTICE TO ADJOINING PROPERTY OWNERS:

January 31, 1975

Our original notice to you dated November 27, 1974, advised that the following matter would be considered by the Planning Commission at their regular meeting on December 12, 1974. At that meeting, and after considerable discussion, the action of the Planning Commission was to defer the Community Unit Plan to their meeting of February 13, 1975.

DP-67 - Northwest Quarter of Section 7, Township 27, Range 2 East, except the north 455 feet of the south 1017 feet of the west 1148 feet and except the south 612 feet, Sedgwick County, Kansas. Generally located on the southeast corner of 21st Street North and Woodlawn.

The applicant has now submitted an amended plan which reduces the area proposed for commercial development from approximately 26 acres to approximately 20 acres and the maximum gross floor area from 449,367 square feet to 343,429 square feet. Also proposed on the revised plan is an increase of the area for office development from 8.57 acres to 14.98 acres and the maximum gross floor area from 149,324 square feet to 261,011 square feet. The residential portion of the plan remains at the same density as originally submitted, 12.4 dwelling units per net acre (55 acres) or a total of 687 dwelling units.

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

This matter, along with the associated zone case Z-1666 "AA" and "LC" to "R-5", "BB" and "LC" will be considered by the Planning Commission at their regular meeting on February 13, 1975, the meeting to begin at 1:30 p.m., in Room 401 City Building Annex, 104 South Main, Wichita, Kansas. At that time you may appear either in person or by agent or attorney, if you so desire.

Jack H. Galbraith
Chief Planner

January 16, 1975

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

Subject: Z-1665 - "AA" and "LC"
to "R-5", "BB" and "LC", and
DP-67 - Community Unit Plan -
SE corner of 21st St. No. & Woodlawn

Dear Mr. Kaplan:

As you orally requested yesterday, this is to advise you and those receiving copies of this letter that the above captioned cases will not be considered by the Planning Commission at their regular meeting on January 23, 1975 as you were previously notified. These cases will be scheduled for consideration at the Planning Commission meeting on February 13, 1975, and prior to that meeting we will again forward notices to property owners within the notification area.

Should you propose amending the Community Unit Plan and desire that the Planning Commissioners receive copies of the amendment, please provide thirteen copies by January 30, 1975.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js

Mr. Robert W. Kaplan
January 16, 1975
Page Two

cc: Theodore Leben, 1555 East Second 67214
Theodore Gore, 650 4th National Bank Bldg. 67202
Robert M. Beren, 1130 Vickers-KSB&T Building 67202
Warren A. Thomas, P.O. Box 394 67201
Dr. R. D. Royse, 6224 Peach Tree Lane 67218
Phil Snodgrass, Wichita Land Company, 2500 Clairborn
Circle 67226
Robert Powell, Century Plaza Building 67202
Douglas Elder, 1642 Culen 67206
Don Elliott, KG&E, P. O. Box 208 67201
Gary Wiley, Oblinger-Smith Corp.,
625 First National Bank Bldg. 67202

December 24, 1974

Mr. Don H. Elliott
Division Manager
Kansas Gas and Electric Company
P. O. Box 208
Wichita, Kansas 67201

Subject: DP-67 - Northborough
Community Unit Plan -
SE corner of 21st St.
North and Woodlawn

Dear Mr. Elliott:

I have received your letter of December 23, 1974 pointing out concerns associated with the above captioned project. Regarding the statement concerning the possibility of relocating the pipeline, I am certain that the applicant at this time has no plans for its relocation and such a possibility might not arise until after the property is platted and later when building permits are requested. This could be at a time when we would not even be aware that the developer is requiring the pipeline to be relocated. If such discussion would occur at the time of platting, your representative will be aware of it.

Regarding your concern as to the cul-de-sac, I would recommend that we discuss this matter viewing the maps as I am not certain of your concern. As I remember the statement at the meeting Mr. Kaplan advised that instead of a street dead-ending into your property to the south, they would terminate that street in a cul-de-sac. It would seem to me to provide direct access from your property to pavement.

If you desire to discuss these matters in greater detail, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js



KANSAS GAS AND ELECTRIC COMPANY

December 23, 1974

DON H. ELLIOTT
DIVISION MANAGER

Mr Jack Galbraith
Metropolitan Area Planning
Commission
City of Wichita
104 South Main
Wichita, Kansas 67202

Dear Jack:

We have received a copy of your letter of December 13, 1974 to Mr Robert Kaplan concerning the Northborough Community Unit Plan. During the discussion of this project before your Commission, two additional items were discussed which give rise for additional concern on our part. I believe Mr Kaplan stated that through conversation with the Continental Pipeline Company, they had indicated a willingness to relocate their pipeline in the event it became necessary. Since this pipeline is located on our property as well, we would be most interested in any conversation relative to its relocation.

Comments were also made regarding the "access street", to the east side of our property. During this discussion a cul-de-sac was mentioned. As I understand this, our heavy line trucks and other equipment would be forced to drive across finished ground, lawns, etc to get to the east side of the proposed drainage ditch. Here again, we would like to be a party to any conversation regarding that arrangement.

Obviously, our main concern is still the possibility of 300,000 gallons a minute water flow onto our property. We personally feel that drainage



Mr Jack Galbraith

page 2

December 23, 1974

consideration for this and other neighboring projects is of sizeable magnitude and must be worked out prior to platting. We will be pleased to work with your department, flood control, the developers, and all others in the resolution of these problems.

Sincerely,



DHE/jh



BOX 208
WICHITA, KANSAS
67201

KANSAS GAS AND ELECTRIC COMPANY

Form 6



Mr Jack Galbraith
Metropolitan Area Planning Commission
City of Wichita
104 South Main
Wichita, Kansas 67202

December 13, 1974

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

Re: Z-1666 - "AA" and "LC" to
"R-5", "BB" and "LC", and
DP-67 - Community Unit
Plan - Southeast corner of
21st Street North and Wood-
lawn

Dear Mr. Kaplan:

At the regular meeting of the Metropolitan Area Planning Commission on December 12, 1974, the above-captioned cases were considered. After considerable discussion concerning the amount of commercial and office area, the proposed density for residential use, and access points, the action of the Commission was to defer a decision on these cases to the meeting of January 23, 1975, so that we would have an opportunity to further discuss the CUP with you and your clients.

Specific items you mentioned that were being changed on the plan were to terminate the deadend street next to the KG&E property by a cul-de-sac, increase the KG&E easement on the east to 108 feet, and reduce the number of access points on Parcel #2 adjacent to Woodlawn to two major openings.

Several Planning Commissioners went on record as not being in support of the amount of light commercial requested and the proposed 12.4 dwelling units per acre. Suggestions were made to reduce the amount of "LC" to approximately 10 acres and the density to approximately 9 or 10 dwelling units per acre.

We would appreciate your contacting us at your earliest convenience so that we can set a time to discuss the various concerns pointed out by the Planning Commission.

Page 2 - Mr. Robert W. Kaplan
December 13, 1974

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Theodore Leben, 1555 East Second 67214
Theodore Gore, 650 4th National Bank Bldg. 67202
Robert M. Beren, 1130 Vickers-KSB&T Building 67202
Warren A. Thomas, P. O. Box 394 67201
Dr. R. D. Royse, 6224 Peach Tree Lane 67218
✓ Phil Snodgrass, Wichita Land Company, 2500 Claiborn Circle 67226
Robert Powell, Century Plaza Building 67202
Douglas Elder, 1642 Culen 67206
✓ Don Elliott, KG&E, P. O. Box 208 67201
Gary Wiley, Oblinger-Smith Corp.,
625 1st National Bank Building 67202

2013 Parkwood
Wichita, Kansas

December 10, 1974

Planning Commission
104 S. Main
Wichita, Kansas

In re: Case #2-1666
DP-67

Gentlemen:

As owner of substantial property located on the Northwest corner of 21st and Woodlawn being in the SE/4 of Section 1-27-1E, I wish to protest against the above proposed Community Unit Plan, inasmuch as it is out of proportion to the area and discriminatory to other property owners in the area.

Sincerely yours,

Arthur O. Schreck
Arthur O. Schreck





investment company

436 Ohio Street, Wichita, Kansas . phone (316) 264-3371

RANDLE W. WOMER, OWNER
WARREN A. THOMAS, GENERAL MGR.

P.O. BOX 394 WICHITA, KANSAS 67201

December 10, 1974

Planning Commission
104 S. Main
Wichita, Kansas

In re: Case #Z-1666
DP-67

Gentlemen:

As Vice-President and agent representing Hilltop Developers, Inc., owner of substantial property located on the Southwest corner of 21st and Woodlawn, being in the NE/4 of Section 12-T27-R1E, I wish to protest against the above proposed community Unit Plan, inasmuch as it is out of proportion to the area and discriminatory to other property owners in the area.

Sincerely yours,

HILLTOP DEVELOPERS, INC.

W. A. Thomas
Vice-President

WAT:pb





investment company

435 Ohio Street, Wichita, Kansas . phone (316) 264-8371

RANDLE W. WOMER, OWNER
WARREN A. THOMAS, GENERAL MGR.

P.O. BOX 394 WICHITA, KANSAS 67201

December 10, 1974

Planning Commission
104 S. Main
Wichita, Kansas

In re: Case #Z-1666
DP-67

Gentlemen:

As Vice-President and agent representing Womer Construction Co., Inc., owner of substantial property located on the Southwest Corner of 21st and Woodlawn, being in the NE/4 of Section 12-T27-R1E, I wish to protest against the above proposed Community Unit Plan, inasmuch as it is out of proportion to the area and discriminatory to other property owners in the area.

Sincerely yours,

WOMER CONSTRUCTION CO., INC.

W. A. Thomas
Vice-President

WAT:pb



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

M.A.P.C. HEARING DATE: 12-12-74

Case No. Z-1666	Request: "AA" & "LC" to "R-5", "BB" and "LC"
Case No. DP-67	Residential and Commercial CUP

Location: Southeast corner of 21st Street North and Woodlawn

Reason: "To provide for a planned development consisting of residential, office and light commercial as indicated on the associated Community Unit Plan."

Acres: 108.5	Size: 1500 ft. by 2400 ft.
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	<u>Land Use</u>	<u>Zoning</u>
Existing North	Undeveloped Single-family, townhouses & undeveloped	"AA" & "LC" "AA"
East South West	Undeveloped Church Multi-family, church, girl scout office, restaurant and service station	"R-5" "AA" "AA", "B", "BB" & "LC"

Adequate street and drainage rights-of-way to be acquired at the time of platting.

Platted: No
Sidewalk: No
History: None

Comments

1. The applicant presently has approximately 7.5 acres of "LC" zoning at the southeast corner of Woodlawn and 21st Street North and is requesting additional "LC", making a total of approximately 26.3 net acres. The applicant is also requesting a change of zoning from "AA" Single-family to "R-5" General Residence (approximately 55.4 acres) and to "BB" Office, for a tract containing approximately 8.5 net acres.
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, a commercial development plan has been submitted for review and approval by the Planning Commission. Also included on the plan is a residential Community Unit Plan.

3. The Plan as submitted proposes a 55-acre single-family patio home, one, two, three and four-family dwelling, townhouse and garden apartment development, the maximum density of which is proposed for 12.4 dwelling units per net acre, or a total of 687 dwelling units for the entire 55 acres. Also proposed on the development plan is a 34.8 acre commercial and office development which will include a shopping center and/or comparison and convenience shopping, automotive, financial and other service oriented businesses as well as offices, clinics and laboratories. In addition to indicating the proposed building locations for single-family patio homes, townhouses and garden apartments, the development plan indicates setbacks for structures, screening and landscaping, sign height limitations, means of ingress and egress in and through the area, interior circulation, proposed parking ratio, maximum building coverage and maximum building heights.
4. In order for the Planning Commission to recommend approval of the residential portion of the CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
 - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
 - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
5. After our review of the initial CUP with divisions of the Department of Public Works, we advised the applicant that we felt there were major problems associated with this CUP, such as drainage, densities, and location and amount of those areas being requested for "RB" and "LC" zoning, and the number of curb cuts proposed to 21st Street and Woodlawn from Parcel #2, which the Traffic Engineering Division recommended be reduced to one opening on 21st Street and two on Woodlawn. These points of access could be constructed as major openings to serve the proposed development. The number of openings proposed on the plan does not appear to be necessary for the development of a shopping center, and in the event a number of separate uses are proposed, it is recommended that the maximum number of buildings be indicated for the commercial and office parcels.

6. The Maintenance-Flood Control Office advises that some provision should be made for the extension of the drainage right-of-way through the KG&E property to the south and the drainage openings under the railroad tracks to the south must be enlarged; failure to extend such drainage will require a substantial floodway to be designated on the plat. They also advise that all three of the cul-de-sacs in Parcel #6 need drainage easements east to the main drainage right-of-way.

It should also be noted that the most intensive uses on the CUP (Parcels 1, 2 & 3), are the farthest from the drainage ditch and the street system alone will not adequately carry the drainage; a storm sewer system must be developed to carry the drainage to the drainage ditch. The applicant was made aware of the drainage problems and the CUP proposes that drainage problems will be resolved at the time of platting.

7. KG&E representatives advise that their easement on the east is 108 feet rather than 100 feet as indicated, and they also questioned the 15-foot access easement being indicated in their easement on the east side of the drainage ditch. For such access easement to remain will require written approval from them prior to platting.
8. The major concerns of the plan as viewed by the staff are with the amounts of "LC" (26.3 acres), and "BB" (8.5 acres) with a total square feet of floor space proposed at approximately 598,600 square feet. In our initial review with the developers, we pointed out that it would appear there is already sufficient "LC" zoning at this intersection and in the general vicinity. There are within the area five approved commercial community unit plans, which contain approximately ~~62.52~~ acres of light commercial with a proposal for a maximum gross floor area of well over one million square feet. Taking into consideration the institutional land uses to the west and south, it is difficult to justify the amount of "LC" and "BB" proposed and the development of such intense uses across from apartments. The staff urged that consideration be given to redesigning the CUP to provide for compatible uses adjacent to those uses already existing, however, Parcels 2 and 3 were not changed. The Planning Commission may want to consider requiring the applicant to provide justification as to why additional "LC" is needed in this area.
9. The proposed residential density of the development, 687 dwelling units on approximately 55 acres, exceeds that permitted in the "AA" single-family zone and, therefore, the applicant is requesting the "R-5" General Residence District which, if approved, would increase the density of the proposed development from 7.3 to 12.4 dwelling units per acre. It should be noted that the plan reflects two density proposals for Parcels 4, 5, and 7. For example, Parcel 7 reflects 77 spaces for patio homes, however, the plan also indicates that if townhouses are developed, dwelling units could be increased to 127. Parcels 4 and 5 reflect 10 dwelling units per acre if developed for townhouses and 20 per acre if developed as garden apartments.

10. Should the Planning Commission determine that the zone change requests are appropriate and find that the four conditions listed in Comment #4 have been satisfied, the following are recommended conditions of approval.
 - a. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the applications be considered denied and closed.
 - b. Delete the word "condominium" under General Provision #1 Residential.
 - c. Building setbacks along the 40-foot Continental Pipeline easement will be determined at the time of platting. All paving over the easement shall be with the approval of the company and any change in elevation or relocation of the pipeline shall be without cost to the City of Wichita.
 - d. Change General Provision #8 for commercial and #6 for Residential to read as follows: "Signs as permitted by the zoning district".
 - e. 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.
 - f. 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.
 - g. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
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DP-67 - 77 NOTICES TO ADJOINING PROPERTY OWNERS MAILED 11-29-74 for MAPC 12-12-74

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 SOUTH MAIN
WICHITA, KANSAS 67202

November 27, 1974

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 December 12, 1974, at which time you may appear either in person or by agent or attorney, if you so desire.

DP-67 - Northwest Quarter of Section 7, Township 27, Range 2 East, except the North 455 feet of the South 1017 feet of the West 1148 feet and except the south 612 feet, Sedgwick County, Kansas. Generally located on the southeast corner of 21st Street North and Woodlawn.

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

The Development Plan on file proposes a 55-acre single family patio home, one, two, three and four family dwellings, townhouses, and garden apartment development, the density of which will not exceed 12.4 dwelling units per net acre or a total of 687 dwelling units for the entire 55 acres. Also proposed on the development plan is a 8.57 acre office development with a maximum gross floor area of 149,324 square feet and an approximate 26 acre commercial development with a maximum gross floor area of 449,367 square feet. In addition to indicating the proposed building locations for the proposed residential uses, the development plan indicates setbacks for structures, screening and landscaping, sign height limitations, means of ingress and egress in and through the area, interior circulation, proposed parking ratio, maximum building coverage and maximum building heights.

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.

October 15, 1974

Mr. Thomas M. Vickers
140 Page Court
Wichita, Kansas 67202

Re: S/D 74-9 - E. E. Jabes
Addition (drainage
improvements).

Dear Mr. Vickers:

As you may recall, as a condition of approval of the above referred to plat, a drainage plan for subject property was to be submitted for review and approval by the Maintenance-Flood Control office. Your platting engineer, Mr. William Keltner of Professional Engineering Consultants submitted such a plan, which after some revision, was approved. However, approval of the drainage plan by the Maintenance-Flood Control office was predicated upon the platting engineer obtaining an agreement from the property owner on the west to allow draining of Jabes Addition across his undeveloped property.

In July of this year, the Maintenance-Flood Control office advised me that no agreement with the property owner to the west had been made. Subsequently, I wrote your engineer, Mr. Keltner concerning the matter and outlining steps which could be taken to resolve the problem (see copy of this letter attached herewith). To date the only reply received has been from Robert Kaplan, attorney representing the property owner on the west. Mr. Kaplan in his letter of August 8, 1974 indicated that no contact had been received by him relative to the possibility of draining the Jabes Addition across his clients property.

Now, this last week, the property owner on the west of the Jabes Addition has filed a Community Unit Plan application on his property and this would appear to be a good time for you to approach him relative to the unresolved drainage agreement, since he must also design a drainage system for his property. It would seem that a mutual agreement for handling of site drainage in the area could be worked out by you which would benefit both developments.

Mr. Thomas M. Vickers
October 15, 1974
Page 2

Please do not hesitate to contact the Planning Department, or
the Maintenance-Flood Control Office, if we can assist you in
this matter.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:ems
Attachment

cc: William H. Keltner, Professional Engineering Consultants
1440 East English, 67211
Robert W. Kaplan, 430 North Market, 67202
M. S. Mitchell, Maintenance-Flood Control

Robert W. Kaplan
October 15, 1974
Page Six

our comments and concerns, if you have questions, we will be glad to set a time to discuss these matters.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js
Encl.

cc: Theodore Leban, 1555 East Second 67214
Theodore Gore, 650 Fourth National Bank Bldg. 67202
Robert M. Beren, 1130 Vickers-KSB&T Building 67202
Gary Wiley, Oblinger-Smith Corporation, 625 First National Bank Bldg. 67202
M. S. Mitchell, Maintenance/Flood Control Supervisor

October 15, 1974

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

Subject: Northborough Residential
and Commercial CUP. Located at
the southeast corner of 21st St.
North and Woodlawn.

Dear Mr. Kaplan:

We have reviewed the Residential and Commercial Preliminary Development Plan for the proposed 108.5 acre tract located at the southeast corner of 21st Street North and Woodlawn and the following are our comments as well as other departments of the City concerning this project.

There are several major problems associated with this proposal such as drainage, densities, intensity of land use that, in our opinion, need further analysis. First, we are concerned with the amount of "LC" and "BB" proposed on this development as it would appear that there is already sufficient "LC" zoning at this intersection and in the general vicinity. There are within the area, five commercial community unit plans which contain approximately 52 acres of light commercial with a proposal for a maximum gross floor area of well over one million square feet.

Taking into consideration the institutional land uses to the west and south, it is difficult to justify the amount of "LC" and "BB" proposed and the development of such intense uses across from apartments and adjacent to institutional uses. We would urge that consideration be given to redesigning the CUP to provide for compatible uses adjacent to those uses already existing. We would recommend that Parcel 3 and the southern portion of Parcel 2, that is east of the designated planting strip, be redesigned for residential uses.

Robert W. Kaplan
October 15, 1974
Page Two

In reviewing the proposed uses for Parcel 2 it was noted that a motel is suggested as a possible use. Although "LC" zoning permits such use, it is not necessarily compatible with shopping centers. If a motel is being seriously considered, it would be better to describe that use in a separate parcel in order to provide for adequate setbacks and parking and to avoid having conflicts in traffic circulation.

The Traffic Engineering Division has requested that Parcel 2 have two points of access along Woodlawn and one point along 21st Street. These access points could be developed as major openings if you desire. The number of points suggested are not necessary for the development of a shopping center, and in the event the number of separate uses are proposed it is recommended that the maximum number of buildings be indicated for commercial and office parcels. Traffic Engineering also recommends complete access control to 21st Street from Parcel 5 as that residential parcel has access to three other streets.

The Wichita-Valley Center Maintenance Flood Control Office advises that additional right-of-way for drainage is needed at 21st Street. The additional right-of-way needed is marked in red on the Plan which accompanies this letter and as you will note will necessitate a redesign of the northernmost cul-de-sac in Parcel 6. All three of the cul-de-sacs in Parcel 6 also need drainage easements east to the main drainage right-of-way.

Maintenance-Flood Control also advises that some provision should be made for the extension of the drainage right-of-way through the KG&E property to the south and the drainage openings under the railroad tracks to the south must be enlarged; failure to extend such drainage will require a substantial floodway to be designated on the CUP and force extensive redesign. You are in receipt of a copy of M. S. Mitchell's memo of October 8, 1974, to me where he points out this major concern and the enclosed copy shows in brown the area needing extensive fill. Also, on the plan in blue, designates the area that would be flooded unless cooperation from the Frisco Railroad Company and KG&E is secured.

Robert W. Kaplan
October 15, 1974
Page Three

It should also be noted that the most intensive uses on the CUP (Parcels 1, 2 & 3) are the farthest from the drainage ditch and the street system alone will not adequately carry the drainage; a storm sewer system must be developed to carry the drainage to the drainage ditch. The applicant is responsible for guaranteeing the construction of the storm sewer system and drainage ditch and should be concerned with cost estimates and provisions at this time.

As you are aware from your correspondence of August 8, 1974, to M. S. Mitchell, no agreement has been made respecting drainage from the E. E. Jabes Addition (located to the east of Northborough) into the drainage ditch on the east side of this CUP). We are contacting the owner to the east and his engineer, Mr. Keltner, to see if their plans still include placing drainage on your client's property at three different points; and if so, the proposed drainage access points will also have to be worked out with KG&E.

The Department of Engineering has noted that the proposed 15-foot access easement located within the 100-foot KG&E easement on the east side of the Plan will require the written approval of KG&E prior to platting. Several have raised questions concerning the indicated private street system for Parcel 7. Because of the need for the bridges and the density proposed, these streets should be redesigned as public streets. The bridges proposed across the drainage right-of-way in Parcel 7 should also be public and all costs of construction paid by the applicant. It is suggested that in redesigning the street system that one bridge be eliminated as two bridges are not necessary to serve the development and merely results in substantial added costs to the applicant. The public street system for Parcel 7 should also be designed to extend to the south property line to provide access to the KG&E property east of the proposed drainage ditch.

It should be noted that the design of the "T" intersection of Rockhill Lane and Bramblewood Lane on the southern position of the CUP will result in the isolation of a small triangle of land which would be unusable and separated from the rest of the development. You should attempt to eliminate this problem.

Robert W. Kaplan
October 15, 1974
Page Four

In reviewing the uses permitted in Parcels 4 and 5, it was noted that garden apartments/or townhouses are all included at an overall density of 22 D.U.'s/net acre. We can understand your desire to retain the flexibility to allow several types of uses so as to take advantage of market conditions at time of development, but we have recently had developers acquiring such parcels and attempting to develop townhouses in at 20-30 units/acre and those densities are far too high for quality townhouse development. If the applicant desires to have the flexibility of several kinds of residential uses in Parcel 6, each use should have a maximum density listed instead of a gross figure for all uses. In revision of this CUP text, please list a separate density for townhouses, and garden apartments so as to avoid future overcrowding of the site.

The density listed for Parcel 7 would allow 164 dwelling units, however, only 80 lots are indicated. This is somewhat misleading if later the maximum is used and the suggested open space is substantially reduced. We suggest that more realistic information be provided for all the residential parcels. The word "condominium" suggests a method of sale and not land use and should be eliminated from each parcel. After a closer examination of all the residential parcels, we find it difficult to justify a density higher than 9 D.U.'s per acre which was the basis for the transportation system in the comprehensive plan.

In addition to these comments, the following additions or changes should be indicated on the plan.

1. The General Provisions Section of the Plan should contain the following statements:
 - A. Building setbacks along the 40-foot Continental Pipeline Easement to be accomplished at time of platting.
 - B. All paving over the 40-foot Continental Pipeline Easement shall be with the written permission of the pipeline company.
 - C. Should the paving of any street require a change in elevation or location of the pipeline in the 40-foot pipeline easement, all costs shall be assumed by the applicant.

Robert W. Kaplan
October 15, 1974
Page Five

2. The public street system in Parcel 7 should be designed so as to extend to the south property line to provide access to the KG&E property east of the drainage ditch.
3. "Access control except for one opening" on Parcel 5 adjacent to 21st Street shall be changed to read "Complete Access Control".
4. Access control to Woodlawn and 21st Streets should be reduced as to our comments.
5. Item #6 on the Commercial & Office General Provisions shall be amended to add the words "and maintained" after the words "shall be provided" and also the words "and trees" shall be added after the words "low shrubbery".
6. The following statement shall be added to the General Provisions of the Residential text of the Plan:

"A Sidewalk System is Proposed to be Provided by a Combination of Walks Within the Open Space and Sidewalks Along Certain Designated Public Streets, the Location of Which shall be Determined at Time of Platting."

These are most of the comments we have at this time. Prior to re-submitting the plan, we would hope that consideration would be given to developing the area requested for "LC" and "BB" to less intensive uses. Prior to redesigning the CUP, attention should first be given to the serious drainage problem that will dictate the location of the drainage ditch and the redesign of the residential parcels. Also unless a substantial floodway is to be resolved, satisfactory arrangements for solving the drainage with KG&E and the railroad company to the south will have to be made. You will probably want to meet with M. S. Mitchell relative to the various drainage problems prior to attempting a re-design.

Enclosed is a marked copy of the CUP for your information and review with your client and consultant. After you review



ON SAFETY
PHASE II

THE CITY OF WICHITA

OFFICE OF Ass't. Supt. of Public Works Maint. DATE Oct. 8, 1974

TO Jack Galbraith, Chief Planner, MAPD
FROM M. S. Mitchell

SUBJECT - Northborough Community Unit Plan

Reference is made to your memorandum of September 26th requesting that we comment on subject plan. We have reviewed the Plan and comment as follows:

The West Branch of Gypsum Creek enters the site at 21st Street approximately 290 ft. west of the northeast corner of the tract and runs generally south to the south line of the tract where it discharges onto property owned by KG&E. The land planner has chosen to place the Creek in the design channel section recommended by this office, but on an alignment which is generally east of the present stream and on slightly higher ground. The 100 ft. wide drainage right-of-way is adequate for the channel improvement except at 21st Street where it should be revised as shown on the attached plan. The design top of bank elevation along the west side of the proposed drainage right-of-way would be approximately 2 to 3 feet above the present elevation through most of Parcels 6 and 7. This condition would require considerable regrading west of the drainage right-of-way. (Shown in brown on the plan.)

The channel improvement plan discussed above is incumbent on a similar improvement across the KG&E property and at the Frisco Railroad. It is our recommendation that letters from the railroad company and KG&E be secured at this time to indicate their cooperation with the drainage improvement at the time the Northborough Subdivision plat is filed. If neither the railroad, nor KG&E improve the channel at this time, a floodway will need to be established on subject tract on those areas which would be flooded by the 100-year storm under present conditions. (This area is outlined in blue on the attached plan.)

The layout of the cul-de-sacs in Parcel 6 will require drainage easements connecting them to the Creek and these drains could be underground with their cost included in the channel improvement.

Parcel 7 features a private street with two crossings of the Creek. We do not believe that these crossings should be private and suggest that a public street would best serve our needs for access to the bridges during time of flood.

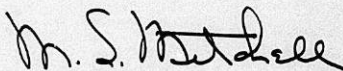


Jack Galbraith
Subject: Northborough CU Plan
Oct. 8, 1974
Pg. 2

The balance of the tract can be drained to the public street system without unusual cost being incurred; however it appears that sizeable storm water sewers would be appropriate to serve those parcels with high intensity land use.

I recall to your attention the fact that the plan for E. E. Jabes Addition proposes three drains from Jabes Addition across the KG&E easement and onto subject site. I received a letter on October 2nd from the attorney who represents the owners of subject property, a copy of which I enclose. It appears from this letter that the platters of Jabes' Addition have not made satisfactory arrangements with the owners of subject site for the discharge of those drains. I believe that arrangements with the KG&E Company for the three discharge locations are pending; therefore I think it would be appropriate to bring whatever pressure you can to resolve this matter prior to approval of subject Community Unit Plan.

I trust this information is sufficient for your purpose; however, if further information or discussion is desired, please advise.



M. S. Mitchell,
Ass't. Superintendent of
Public Works Maintenance

MSM/glm

cc: G. H. Wilton
Barney Rudick, KG&E
Robert Kaplan, Kaplan and McMillan
Bill Keltner, PEC
E. E. Jabes Addn. Plat File
Northborough CU Plan File

Attach. - 2

LAW OFFICES
KAPLAN AND MCMILLAN
ROBERT W. KAPLAN
CALVIN MCMILLAN
RICHARD M. KLINGE

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

October 2, 1974

M. S. Mitchell
Flood Control, City of Wichita
City Building Annex
Wichita, Kansas 67202

RE: Plat of E. E. Jabes Addition
NE/4 Section 7, Township 27S,
Range 2E, Sedgwick County

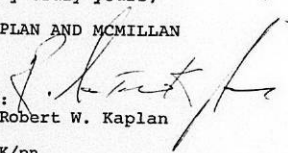
Dear Mr. Mitchell:

As of August 8, 1974, when I last corresponded with you, I assume that the platters of the E. E. Jabes Addition have never submitted a drainage plan. While I advised you at that time my clients were perfectly cognizant of the fact that the platters of E. E. Jabes could elect to drain upon their own property, nevertheless I do want to close the matter if, in fact, they have provided a drainage plan that does not effect the quarter section to the West.

Would you please advise?

Very truly yours,

KAPLAN AND MCMILLAN

BY: 
Robert W. Kaplan

RWK/pn
cc: Theodore Gore
cc: Robert M. Beren
cc: Theodore Leben

Received

OCT 3 1974

In parcel 7 there are 164 units allowed in the text but only 80 lots depicted. To estimate how many DU's would actually be east of the drainage ditch I counted the number of lots depicted as east of the drainage ditch (27) and made that a percentage of the total number of lots depicted or 33.75%. Therefore, out of 164 DU's allowed by the text, approximately 55 DU's are projected to be located east of the drainage ditch.

Trips generated/day by DU's in parcel 7 located east of the ditch
55 DU's at 8.7 trips/DU/day = 478.5

It may be expected that the number of DU's in parcel 7 located east of the drainage ditch will generate 478.5 trips/day, all of which will be served by one bridge.

Total trips/day generated by parcel 7
164 DU's \times 8.7 = 1426.8 trips/day

Thus, the applicant is seeking to handle a traffic load of 1426 by means of a private street system with a 24' pavement width.

THE CITY OF WICHITA

OFFICE OF CITY TRAFFIC ENGINEER

DATE October 7, 1974



**ON SAFETY
PHASE II**

TO Jack Galbraith, Chief Planner
FROM William G. McKinley, Assistant Traffic Engineer
SUBJECT Northborough C.U.P.

We would recommend only two points of access along Woodlawn for parcel 2 and one point of access along 21st Street for the same parcel. These points of access could be major openings if the developer so desired.

It is assumed that within the 60' and 75' right-of-way along Woodlawn and 21st Street, a continuous acceleration/deceleration lane would be constructed to serve the proposed commercial development.

In reviewing parcel 5, we would recommend complete access control to 21st Street as this residential development has several other access points.

William G. McKinley
Assistant Traffic Engineer

WGM/g1
c:c:R. W. Bruggeman

ROUTE SLIP
(PLEASE CIRCLE DESTINATION)

City Manager	Dir. of Adm.	Planning Dept.
City Clerk	Auditing	Police Dept.
Community Dev.	Budget	Motor Pool
Housing	Data Proc.	Dir. of Public Works
Human Res. Dev.	Industrial Dev.	Administration
Model Cities	Man. Coord. Center	Central Insp.
Community Facilities	Personnel	<u>Project Betty</u>
Credit Union	P.S. Careers	<u>Engineering</u>
Fire Department	Public Info.	Traffic Engr.
Health Department	Purchasing	Maintenance
Director of Law	Duplicating	Flood Control
Prosecutor's Office	Ret. & Group Ins.	Sanitation
Municipal Court	Treasury	Urban Renewal
Transit Authority	Library	Water Department
	Park Department	Water Pol. Control

For: Dick Linn

For your information Reply sending me _____ copies
 For your comments Prepare reply for my signature
 Note and return You handle. No report required.

MESSAGE:

Signed Salkhath Date 9-26-74
000-013

WICHITA-SEDGWICK COUNTY

DATE

September 26, 1974

METROPOLITAN AREA PLANNING DEPARTMENT

TO Dick Linn, City Engineer
Paul Graves, Traffic Engineer
M. S. Mitchell, Maint. and Flood Control Supervisor

FROM Jack H. Galbraith, Chief Planner

SUBJECT Northborough Commercial and Residential Community Unit Plan

Attached is a copy of a commercial and residential CUP that was received in our office yesterday. This area is located at the southeast corner of 21st Street North and Woodlawn. Please note that Parcels #1 and #2 propose approximately 450,000 square feet of commercial gross floor area with an additional 150,000 square feet proposed for offices on Parcel #3. The balance of the area is proposed for mixed residential uses with a maximum density of 12.4 dwelling units per acre for a total of 736 dwelling units. In addition, please note the designated drainage right-of-way near the east property line and also that the interior street for Parcel #7 is indicated as a private street. Our initial concern is the magnitude of the proposed commercial and office area.

We would appreciate you viewing this plan and furnishing us with any comments you might have by October 4, 1974.

JHG:js

- ① Drainage plan & easements
- ② Sewer easements
- ③ Pipeline adjustment - Dev. responsibility

September 26, 1974

Dick Linn, City Engineer
Paul Graves, Traffic Engineer
M. S. Mitchell, Maint. and Flood Control Supervisor
Jack H. Galbraith, Chief Planner

Northborough Commercial and Residential Community Unit Plan

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We would appreciate you viewing this plan and furnishing us with any comments you might have by October 4, 1974.

JHG:js

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 THEODORE LEBEN

Address 1555 EAST SECOND Phone 264-2375

Agent ROBERT W. KAPLAN

Address 430 NORTH MARKET Phone 262-5175

b. Applicant THEODORE GORE

Address 650 FOURTH NATIONAL BANK BUILDING Phone 263-3535

Agent ROBERT W. KAPLAN

Address _____ Phone _____

c. Applicant ROBERT M. BEREN

Address 1130 VICKERS, KSD&T BUILDING Phone 267-5321

Agent ROBERT W. KAPLAN

Address _____ Phone _____

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

Consultant: OBLINGER-SMITH CORPORATION; GARY WILEY

II.A The applicant hereby requests Community Unit Plan approval on
(PROPOSED "LC", "BB", & "R-5")
property zoned "LC" & "AA" and legally described as Lot(s)

N/A, Block(s) _____

_____ Addition.

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

* SEE ATTACHED SHEET

II.B There are 108.5 acres (round to nearest tenth) in the above described property.

III. This property located at (address) 200 N. WOODLAWN.

The general location is (use appropriate section)

- a. at the SOUTHEAST corner of 21ST STREET
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.

Patricia Kaylow _____
By _____ By _____
Authorized Agent (if any) Authorized Agent (if any)

By _____ By _____
Authorized Agent (if any) Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at
3:45 (AM, PM) on Sept. 25, 1974 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ 400⁰⁰.

D. Lynn Shirley Name
Jr. Planner Title

NORTHBOROUGH COMMUNITY UNIT PLAN

LEGAL DESCRIPTION

BEGINNING at the Northwest Corner of Section 7, Township 27 South, Range 2 East of the 6th Principal Meridian;
THENCE south, along the west line of Section 7, a distance of 1,640 feet \pm to the north line of the Hebrew Congregation Addition;
THENCE east, along the north line of said addition 1118.9 feet to the northeast corner of said addition;
THENCE south along the east line of said addition 455 feet to the southeast corner of said addition;
THENCE east 1,355 feet \pm to the east line of the northwest 1/4 of Section 7;
THENCE north, along the east line of the northwest 1/4 of Section 7, 2,100 feet \pm to the north line of section 7;
THENCE west, along the north line of Section 7, 2469.52 feet \pm to the point of beginning.

The above described tract contains 108.5 acres \pm .

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
 SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

OK for legal

1000 foot ownership
 Northwest Quarter of Section 7, Township 27,
 Range 2 East, except the North 455 feet of
 the South 1017 feet of the West 1148 feet
 and except the South 612 feet, Sedgwick
 County, Kansas.

Fidelity
 Title
 Company,
 inc.

And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
Government Lot 1 in the Northwest Quarter of Section 7 and all of the East Half of the Northwest Quarter except the South 562 feet of Section 7, Township 27, Range 2 East			Theodore Gore 140 South Pershing Wichita, Kansas 67218
			Robert M. Beren 573 North Armour Wichita, Kansas 67206
			Theodore I. Leben 1303 Charlotte Wichita, Kansas 67208
Government Lot 2, except the South 1017 feet, Section 7, Township 27, Range 2 East			Theodore Gore under 4/10 interest 140 South Pershing Wichita, Kansas 67218
			Theodore I. Leben under 3/10 interest 1303 Charlotte Wichita, Kansas 67208
			Robert M. Beren under 3/10 interest 573 North Armour Wichita, Kansas 67206



<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
		South 562 feet of the Northwest Quarter of Section 7, Township 27, Range 2 East	W Kansas Gas & Electric Company Wichita, Kansas 67202
Lot 1		HEBREW CONGREGATION ADDITION	W Hebrew Congregation of Wichita 1850 N. Woodlawn Inc. Wichita, Kansas 67206
Lots 3, 4, 5 Block 2		E. E. JABES	W E. E. & Clara M. Jabes Rural Route #1 Derby, Kansas 67234
		Southwest Quarter of the Southeast Quarter Section 7, Township 27, Range 2 East	W Wichita Land Company Address Unknown 2500 Chisholm Circle
Lot 1		COLEMAN SCHOOL	W Unified School Dist. #259 428 South Broadway Wichita, Kansas 67211
		SW $\frac{1}{4}$ lying East of McEwen 6th 8th and 9th Additions, except Rockhurst Addition & Except Beginning 1734.2 feet North of the Southeast corner of the SW $\frac{1}{4}$, thence West 606 feet more or less, thence Northerly to point 1994.2 feet North of the South line of the SW $\frac{1}{4}$, thence East 634 feet more or less to the East line SW $\frac{1}{4}$, thence South 260 feet to beginning, except the East 40 feet for street, Section 7, Township 27, Range 2 East.	W McEwen Estates Inc. P.O. Box 2199 Wichita, Kansas 67201
Lots 1 and 2, Block 3		McEWEN 7TH	W City of Wichita
Lot 3, except the East 13 feet, Block 3		McEWEN 7TH	W Charles T. & Glennys J. Drane 6414 Farmview Wichita, Kansas 67206
East 13 feet of Lot 3 & Lot 4, except East 26 feet, Block 3		McEWEN 7TH	W Howe C. & Wilma C. Hughes 6504 Farmview Wichita, Kansas 67206
East 26 feet of Lot 4 & Lot 5, except the East 39 feet, Block 3		McEWEN 7TH	W Darel M. & Elsie B. Myers 6510 Farmview Wichita, Kansas 67206



<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
East 39 feet of Lot 5 & West 34 feet of Lot 6, Block 3		McEWEN 7TH	✓ Lu L. Stein 6514 Farmview Wichita, Kansas 67206
Lot 6 except West 34 feet & West 18 feet of Lot 7, Block 3		McEWEN 7TH	✓ Jay W. & Gertrude L. McLeod 6516 Farmview Wichita, Kansas 67206
Lot 7 except West 18 feet, Block 3		McEWEN 7TH	✓ James R. & Nurena Jo Maxwell 6520 Farmview Wichita, Kansas 67206
Lot 1, Block 1		McEWEN 8TH	✓ Wayne M. & Martha P. Adrian 6600 Farmview Wichita, Kansas 67206
Lot 2, Block 1		McEWEN 8TH	✓ Walter B. Jr. & Johanna M. Hanks 6414 Farmview Wichita, Kansas 67206
Lot 3, Block 1		McEWEN 8TH	✓ M. Hal & Janice J. Taylor 6622 Farmview Wichita, Kansas 67206
Lot 4, Block 1		McEWEN 8TH	✓ Warren R. & Helen V. Barrett 6700 Farmview Wichita, Kansas 67206
Lot 5, Block 1		McEWEN 8TH	✓ Charles G. & Agnes W. DuPont 6716 Farmview Wichita, Kansas 67206
Lot 1, Block 2		McEWEN 8TH	✓ Harold A. & Barbara A. Walter 6601 Farmview Wichita, Kansas 67206
Lot 2, Block 2		McEWEN 8TH	✓ James A. & Marilyn K. Monk 1744 North Pinecrest Wichita, Kansas 67208
Lot 3, Block 2		McEWEN 8TH	✓ Richard T. & Judy C. Gilby 6621 Farmview Wichita, Kansas 67206
Lot 1, Block 3		McEWEN 8TH	✓ David L. & Joanne W. North 6701 Farmview Wichita, Kansas 67201
Lot 2, Block 3		McEWEN 8TH	✓ Glen D. & R. Eileen Dalton 6657 Aberdeen Street Wichita, Kansas 67201



Fidelity  Title
COMPANY, INC.

<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
Lot 16,	3	McEWEN 8TH	Marilyn A. Snyder ✓ 6729 Farmview Wichita, Kansas 67206
Lot 15,	3	McEWEN 8TH	Diodatp R. & Helen Ruth Bezzi ✓ 1663 Glasgow Wichita, Kansas 67206
Lot 1,	A	McEWEN 9TH	Alice V. Markley ✓ 6800 Farmview Wichita, Kansas 67206
Lot 2,	A	McEWEN 9TH	Virginia M. Hansley - Trustee ✓ 1000 South Woodlawn Wichita, Kansas 67218
Lot 3,	A	McEWEN 9TH	Eugene F. & Virginia M. Carbiener ✓ 6814 Farmview Wichita, Kansas 67206
Lot 4,	A	McEWEN 9TH	Donovan F. & Edna F. Boorman ✓ 6820 Farmview Wichita, Kansas 67206
Lot 5,	A	McEWEN 9TH	Joseph Andrew Jr. & Gail Jean Moyzis ✓ 6828 Farmview Wichita, Kansas 67206
Lot 6,	A	McEWEN 9th	Barbara Sue & Jimmy Tom Davis II ✓ 6832 Farmview Wichita, Kansas 67206
Lot 7,	A	McEWEN 9TH	Pete M. Jr. & Nullie J. Christy ✓ 6838 Farmview Wichita, Kansas 67206
Lot 8,	A	McEWEN 9TH	John H. & Joyce A. Bradbury ✓ 6842 Farmview Wichita, Kansas 67206
Lot 9,	A	McEWEN 9TH	C. W. Jr. & Carol Ann Womack ✓ 6850 Farmview Wichita, Kansas 67206
Lot 1,	B	McEWEN 9TH	Urban E. & Elizabeth J. Gerber ✓ 1686 Glasgow Street Wichita, Kansas 67206



Fidelity  Title

COMPANY, INC.

returned 12-3-74

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

APR 87



NOT DELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE
MUNGER



Urban E. & Elizaneth J. Gerber
1686 Glasgow Street
Wichita, Kansas 67206

DP-67



Important! Notice of Hearing Enclosed

<u>LOT.</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
Lot 2,	B	McEWEN 9TH	Max E. & Nina M. Eberhart 1678 Glasgow Wichita, Kansas 67206
Lot 13,	B	McEWEN 9TH	Robert A. & Mary J. Jacques 1641 Culen Wichita, Kansas 67206
Lot 14,	B	McEWEN 9TH	Max L. & Nellie Ann Mason 1649 Culen Wichita, Kansas 67206
Lot 1,	C	McEWEN 9TH	Douglas E. & Ruth E. Elder 1642 Culen Wichita, Kansas 67206
Lot 2,	C	McEWEN 9TH	Virgil L. & Mary B. Rhea 6841 Farnview Wichita, Kansas 67206
Lot 3,	C	McEWEN 9TH	Duard E. & Leah Jean McFarland 1634 Culen Wichita, Kansas 67206
Lots 1, 2, 3 & 4, Block G		COMOTARA FIRST	Jack P. DeBoer Associates Inc. 240 North Rock Road Wichita, Kansas 67206
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, & 13, Block H,		COMOTARA FIRST	Jack P. DeBoer Associates Inc. 240 North Rock Road Wichita, Kansas 67206
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 Block I		COMOTARA FIRST	Jack P. DeBoer Associates Inc. 240 North Rock Road Wichita, Kansas 67206
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, & 18, Block J,		COMOTARA FIRST	Jack P. DeBoer Associates Inc. 240 North Roack Road Wichita, Kansas 67206
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, Block K		COMOTARA FIRST	Jack P. DeBoer Associates Inc. 240 North Rock Road Wichita, Kansas 67206



<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
------------	--------------	-----------------	----------------------------

All that part of Lot A, in COMOTARA FIRST Addition in Section 6, Township 27, Range 2 East of the 6th P.M., Sedgwick County, Kansas, being more particularly described according to the State Plane Coordinate System (Lambert) as follows: Beginning at the SW corner of said Lot A: thence along the West line of said Lot A, bearing North 0° 56' 56" West, a distance of 270.00 feet to a point; thence North 51° 46' 48" East, a distance of 106.81 feet to a point; thence North 0° 56' 56" West, a distance of 250.00 feet to a point; thence North 89° 15' 59" East, a distance of 120.00 feet to a point, thence South 52° 44' 02" East a distance of 200.00 feet to a point; thence North 37° 15' 58" East, a distance of 26.67 feet to a point on the Easterly line of a 20.00 foot wide drainage easement; thence along said Easterly line, bearing South 11° 18' 25" East, a distance of 516.65 feet to a point on the North line of Twenty First Street North; thence along said North line, bearing South 89° 15' 59" West, a distance of 231.53 feet to a point; thence continuing along said North line, bearing North 76° 42' 41" West, a distance of 103.17 feet to a point; thence continuing along said North line, bearing South 89° 15' 59" West, a distance of 140.00 feet to the place of beginning. The above described parcel contains 4.92 acres of land, more or less

Country Lake, Inc.
 Address Unknown
 5920 E CENTRAL
 67212



Lot A, Except above description

Jack P. DeBoer Associates Inc.
 240 North Rock Road
 Wichita, Kansas 67206

Reserve H COMOTARA FIRST

Jack P. DeBoer Associates Inc.
 240 North Rock Road
 Wichita, Kansas 67206



<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
		Part of Lot 1, Block 1, described as beginning at the Southernmost corner of Lot 1, Block 1, OLDE ENGLISH MANOR ADDITION; thence Northwest along the Southwest property line 125 feet; thence Northeast along the center line of the utility easement 76 feet; thence Southeasterly along a line parallel with the Southwest property line to the South property line; thence Southwesterly along said South property line to the point of beginning, Lot 1, Block 1, OLDE ENGLISH MANOR ADDITION to Wichita, Sedgwick County, Kansas.	X Olde English Manor Associates a limited partnership 2323 North Woodlawn Wichita, Kansas 67206
		Lot 1, except above described tract, Block 1, OLDE ENGLISH MANOR	X Apartments Investments Inc. % Harold Beck 220 West Douglas Wichita, Kansas 67202
		Lots 1 & 2 PLAZA TWENTY ONE	X Arthur O. & Clara Schreck 3800 East 21st Street Wichita, Kansas 67208
		Part of Lots 1, 2, 3, 4, 5, Block 1, described as that portion of Lots 1, 2, 3, 4, & 5, Block 1, THIRD ADDITION TO CRESTVIEW HEIGHTS, Wichita, Kansas, lying West of the following described line beginning at a point on the South line of Lot 8, Block 7, in said Addition and 462 feet East of the S.W. corner of said Lot 8, thence North at right angles to the South line of Lot 8, 540 feet more or less to a point on the common line between Lots 5 & 6, in Block 1	XX Board of American Missions of the Lutheran Church in America Address Unknown



<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
Lots 26, 27 & 28	2	THIRD ADDITION TO CRESTVIEW HEIGHTS	X Olde English Manor Associates Via Limited Partnership 2323 North Woodlawn Wichita, Kansas 67206
Part of Lot 8, Block 7, lying West Plaza Twenty One Addition		THIRD ADDITION TO CRESTVIEW HEIGHTS	X Board of American Mission of the Lutheran Church in America Address Unknown
Lot 1	A	SOMERSET.	X N. W. Dible Company 7620 West 102nd Street Overland Park, Kansas 66212
Lot 1 & part of Lot 2 Block 3 described as Lot 1 Block 3, and; a parcel of land beginning at the NW corner of Lot 1, Block 3; thence West 30 feet, thence South 35 feet, thence East 30 feet, thence North 35 feet, to the point of beginning, in Lot 2, Block 3; and A parcel of land beginning at the SE corner of Lot 1, Block 3, thence South 30 feet, thence West 35 feet, thence North 30 feet, thence East 35 feet, to the point of beginning, in Lot 2, Block 3, All in Womer's Crestview Heights Third, Wichita, Sedgwick County, Kansas		X X	Champlin Petroleum Company Address Unknown
Part of Lot 2, Block 3, described as, a Part of Lot 2, Block 3, WOMERS CRESTVIEW HEIGHTS THIRD, Wichita, Kansas, described as follows: Beginning at a point 30 feet South of the Southeast corner of Lot 1 in said Block 3, Womers Crestview Heights Third, Wichita, Kansas; thence South along the East line of said Lot 2, 95 feet; thence west parallel with the South line of said Lot 1 in said Block 3, 130 feet; thence North 125 feet;			X Helen Joycox 4911 East Orme Wichita, Kansas 67218 and X Caroline W. Rupe 2451 North Pershing Wichita, Kansas 67220

(cont'd)

Fidelity  Title
COMPANY, INC.

<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
thence east 95 feet to a point 35 feet west of the east line of said Lot 2; thence South 30 feet; thence East 35 feet to the place of beginning.			
Lot 2, Except the above two Tract, Block 3,		WOMERS CRESTVIEW HEIGHTS THIRD	Womer Construction Company, Inc and Hilltop Developers Inc. 434 Ohio Wichita, Kansas 67214
Lots 11 & 12, Block 3		WOMERS CRESTVIEW HEIGHTS THIRD	Womer Construction Company, Inc and Hilltop Developers Inc. 434 Ohio Wichita, Kansas 67214
Lots 8, 9, 10, 11, 13, 14 & 15, and Lot 12, except the North 73 feet of the East 125.53 feet, Block 2		WOMERS CRESTVIEW HEIGHTS THIRD	Womer Construction Company Inc. and Hilltop Developers Inc. 434 Ohio Wichita, Kansas 67214
North 73 feet of Lot 12, except the East 125.53 feet, Block 2		WOMERS CRESTVIEW HEIGHTS THIRD	R. D. & Joann Royse 6224 Peach Tree Lane Wichita, Kansas 67218
East 256 feet of		WOMERS CRESTVIEW HEIGHTS SECOND	Wichita Girl Scout Council 2009 North Woodlawn Wichita, Kansas 67206
Part of Reserve A, SECOND ADDITION TO CRESTVIEW HEIGHTS, described as Beginning at SW corner, Block 7, 2ND ADDITION TO CRESTVIEW HEIGHTS, North 165 feet, thence SW 200 feet, thence SE 200 feet, thence NE 200 feet, thence E to W line of WOODLAWN Blvd., thence N 30 feet, thence W to beginning, being part of Reserve A 2nd Addition to Crestview Heights			City of Wichita
Lot 1		E.V. FREE CHURCH	The First Evangelical Free Church of Wichita, Kansas 1825 North Woodlawn Wichita, Kansas 67206



<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
Lots 12, 13, 14, 15, 17, 18, 19, 20, 21 & 22, Block 4		WOMERS CRESTVIEW HEIGHTS, A Replat	Hilltop Developers Inc. 434 Ohio Wichita, Kansas 67214
Lot 16, except Southerly 60 feet, Block 4		WOMERS CRESTVIEW HEIGHTS, a Replat	Womer Construction Co., Inc. and Hilltop Developers Inc. 434 Ohio Wichita, Kansas 67214
Lot 23, Block 4		WOMERS CRESTVIEW HEIGHTS, a Replat	The Hebrew Congregation of Wichita, Inc. 1850 North Woodlawn Wichita, Kansas 67206
Lot 15 and 16 and Lot 14, except the West 2 feet, Block 4		WOMERS CRESTVIEW HEIGHTS, a Replat	Hilltop Developers Inc. 434 Ohio Wichita, Kansas 67214
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 33, 34, 35, 36, 37, 38, 39, & 40, Block 3		WOMERS CRESTVIEW HEIGHTS, a Replat	Hilltop Developers Inc. 434 Ohio Wichita, Kansas 67214
Lot 25, Block 3		WOMERS CRESTVIEW HEIGHTS, a Replat	James M. & Mildred J. Van Sickle 1902 North Edgemoor Wichita, Kansas 67208
Lot 26, Block 3		WOMERS CRESTVIEW HEIGHTS, a Replat	Steven E. & Janis M. Johnson 1726 Roanoke Drive Wichita, Kansas 67218
Lot 27, Block 3		WOMERS CRESTVIEW HEIGHTS, a Replat	Edgar & Betty B. Holt 128 South Oakwood Wichita, Kansas 67218
Lot 28, Block 3		WOMERS CRESTVIEW HEIGHTS, a Replat	James R. & Julie A. Cochran 1832 Siefkin Lane Wichita, Kansas 67208
Lot 29, Block 3		WOMERS CRESTVIEW HEIGHTS, a Replat	Norman A. & Mary N. Lies 1902 Siefkin Lane Wichita, Kansas 67208
Lot 30, Block 3		WOMERS CRESTVIEW HEIGHTS, a Replat	Monte L. & Naomi G. Peterson 1908 Siefkin Lane Wichita, Kansas 67208



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<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>OWNER & ADDRESS</u>
Lot 31,	Block 3	WOMERS CRESTVIEW HEIGHTS, a Replat	Gary W. & Lola A. Richert 2914 Siefkin Lane Wichita, Kansas 67208
Lot 32,	Block 3	WOMERS CRESTVIEW HEIGHTS, a Replat	Kenneth G. & Nadine M. Gleason 1701 North Clarence Wichita, Kansas 67203
Lot 7,	Block 2	WOMERS CRESTVIEW HEIGHTS, a Replat	Hilltop Developers 434 Ohio Wichita, Kansas 67208
Lot 8,	Block 2	WOMERS CRESTVIEW HEIGHTS, a Replat	Roger D. & Nancy M. Hughey 200 West Douglas Wichita, Kansas 67202
Lot 9,	Block 2	WOMERS CRESTVIEW HEIGHTS, a Replat	Harman M. Holladay 1915 Siefkin Lane Wichita, Kansas 67208
Lot 10,	Block 2	WOMERS CRESTVIEW HEIGHTS, a Replat	David L. & Bobby G. Horwitz 1909 Siefkin Lane Wichita, Kansas 67208
Lot 11,	Block 2	WOMERS CRESTVIEW HEIGHTS, a Replat	Carl R. & Elfriede M. Long 1903 Siefkin Lane Wichita, Kansas 67208
Lot 12, & North 5 feet of Lot 13, Block 2	2	WOMERS CRESTVIEW HEIGHTS, a Replat	Richard F. Mullins - Trustee 330 R. H. Garvey Building 300 West Douglas Wichita, Kansas 67202
Lot 13, except North 5 feet & North 4 feet of Lot 14, Block 2		WOMERS CRESTVIEW HEIGHTS, a Replat	Richard L. & Donna L. Morrison 1833 Siefkin Lane Wichita, Kansas 67208
Lot 14, except North 4 feet, Block 2	2	WOMERS CRESTVIEW HEIGHTS, a Replat	John R. LeBosquet 827 Siefkin Lane Wichita, Kansas 67208
Lot 15,	Block 2	WOMERS CRESTVIEW HEIGHTS, a Replat	Ted W. & Margaret O. Womack 1821 Siefkin Wichita, Kansas 67208
Lot 16,	Block 2	WOMERS CRESTVIEW HEIGHTS, a Replat	Richard C. & M. Louise Kogler 1815 Siefkin Lane Wichita, Kansas 67208



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Dated at Wichita, Kansas, this 17th day of September,
1974.

FIDELITY TITLE COMPANY, INC.

By *Carita Gray*
Asst. Sec. *sg*

Tracer No. 25688



Fidelity  Title
COMPANY, INC.

Form 223-1

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION AMOUNT

Name

Address

Type

Due Date

Comments:

Date

By

*

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

Roll # 1

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