

POSTED A-584 KK

ACTION

| COMMITTEE | DATE |
|---------------|----------------|
| M.A.P.C. | <u>Planned</u> |
| B.C.C./B.C.C. | <u>4-19-84</u> |
| | <u>5-15-84</u> |

Closed

5252 B
5352 C

-137 - CHEROKEE SUNRISE WEST
Generally located at the north-
west corner of Womac and 37th
Street North.

Map No. 5252B & 5352 C
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

DP - 137
Filed 3-5-84

Associated
Case: Z-2589

APPLICATION REQUEST: Approval of proposed CHEROKEE SUNRISE WEST
Commercial Community Unit Plan
(Residential)(Commercial) Community Unit Plan.

1. Applicant Cherokee Properties, Inc., (Bill Reece, President)
Address 510 North Topeka, Wichita, KS. Phone 262-1052
2. Agent Lowell D. High
Address 1542 South St. Francis, Wichita, KS. Phone 264-0341
3. General Location: At the northwest corner of Womer and 37th Street North
4. Proposed Use: _____

AREA DATA:

1. Acres: 10.05 (_____ ft. by _____ ft.)
2. Existing Zoning "C" Proposed Zoning _____
3. Area (is) (is not) platted. _____ Addition _____

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date 4-19-84 Action Denial

2. Governing Body

Date 5-15-84 Action Denial

NOTES:

Closed

LOS ANGELES, CHICAGO, LOUISIANA, OHIO
MEMPHIS, TALLAHASSEE, FLORIDA, GA
U.S.A.

Standard
No. 2-153C

CASE FILE

Map No. 5252B & 5253C
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

DP - 137
Filed 3-5-84

Associated
Case: _____

APPLICATION REQUEST: Approval of proposed CHEROKEE SUNRISE WEST
Commercial Community Unit Plan
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Address 510 North Topeka, Wichita, KS. Phone 262-1052
2. Agent Lowell D. High
Address 1542 South St. Francis, Wichita, KS. Phone 264-0341
3. General Location: At the northwest corner of Womer and 37th Street North
4. Proposed Use: _____

AREA DATA:

1. Acres: 10.05 (707') ft. by 778' ft.) (IRREGULAR)
2. Existing Zoning: "C"
3. Land Use: East SINGLE FAMILY South SINGLE FAMILY
West INTERSTATE HIGHWAY North INTERSTATE HIGHWAY
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted. _____

DP-137

PHOTO DATA:

Taken by _____ Date _____ Time _____



PICTURE SHEET

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

April 5, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 19, 1984, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for the CHEROKEE SUNRISE WEST COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-137

Lot 1, Block 1, in Cherokee Sunrise West Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Womer and 37th Street North.

The Development Plan for 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, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

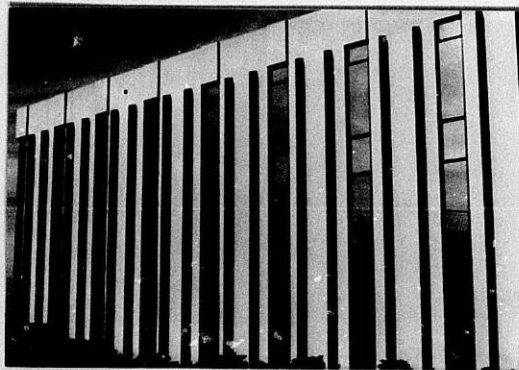
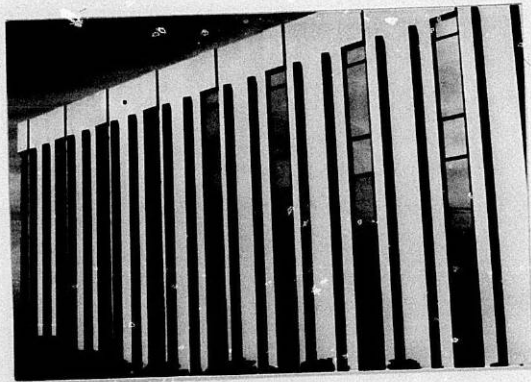
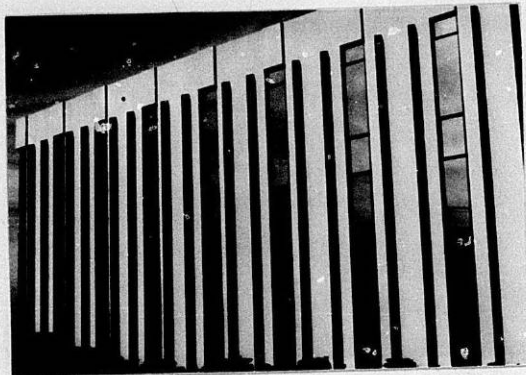
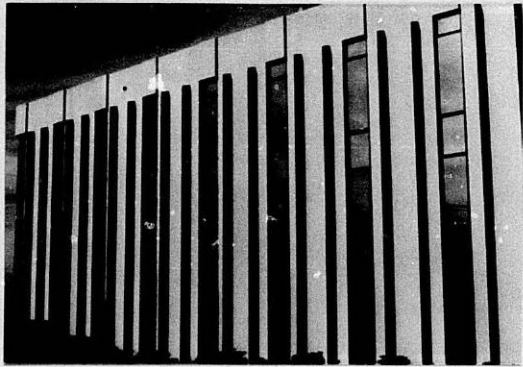
The Development Plan now on file proposes to create a ten-acre Commercial C.U.P. that would permit offices, warehousing, wholesaling, indoor recreational uses and some electronic assembly. A maximum of 210,211 square feet of floor area is proposed. Associated Zone Case No. Z-2589 is requesting "C" Commercial zoning for the ten-acre site. Building setbacks, landscaping, parking ratio, and other information regarding future development is shown on the plan.

The hearing of the proposed amendments to this Development Plan, as provided in Section 28.04.190 of the City Zoning Ordinance of the City of Wichita, is to be held and the same will there be discussed and considered by said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary



APRIL 12, 1984

DEAR NEIGHBOR;

They are trying to do it to us again. They have run a major highway through our neighborhood, closed our school and now they are trying to place commercial development right in the middle of us.

The rumors are they want to place a large truck stop to the east and around Skateland North. If this is true can you ^{image} large diesel trucks coming in at all hours of the night and large numbers of trucks idling all night while truckers sleep.

If this is not true the other alternatives that are mentioned are no better. Warehousing, wholesaling and electronic assembly can cover a lot of activities.

We request that you please attend the ^{CPO} ~~60P~~ Meeting on April 18, 1984 at 7:15p.m. at Pleasant Valley United Methodist Church located at 2700 North Collidge.

Probably more important than this would be for all of us to write or call our City Commissioners. Be sure and write or call as many as possible not just one. Their names and address is listed below.

Bob Brown
Margalee Wright
Tony Casado
Bob Knight
Albert Kirk

Address: 455 North Main
Wichita, Kansas 67202

You can send five (5) letters in one envelope to the above address or call 268-4331.

Petition to stop re-zoning at 37th & Meridian

zoning Case No. Z-2589

| | | | |
|-----------------|--------------------|----------------------------------|----------|
| owns 2 homes | Freda M. Case | - 1920 W. 37 th Ct. N | 832-9388 |
| | Freda M. Case | 3800 W. 37 th Ct. N | 832-9388 |
| | Bonnie Skendon | 1933 W. 37 th N. | 832-9479 |
| | Ken Skendon | 1933 W. 37 th N | 832-9479 |
| | Young, L. Jean | 8835 Friar Lane | 858-8496 |
| | Richard E. South | 3841 Friar Lane | 838-7177 |
| | M. Myer, Castle | 3841 Friar Lane | 838-7177 |
| | Jeanne Duhon | 3859 Friar Lane | 838-5434 |
| | Mike Duhon | 3859 Friar Lane | 838-5434 |
| | Betty Stuyver | 3825 Friar Lane | 838-7379 |
| | Louise M. Oline | 1901 Nottingham Lane | 838-3429 |
| | Virginia R. Holton | 3816 Friar Lane | 838-5154 |
| | Sara Smith | 3738 Smyser | 838-1544 |
| | Dana Kutilak | 3746 Smyser | 838-9092 |
| | Susanna Hussey | 3728 Smyser Ct. | 838-3368 |
| | Jim R. Oline | 3746 Smyser Ct. | 832-9092 |
| | Jim L. Oline | 1901 Nottingham Ln. | 838-3429 |
| | Mr. R.C. Nelson | 1718 W. 37 th St. N. | 838-0185 |
| | Robt. C. Nelson | 1718 W. 37 th St. N. | 838-0115 |

The undersigned, property owners in Wichita,
 Sedgewick County, Kansas protest change of zoning
 for property described in case No. Z-2589
 Legal Lot 1, Block 1, in Cherokee Sunrise West
 addition to Wichita, Sedgewick County, Kansas.

| | | | |
|---------|---------------------|---------------------|----------|
| 4-18 | Kathryn Morrison | 3827 N. Clarence | 838-2326 |
| 4-18 | Ed Switland | 3756 Smyser | 832-9484 |
| 4-18 | Rogay Switland | 3756 Smyser | 832-9484 |
| 4-18 | Patricia J. Alley | 3801 Partee | 832-9018 |
| 4-18 | Dorothy H. Byers | 3853 Fran | 838-4726 |
| 4-18 | Dorothy Byers | 3853 Fran | 838-4726 |
| 4-18-84 | Carole S. Wickard | 2200 W 38th | 838-8741 |
| 4-18-84 | Henry Scott | 2215 W. 38th N. | 838-2930 |
| 4-18-84 | Carrie Clark | 3815 N. Clarence | 832-9026 |
| 4/18/84 | Betty J. Mees | 1614 W 37th N | 838-4245 |
| 4/18/84 | Art Shapley | 2219 W. 38th St. N. | 838-7566 |
| 4/18/84 | Cheryl A. Baker | 2210 W. 38th St. | 838-7241 |
| 4/18/84 | Barbara W. Sloan | 3929 N. Athenian | 838-1582 |
| 4/18/84 | Patricia Powell | 3725 N. Athenian | 838-0384 |
| 4/18/84 | Dorothy Sloan | 3929 N. Athenian | 838-1582 |
| 4/18/84 | James W. Blair | 1522 Nottingham | 838-0764 |
| 4/19/84 | Shera Stegman | 3717 N. Athenian | 838-8308 |
| 4/19/84 | Ursula Wasser | 3934 N. Athenian | 838-7350 |
| 4-19-84 | Neal Wesley | 3924 N. Athenian | 838-7350 |
| 4-19-84 | Mary Lou Fovchik | 3934 N. Athenian | 838-3756 |
| 4-19-84 | Clifford D. Hammond | 3944 N. Athenian | 838-6371 |
| 4-19-84 | Debra L. Hammond | 3944 N. Athenian | 838-6371 |
| 4-19-84 | Martie Mueller | 3967 N. Clarence | 838-8336 |
| 4-19-84 | Jerry L. Smith | 3954 N. Athenian | 838-8370 |
| 4-19-84 | Shirley Smith | 3954 N. Athenian | 838-8370 |
| 4/19/84 | Ernest F. Schaefer | 4000 N. Athenian | 838-6440 |
| 4/19/84 | Debra C. Mountain | 4018 N. Athenian | 838-5544 |
| 4-19-84 | Donald V. Busk | 5746 N. St. Clair | 838-4332 |

the undersigned, property owners in Wichita, Sedgewick County, Kansas protest change of zoning for property described in Case No. Z-2589.

Legal: Lot 1, Block 1, in Cherokee Sunrise West addition to Wichita, Sedgewick County, Kansas.

| | | | |
|---------|---------------------|---------------------------------|----------|
| 4/18/84 | Don Herndon | 1933 W. 37 th E | 832-9479 |
| 4/18/84 | Donna Herndon | 1933 W 37 th E | 832-9479 |
| 4/18/84 | T. D. McKeppore | 1930 W 37 th E G. N. | 838-7179 |
| 4/18/84 | Wesley O. Ydigore | 1930 W 37 th E G. N. | 838-7179 |
| 4/18/84 | Richard Ryan | 1940 W 37 th E G. N. | 838-7271 |
| 4/18/84 | Luphine M. Ryan | 1940 W 37 th E G. N. | 838-7271 |
| 4/18/84 | George H. Sutowal | 3933 N. Clarence | 838-7409 |
| 4-18-84 | Sarah E. McMillen | 3916 N. Clarence | 838-4103 |
| 4-18-84 | Kenneth E. McMillen | 3916 N. Clarence | 838-4103 |
| 4-18-84 | Joseph Baker | 3910 W. 38 th N | 838-7241 |
| 4-18-84 | Phyllis M. Scarlett | 3955 N. Athman | 838-7002 |
| 4-18-84 | Thubi Chasttt | 3955 N. Athman | 838-7002 |
| 4-19-84 | Alison A. Borst | 3946 N. St. Clair | 838-4332 |
| 4-19-84 | Theoan M. Romel | 3943 N. Athman | 838-4098 |
| 4-19-84 | Over T. Warnack | 3943 N. Athman | 838-4098 |
| 4-19-84 | Patricia Breth | 3759 N. Meridian | 838-6657 |
| 4-19-84 | Madeline Watson | 1726 W 34 th N | 838-6732 |

The undersigned, property owners in Wichita,
Sedgewick County, Kansas protest change of zoning for
property described in Case No. 2-2589.

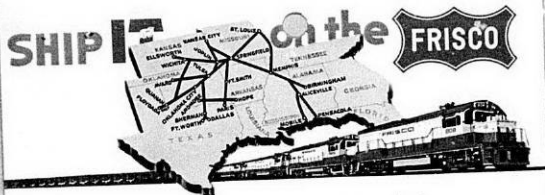
Loyal Lot (Block) in Cherokee Service west
addition to Wichita, Sedgewick County, Kansas.

| | | | |
|---------|---------------------|------------------|----------|
| 2-18-84 | Michael F. Hamilton | 3715 N. Meridian | 838-4430 |
| 4-18-84 | Donald B Clark | 1915 NOTTINGHAM | 838-4054 |
| 4-18-84 | Gerald Clark | 1915 Nottingham | 838-4054 |
| 4-18-84 | Robert V. Dunlavy | 3808 N. St Clair | 838-5460 |

The undersigned, property owners in Wichita,
Sedgewick County, Kansas protest change of zoning for
property described in case no. Z-2589.

Legal Lot 1, Block 1, in Cherokee Sunrise west
addition to Wichita, Sedgewick County, Kansas.

| | | | |
|---------|-------------------|--------------------|----------|
| 4-18-84 | Reba Purcell | 2201 W. 38th N. | 838-0098 |
| 4/18/84 | R.E. Purcell | 2201 W. 38th N. | 838-0098 |
| 4/18/84 | J.N. Miles | 1614 W. 37th N. | 838-4245 |
| 4-18-84 | Ken Whittley | 3721 Amidon | 838-4711 |
| 4-18-84 | Ken Whittley | 3721 Amidon | 838-4711 |
| 4-18-81 | Nona Evans | 1736 57th Court N. | 838-5588 |
| 4/18/81 | Clarence W. Evans | " " " " | " " " " |



Talked to Lowell High
about changes needed for
DP 137 Cheske Sunrise
Gave him a "marked copy"
3/21/84

APC

Told him 2 more copies by
4/2 or 4/3

GENERAL PROVISIONS

1. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
2. MINIMUM BUILDING SETBACKS SHALL BE AS INDICATED ON THE PLAN.
3. PARKING RATIO SHALL BE IN ACCORDANCE WITH SECTION 28.04.141 OF THE CODE OF THE CITY OF WICHITA.
4. DRAINAGE: THE APPLICANT SHALL SUBMIT A DRAINAGE PLAN FOR THE ENTIRE DEVELOPMENT. SAID DRAINAGE PLAN SHALL BE APPROVED BY THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS.
5. ADVERTISING SIGNS SHALL BE IN ACCORDANCE WITH SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA. NO BILLBOARDS OR OFF-SITE SIGNS AS DEFINED BY SECTION 28.04.139 SHALL BE PERMITTED.
6. A FIRE LANE, HARD SURFACED AND TWENTY-FOUR (24) FEET MINIMUM IN WIDTH, SHALL BE PROVIDED AROUND ALL MAIN STRUCTURES TO BE CONSTRUCTED WITHIN PARCEL ONE (1). SAID FIRE LANE SHALL BE A 3-1/2 INCH ASPHALT BASE WITH 1-1/2 INCH ASPHALT SURFACE OR THE EQUIVALENT THEREOF. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANE, ALTHOUGH IT MAY BE USED FOR PASSENGER LOADING AND UNLOADING. PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF, OR HIS DESIGNATED REPRESENTATIVE, SHALL APPROVE THE PLAN AS TO THE LOCATION AND DESIGN OF THE FIRE LANE.
7. PROPOSED USE: OFFICES, WAREHOUSING, WHOLESALE DISTRIBUTERS, PROFESSIONAL, PERSONAL SERVICES, RETAIL MERCHANDISE, INDOOR AMUSEMENT ENTERPRISES, ELECTRONIC ASSEMBLY.

*not to exceed
2/23/04
MC*

PARTIAL DESCRIPTION

GROSS AREA - 10.05 ACRES
NET AREA - 10.05 ACRES ^{48%}
MAXIMUM BUILDING COVERAGE - 50% OR 218,970 SQ. FT.
(FOR WAREHOUSING OR WHOLESALE DISTRIBUTORS)
FLOOR AREA RATIO - 50% OR 218,970 SQ. FT. FOR WAREHOUSING
OR WHOLESALE DISTRIBUTORS.
MAXIMUM BUILDING HEIGHT - 38 FEET

*limit amount of trees
in lot, retain to site,*

*Wall is required south of parking area
10' of landscaping is required on all other sides.
If landscaping is to be retained a statement needs to be added
stating why, i.e. interstate, driveway to residential, etc.*

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONING
AND APPROVAL OF COMMERCIAL COMMUNITY UNIT PLAN

Z-2589 - ZONE CHANGE FROM THE "R-5" GENERAL RESIDENCE DISTRICT
TO THE "C" COMMERCIAL DISTRICT.

DP-137 - APPROVAL OF THE CHEROKEE SUNRISE WEST COMMERCIAL
COMMUNITY UNIT PLAN, GENERALLY LOCATED AT THE NORTHWEST
CORNER OF WOMER AND 37TH STREET NORTH.

The MAPC recommends that the applications not be approved.
(see minutes for full motion)
Moore moved, Hansen seconded and it carried unanimously.
Crockett was absent.

NOTE: The percentage of the protest petitions received on this appli-
cation will be pointed out at the time the case is considered by the
City Commission.

- ACTION:
1. Concur with the findings of fact of the Metro-
politan Area Planning Commission and deny the
zone change and CUP; or
 2. Return the applications to the Metropolitan Area
Planning Commission for consideration. The City
Commission states the following reasons for its
action:

CPO ACTION: CPO Council Area "M" recommended, 5-0, that the
applications be denied.

DATA AND MINUTES

MAPC Hearing Date: 4-19-84

BCC Hearing Date: 5-15-84

AREA DATA:

Acres: 10.05

Size: 709' x 778' (irregular)

Maximum Floor Area 210,111 square feet

Reason: To construct offices and warehouses and indoor amusement
enterprises.

| | Land Use | Zoning |
|----------|---|----------------------|
| Existing | Vacant | "R-5" |
| North | I-235 | N/A |
| East | Single-family | "AA" |
| South | Vacant, single-family & skating rink | "AA" & "LC" |
| West | I-235 | N/A |
| History: | Z-2369 "AA" & "LC" to "R-5" | 8-27-81 MAPC Approve |
| | | 9-22-81 BCC Approve |

Applicant: Cherokee Properties, Inc., Bill Reece, President,
510 North Topeka, Wichita

Protestors: Henry L. Scott, 2215 W. 38th St. No.; Carolyn Nickel, 2200
W. 38th St. No.; Dorathea Sloan, 3929 No. Athenian; Marlon Hussy, 3728
Smyser Court; Joe Baker, 2210 W. 38th St. No.; Ruth Finnell, 2640
Manhattan Dr.; Daphne Ryan, 1940 W. 37th St. Court No.; Clarence Evans,
1736 W. 37th St. No.

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 19, 1984

LEGALS:

- 4a. Case No. Z-2589 - Cherokee Properties, Inc. requests zone change from "R-5" to "C" for Lot 1, Block 1, in Cherokee Sunrise West Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Womer and 37th Street North.
- 4b. Case No. DP-137 - Cherokee Properties, Inc. requests approval of the Cherokee Sunrise West Commercial Community Unit Plan for Lot 1, Block 1, in Cherokee Sunrise West Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Womer and 37th Street North.

CHAMBERS pointed out land use, zoning, and showed slides of the general area. He reviewed the following staff report:

COMMENTS:

1. The following should be considered by the Planning Commission in making findings of fact:

In accordance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of the Cherokee Sunrise West Commercial C.U.P. The C.U.P. is located at the northwest corner of Womer and 37th Street North and contains approximately ten acres. Permitted uses include offices warehousing, wholesaling, indoor recreational uses and some electronic assembly. Associated zone case Z-2589 is requesting "C" Commercial zoning in order to permit the proposed uses. The floor area for the C.U.P. is 175,111 square feet, with an additional 35,000 square feet available for warehousing/wholesaling. Building setbacks, landscaping, parking ratio and other information regarding future development is shown on the plan.

2. Staff is of the opinion that the "R-5" district, which was approved in 1981, still provides the more appropriate and compatible uses (medium density housing) for the area. Staff is concerned with the introduction of "C" zoning into the area. Heavy truck traffic will be attracted to this district and it can be expected that some of that traffic will filter through the residential area.

Staff recognizes, however, that interchanges of major streets and interstate highways are also good locations for warehousing and wholesale distributors. It may be that with the interstate along the north and west, the skating rink and future shopping center to the south that there is adequate buffering to protect adjacent residential areas. The applicant has limited the proposed uses and has not listed retail sales, restaurants, auto agencies, storage yards, car washes, etc., that would have significant negative impacts on adjacent residential uses.

3. The single-family homes to the east back into Womer. There is a slight grade differential between the single-family homes and the C.U.P. site that will help screen the site. Staff would recommend that the ten foot landscape area along the east side of the C.U.P. be planted primarily with street trees. The skating rink and a masonry wall will provide some screening for the single-family homes to the south.
4. A recommendation of approval by the Planning Commission should be subject to the approval of the associated CUP and to the platted setbacks being vacated prior to the publication of the ordinance establishing the zone change and within six months from the date of approval by the Board of City Commission, or the case be considered denied and closed.

5. Should the Planning Commission determine that the proposed C.U.P. is appropriate, the following are recommended conditions of approval:
- a. The maximum building coverage shall be changed to read as follows:
30% - 131,333 square feet. (Note: an additional 35,000 square feet of building coverage may be permitted if it is limited to warehousing and/or wholesale distributors.)
 - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
 - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

DISCUSSION:

CHAMBERS stated that staff has discussed this request quite a bit, and as the staff report points out, they still feel that the "R-5" district and a residential use are still the most appropriate zoning and use for this site. The staff has never been comfortable establishing "C" zoning in basically a residential area. He said that the uses have been limited by the applicant to offices, warehousing, wholesaling and indoor recreational uses. He said that staff also recognizes that once "C" zoning is established, someone could come back to amend the C.U.P. for other uses. CHAMBERS said that if this request is approved, it will introduce additional truck traffic into the area at all times of the night, and staff was concerned about that impact on the residential areas. He said that even though staff is not supporting the request, they also recognize that the interchange of an interstate and major highway, is also attractive to warehousing and wholesaling distributors.

CHAMBERS said that CPO Council Area "M" recommended 5-0 that both cases be denied. They cited the character of the neighborhood, the zoning and uses of nearby property, impact of the proposed development on community facilities, the opposition of neighborhood residents, and staff recommendations. The Council said that there were approximately 50 area residents and property owners that were present in opposition to the case. Some of their concerns were the introduction of heavy truck traffic and the increase in noise.

CHAMBERS stated that he had given a letter to the Commissioners from an area property owner in opposition to the requests.

BILL REESE, applicant, pointed out that this site is at the confluence of two major highways, I-235 and K-96. REESE did not feel that additional truck traffic passing through the area would occur. The reason is that this property is located adjacent to the interchange. As trucks come off of the interchange they would come directly into the property and would not move through the neighborhood. There is a direct flow onto I-235 from the property. REESE also pointed out that this property would not be developed as with traditional "C" zoning uses. The C.U.P. severely limits the uses of the property. The project that is going in is going to be primarily an office area. It is also designed for those persons who need warehousing in conjunction with their office space.

REESE handed out copies to the Commission of a building plan very similar to the one they were wanting to construct on the property. He said that there were no facilities in the City of Wichita at the current time that match this particular project. He related that some people do not come into the city at this time because they do not have a place where they can have an office, where their salesman can come, and where they can also have warehouse facilities in their office area. They have to have two areas, an office area and an area for their warehouse. He said that this is an opportunity to combine both of them. REESE said that these buildings will be constructed in a "U" where all the parking and any truck traffic coming into the area would be hidden from Womer. None of the truck traffic, as far as the public is concerned, will be out in view of the public as they are traveling up and down the highway.

REESE pointed out that there had been quite a bit of opposition by the people in the area. He felt that was due primarily to a letter that was distributed on April 12, which was not signed, stating that this proposal would be a truck stop, which is untrue. REESE said that the Commission would favor Wichita and the area itself if this zoning was granted.

HANSEN said that she would have to say one more time that they were talking about "C" zoning and not just this particular use. She said that no matter how benign it sounds, when "C" zoning is granted, anything that happens after that is still "C" zoning. She felt that the Commission had to consider that when they make a decision.

REESE agreed. He said that was one of the reasons why the uses in the C.U.P. have been severely restricted.

BANZER asked if Mr. Reese owned the property, and if so, how long had he owned it.

REESE said that he had owned the property for three years.

BANZER asked if he was aware of the zoning when he purchased the property.

REESE said that the property was zoned light commercial at the time of purchase. They originally purchased the property to develop apartments. About that time there were numerous apartment projects underway so they sat on it. This need and use, the fortunate confluence of K-96 and I-235, and the recommendation of the Chamber of Commerce brought them to the idea that this probably would be a very good use for this property.

HENRY L. SCOTT, 2215 West 38th Street North, stated that Reese told them at the CPO meeting that there would be 33 loading docks. He said that seemed to him that they planned on a lot of transportation in and out. He said that he lived in the second house from the street and he gets all the noise he wanted.

CAROLYN NICKEL, 2200 West 38th Street North, pointed out that she felt that this site is an industrial park, and will be sold as an industrial park to anybody who wants to buy it. She pointed out that their school has been closed, and the School Board will not guarantee busing the children for next year. There are 100 children that have to walk on a four lane highway. She said that the applicant guarantees them there will not be truck traffic, but the only way to get to this area off of Broadway is down 37th Street. She said that she walks down 37th Street every night. She sees the trucks and traffic. She asked who would work in a building of 166,000 square feet. They have to have employees. She said that their area was a secluded residential area. It is not an industrial park. They have a beautiful Industrial park in Wichita, let him locate there. NICKEL said that they have watched the sign on this land for months, "the future home of Cherokee townhouses". Last night he tells them the townhouses are not profitable for Wichita. NICKEL said that the applicant does not live in their area, and now he wants to develop a residential area into an industrial area.

DORATHEA SLOAN, 3929 North Athenian, stated that she had been told two different figures about protest petitions, so she was not sure that they had 20 percent of the area. She handed out protest petitions to the Commission. SLOAN said that one thing that concerns her is that according to the C.U.P. they can get a variance. She said that she would feel better about this proposal if the applicant was absolutely going to develop it like he said he would.

GALBRAITH stated for the record, that notices had been sent out for a distance of 500 feet, but the legal protest petition distance is 200 feet.

MARLON HUSSY, 3728 Smyser Court, stated that he did not know how well this had been publicized, but he did not find out about it until this morning. He pointed out that this area was a small restricted area sandwiched between the interstate on the west and north, and the Flood Control ditch on the south. Within this area there are no other business or commercial enterprises of any nature except Skateland North. He felt that the skating rink was fine because it serves the neighborhood. He said that he saw no benefit whatsoever by the introduction of a commercial enterprise, and particularly one that would have up to 33 new businesses. He said that what bothers him about this is that no one has really said specifically what kind the businesses would be. He said that a business that needs that large of a warehouse usually is a business that has their office right in front of their warehouse. HUSSY said the point was made that to the south it is zoned for a shopping center, but with Town West taking a lot of the business from the Twin Lakes area, he doubted that a shopping center would be developed there in the near future. He felt that the city or State, or whoever is involved should be a little concerned with 33 loading docks because there would be a large number of trucks and then more money would have to be spent for traffic control lights.

BAYOUTH pointed out that if this site was developed with townhouses there would be more traffic coming in.

HANSEN added that that was correct, but it would not be semi-trailer truck traffic.

JOE BAKER, 2210 West 38th Street North, confessed that he was the one who wrote the unsigned letter to the area residents. The rumor that he stated in there was exactly what he heard. He also stated in the letter that it was a rumor and that if it was not true, then the alternatives that were stated in the rest of the petition were just as bad. BAKER said that he was a contractor, and 166,000 square feet is a large, large building. He mentioned that coming off of 37th they would have to go directly north to get on the interstate. It is uphill, and he could see them going through 5 or 6 gears before they get to the top. He said that he counted the houses on the east that he thought would be affected. He counted 40 to 50 homes that would get a tremendous amount of noise. He said that a residential area does not need a large warehouse right in the middle of it with docks for 33 trucks.

GARDNER pointed out to Mr. Baker that the area was presently zoned for a multiple family type of development. He said that what he was hearing from the neighborhood was that there does not seem to be any particular concern about residential development in the area. That seems to be by far the preferred option.

BAKER said that was correct. He said that he knew that somebody was going to do something with that property, and they were just praying that they would get the right thing in there before they do come in with something commercial. They would love to see the south portion of the area go residential. There is quite a bit of residential development in the area now, and if this comes in commercial it will ruin the plot of land south of this so that no one will want to put residential in there.

GARDNER stated that that particular stretch of street, Amidon, Womer and Meridian, does carry a lot of traffic between Valley Center and from that neighborhood down into Wichita. He said that, at some point in time, there might be a level of commercial development in this area.

BAYOUTH commented that this is nice piece of land right in the middle of all those interchanges. He did not feel that single family or multiple family development was the highest and best use for that piece of land. He felt that the applicant should sit down with the neighborhood to discuss the project. He would like to see this deferred for 30 days so that the applicant could go in and find a use for the property that was acceptable with the neighborhood.

RUTH FINNELL, 2640 Manhattan Drive, Chairperson of CPO Council Area "M", pointed out that the access to this property is not off the interstate, it is off of 37th Street North. She said that they have tried several times to get 37th Street improved by the City but they have not had any luck so far. There is no way they can get directly onto the interchange without going up 37th Street. That is the only access to Meridian Gardens. They can get out on 37th Street going east and 37th Street going west. They cannot get out of there any other way. FINNELL said that the neighborhood was already subjected to a great deal of truck traffic on 37th Street. She felt that multiple family housing would spread the traffic out over a longer period of time. The people who live there love their neighborhood. She said that Sherwood Glen has been raped repeatedly by the City and the County, and they should not be subjected to repeats of it. FINNELL said that she live in that neighborhood and has been on the CPO Council since it was first started. She said she had nothing to gain or lose because she does not live in the area, but she has watched some of the things that have happened to that neighborhood and she did not feel that they deserve this.

MOORE asked for a show of hands of everyone present in opposition. There were about 20 people present in opposition.

DAPHINE RYAN, 1940 West 37th Street Court North, mentioned that hardly anyone in the neighborhood knows about this proposal. Everyone is very upset. She said that there were a lot of warehouses east of this site and that will bring trucks down to this warehouse. She was concerned about the traffic because she lives right on 37th Street.

MOTION: That the Planning Commission defer this matter for 30 days so that the applicant could confer with the neighborhood. Bayouth moved, Gardner seconded.

PETERS stated that he wanted to be sure that all of the people who came to the meeting for this item had a chance to speak before a motion is made.

BAYOUTH withdrew his motion, and GARDNER, as the second, concurred.

NICKEL stated that she had been at this meeting since 1:30 p.m., and she had watched the Commission deny a nursery for raising exotic plants in a rural area, but now they are arguing that this neighborhood was upset because they did not want a warehouse with 33 loading docks in their area. She said that she did not understand this.

CHISHOLM reasoned that the Commission was not arguing with them at all. He said that some of the Commissioners have strong personal feelings that have been expressed. As a group this Commission is not in the position of arguing with them, or disagreeing with them, they are here to hear their information.

MOORE commented that the majority of the Commission probably favor the neighborhood's position and the discussion was just getting drug out. He also felt that the neighborhood would win this if everybody would quit talking and just let them vote.

SLOAN commented that the applicant purchased this property after the highway was in. He knew what was there.

CLARENCE EVANS, 1736 West 37th Street North, commented that the applicant does not call this a truck stop, but with 33 loading docks it would almost have to be a truck stop. He says that the traffic would come off of I-235 which the State is ready to close for the next two years. He mentioned that 37th Street North does not extend to the west, so the traffic would have to come across 37th Street or K-96.

BAYOUTH commented that 33 bays does not mean that it is a truck stop. He explained that his motion was very simple. This particular piece of property is going to be back and forth before this Commission many times. He wanted to see if the applicant could get to a point where he could find the right zoning for the property. He said that he was not saying that it was going to go commercial. He said that the neighborhoods sometimes reach a point of being ridiculous. There are a lot of people present who have nothing better to do than to come up here and oppose something.

REESE stated that time was of the essence as far as they were concerned on getting their zoning through on this particular project. He said that it seems to him after listening to the comments of the people who spoke that there has been a great deal of misinformation about the volume of traffic and what was going to be done there. While he really would like the Commission to vote in favor of "C" zoning today on this matter, he felt that they might have a very different attitude on the part of the community in this area, if the Commission would give him the time to go back to talk to the residents, show them what they plan and the type of businesses they intend to have in there. He said that it would be primarily offices.

HANSEN commented that 50 people at the CPO meeting had an opportunity to understand the proposal thoroughly and it did not seem to sway them. Therefore she did not think it was fair to continue.

BANZER said that he would agree with that statement, and the letter that the Commission had gotten was that the applicant had appeared before the CPO Council and explained his position.

WILSON asked if this application was denied, could the applicant come back in less than a year for a lesser zone change.

GALBRAITH said yes. The applicant can request the zoning committee of the Planning Commission to grant him permission to refile for a lesser classification after six months.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the general residential character of the neighborhood; the residential zoning and uses to the south and east; the extent to which removal of the restrictions will detrimentally affect nearby property; the impact of the proposed development on community facilities; the opposition by area residents, and the recommendation of denial by staff; I move that we recommend to the governing body that the zone change request and the associated Community Unit Plan not be approved. Moore moved, Hansen seconded and it carried unanimously. Crockett was absent.

April 20, 1984

Doratheia Sloan
3929 North Athenian
Wichita, Kansas

Re: Z-2589 - "R-5" to "C" & DP-137
Cherokee Sunrise West Commercial C.U.P.

Dear Mrs. Sloan:

The Planning Commission at its regular meeting of April 19, 1984, considered the above-captioned cases, and their action was as indicated on the attached letter.

It is my understanding that you have obtained protest petition forms from our office. Should owners of property within 200 feet of the application area desire to submit legal protest petitions, they must be submitted to the Office of the City Clerk no later than 5:00 p.m., Thursday, May 3, 1984. If additional copies are needed, they can be obtained at our office.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad
Encl.

cc: Henry L. Scott, 2215 West 38th Street North, Wichita 67204
Carolyn E. Nickel, 2200 West 38th Street North, Wichita 67204
Joseph E. Baker, 3809 North St. Clair, Wichita 67204
Clarence Evans, 1736 West 37th Street North, Wichita 67204
Ruth Finnell, 2640 Manhattan Drive, Wichita 67204

April 20, 1984

Bill Reese, President
Cherokee Properties, Inc.
510 North Topeka
Wichita, Ks.

Re: Z-2589 - "R-5" to "C" & DP-137 - Cherokee
Sunrise West Commercial C.U.P.

Dear Mr. Reese:

At its regular meeting on April 19, 1984, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend that the zone change request and the associated C.U.P. not be approved.

It is necessary that you submit 10 copies of the C.U.P. to our office no later than May 2, 1984 so that subject cases can be scheduled for consideration by the Board of City Commissioners at their regular meeting on May 15, 1984, this meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sd

cc: Lowell D. High, 1542 S. St. Francis, Wichita 67211
Henry L. Scott, 2215 West 38th Street North, Wichita 67204
Carolyn E. Nickel, 2200 West 38th Street North, Wichita 67204
Doratheia Sloan, 3929 North Athenian, Wichita
Joseph E. Baker, 3809 North St. Clair, Wichita 67204
Clarence Evans, 1736 West 37th Street North, Wichita 67204
Ruth Finnell, 2640 Manhattan Drive, Wichita 67204

April 18, 1984

Commissioner: Bob Knight, Mayor

Margalee Wright

Bob Knight

Albert Kirk

Tony Casado

Robert A. Lakin, Secy., Metropolitan Area Planning Comm.

In Re.: Case No.: Z-2589; Request for re-zoning from "R-5" to "C"
Case No. DP-137 - Lot 1, Block 1, Cherokee Sunrise
West Addition to Wichita, Sedgwick County, Ks.
Generally located at the northwest corner of
Womer and 37th St. No.

With this letter I am expressing my objection to the request of zoning change from "R-5" to "C", case No. Z-2589.

The request for zoning change in this area present the problem(s) of what type of "commercial" would be allowed in the area.

First and foremost, as an area resident, since 1957, I do and would oppose the proposed "commercial" Diesel Truck Installation; night-club; tavern; pool-hall; games-arcade; low-income-public supported housing; warehousing; wholesaling; and electronic assembly plant.

IF "commercial" development is to be allowed within a certain part of this undeveloped area, let it be restricted to grocery; service station; barber/beauty shop type of installation, which would service all surrounding area residents. Although, by some standards, this entire area is not considered class "A" affluent, it is by a MUCH GREATER percentage inhabited by single-family homeowners, who take pride in keeping their homes as homes with their money, time and work, this holds true for those of us who reside east and west of Meridian to the area in question.

Do not allow this area to be spoiled by the injection of "commercial" installation which is totally out of place. There are appropriate places for such and those places must be restricted from invading predominately residential areas, otherwise you lay foundation for the downgrading of values from every angle for far reaching property owners.

Thank you for your consideration.

Very truly yours,

Jeanne Lemon

Jeanne Lemon
3835 No. Clarence
Wichita, Ks., 67204
Sherwood Glenn Addition

cc: CPO Board Members for this area

RECEIVED

APR 19 1984

METROPOLITAN PLANNING

ROUTE _____

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION DATE April 19, 1984

RECEIVED

APR 19 1984

METROPOLITAN PLANNING

ROUTE

TO Jack Galbraith, Chief Planner-Current Plans

FROM Stanley J. Scott, CP Coordinator

SUBJECT DP-137/Z-2589: Northwest Corner
of Womer and 37th Street North

On Wednesday, April 18th, CPO Neighborhood Council "M" considered the captioned case, a request to establish the Cherokee Sunrise West Commercial Community Unit Plan and a zone change from "R-5" General Residence District to "C" Commercial District. After extensive discussion the Council voted 5-0 to recommend denial of the C.U.P. and zone change, citing the following items from Policy Statement No. 10:

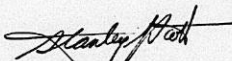
- a) The character of the neighborhood;
- b) the zoning and uses of properties nearby;
- d) the extent to which removal of the restriction will detrimentally affect nearby property;
- h) the impact of the proposed development on community facilities;
- j) opposition of neighborhood residents; and
- k) consideration of the recommendations of professional staff (comment No. 2, paragraph 1).

The applicant, Bill Reece, Cherokee Properties, Inc., was present to describe the requests and respond to questions from area residents and property owners. Mr. Reece explained that the 166,000 sq. ft. facility will be for office and warehouse operations with 33 loading docks. Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. It was noted that proposed uses include offices, warehousing, wholesale distributors, indoor amusement enterprises, and electronic assemble.

Approximately 50 area residents and property owners were present to receive information and express their opposition to the request. The consensus of area residents was that the proposed change will have a significant detrimental effect on the area. The primary concerns were the introduction of heavy truck traffic into the residential area west of Womer, an increase in the existing problem of truck traffic along 37th Street North, east of Womer, and congestion at the intersection of 37th Street North and Womer. Residents also expressed concern for children walking to the Pleasant Valley Schools from Meridian Gardens Addition, an increase in noise, the possible introduction of similar facilities on existing vacant land in the area, and the relative isolation of the Meridian Gardens Addition.

Jack Galbraith, Chief Planner
DP-137/Z-2589
Page 2

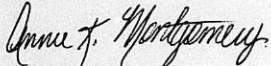
Please provide the Council's recommendations and comments to the Metropolitan Area Planning Commission and City Commission when DP-137 and Z-2589 are considered.



Stanley J. Scott
CP Coordinator

SJS:sm

Noted:



Annie Montgomery
CRS Director

3512 N. Clarence
Wichita, Kansas 67204
April 16, 1984

Wichita-Sedgwick County
Metropolitan Area Planning Commission
City Hall, Tenth Floor
455 North Main Street
Wichita, KS 67202

Dear Sirs:

This letter is in regard to a public meeting you will have on April 19, 1984, in regard to changing the zoning in an area near Wormer and 37th Street North. A notice from your office cites Case No. DP-137 and associated Zone Case No. Z-2589, a copy of which is enclosed on this matter. A call to your office earlier indicated that this letter would be appropriate.

As we understand it, your hearing will consider a zoning change to a "C" commercial zoning for the cited areas. We vehemently oppose any zoning change that would allow businesses or commercial enterprises to locate in this area. The very thought is disgusting. This entire area is an established residential area and to allow it to be anything other than residential would be absolutely disruptive and unfair. The reasons it would be disruptive and unfair are many and we will name only some. There are some older homes in this area and many newer ones. Many people have spent many years and hard work maintaining their homes in this area. New homes have also been built here because the neighborhood was established and stable. Many of the new homes are owned by first time home buyers who have put their entire savings and earnings into these homes. Surely you must know how difficult it is for first time home buyers in today's economy. To "jerk the rug" from these home owners, who had every reason to believe the neighborhood was stable and established, would be next to cruel.

The idea of letting businesses into this area also doesn't make sense. This area was here first as a residential area, not a commercial area. Broadway street is not very far away and is already commercial. Why can't any business that wants in this area locate on Broadway instead? Broadway is accessible from I-235 also.

Anyone who would want to propose or allow a zoning change would have to be completely oblivious to the well being of the residents in this area. If they who would seek a change would only stop and think how they would feel if the same was to happen in their own established neighborhood, then we do not believe they would allow such a change. They should stop to think how they would like to have the increased traffic and noise. They should stop to think how they would like to see their property values decline in an already depressed real estate market. They should stop to think how they would like to see their hard work and hopes extinguished. They should stop to think how they would feel inside about all this if it would happen to them.

RECEIVED

APR 16 1984

METROPOLITAN PLANNING
ROUTE _____

This letter is the first step taken to do what ever is necessary to prevent a change in zoning. If the commission supports a zoning change, then more effort will then be taken to prevent a zoning change. This would include what ever legal recourse was available to the residents.

It is hoped that this letter will appeal to the commission members' sense of fairness and compassion. In this case, fairness and compassion go hand-in-hand. A review of the facts and status quo in the interest of fairness will lead to the same result as a review in the interest of compassion. That is that no zoning change should be allowed. It would be totally unfair and disrespectful of the areas residents.

Respectfully Submitted,

Nary A. Freeman
Gary A. Freeman
Judy A. Freeman
Judy K. Freeman

center to the south that there is adequate buffering to protect adjacent residential areas. The applicant has limited the proposed uses and has not listed retail sales, restaurants, auto agencies, storage yards, car washes, etc., that would have significant negative impacts on adjacent residential uses.

3. The single-family homes to the east back into Womer. There is a slight grade differential between the single-family homes and the C.U.P. site that will help screen the site. Staff would recommend that the ten foot landscape area along the east side of the C.U.P. be planted primarily with street trees. The skating rink and a masonry wall will provide some screening for the single-family homes to the south.
 4. A recommendation of approval by the Planning Commission should be subject to the approval of the associated CUP and to the platted setbacks being vacated prior to the publication of the ordinance establishing the zone change and within six months from the date of approval by the Board of City Commission, or the case be considered denied and closed.
 5. Should the Planning Commission determine that the proposed C.U.P. is appropriate, the following are recommended conditions of approval:
 - a. The maximum building coverage shall be changed to read as follows:

30% - 131,333 square feet. (Note: an additional 35,000 square feet of building coverage may be permitted if it is limited to warehousing and/or wholesale distributors.)
 - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
 - d. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
-

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 15, 1984

TO Robert B. Feldner, Superintendent of Central Inspection
Mike Lindebak, City Engineer
Bill McKinley, Traffic Engineer

FROM Art Chambers, Senior Planner

SUBJECT DP-137 Cherokee Sunrise West Commercial C.U.P.

Attached for your review is a copy of a proposed commercial C.U.P. The C.U.P. would permit 210,211 square feet of warehousing, wholesaling, electronic assembly, professional services, etc. We would appreciate receiving your comments regarding access, uses, etc., by Wednesday, March 21, 1984. The associated zone case is requesting "C" commercial zoning.

If you have any questions, please call.

Art Chambers
Senior Planner

ADC:jps
Attachment

CASE NO. Z-2589 ASSOC. CASE NO. DP-137

| | |
|-----|---|
| 20 | Notice to Adjoining Property Owners mailed on 4-5-84, for MAPC meeting to be held 4-19-84. |
| 2 | One each to Applicant and Agent. |
| 3 | One each to CPO, Karen Crook, Don Schneider |
| --- | |
| 25 | TOTAL |

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

April 5, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 19, 1984, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for the CHEROKEE SUNRISE WEST COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-137

Lot 1, Block 1, in Cherokee Sunrise West Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Womer and 37th Street North.

The Development Plan for 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, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The Development Plan now on file proposes to create a ten-acre Commercial C.U.P. that would permit offices, warehousing, wholesaling, indoor recreational uses and some electronic assembly. A maximum of 210,211 square feet of floor area is proposed. Associated Zone Case No. Z-2589 is requesting "C" Commercial zoning for the ten-acre site. Building setbacks, landscaping, parking ratio, and other information regarding future development is shown on the plan.

The hearing of the proposed amendments to this Development Plan, as provided in Section 28.04.190 of the City Zoning Ordinance of the City of Wichita, is to be held and the same will there be discussed and considered by said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary

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

DP-137
Cherokee
Sunrise
West
Commercial
CUP

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.
- a. Applicant Bill Reece, President, Cherokee Properties, Inc.
Address 510 N. Topeka Phone 262-1052
Agent Lowell D. High
Address 1542 S. St. Francis Phone 264-0341
- b. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____
- c. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

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

2. a. The applicant hereby requests Community Unit Plan approval on property zoned C and legally described as Lot(s) 1 _____, Block(s) 1 _____, Cherokee Sunrise West Addition.
(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet.)

use legal off of ownership lists

2. b. There are 10.05 acres (round to nearest tenth) in the above described property.

T9-330-3

MAP 5252B
5350C ZONING N-J-235 SAA 420
E NR W J 235

MAPC 4/19/84
Revised 8/80
Assoc. Z-2589

3. The general location is (use appropriate section)

- a. at the northwest corner of Womer
and 37th St. North; or
- b. on the _____ side of _____ (Avenue,
Street) between _____ (Avenue, Street) and
_____ (Avenue, Street).

4. 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.

By W. R. Rice
Authorized Agent (if any)

By _____
Authorized Agent (if any)

By _____
Authorized Agent (if any)

By _____
Authorized Agent (if any)

5. OFFICE USE ONLY

This application was received at the Planning Department at 2:00
(AM, PM) on March 5, 1984 (Day, Month, Year). It has been
checked and found to be complete and accompanied by required documents and
the appropriate fee of \$ 200.00.

Arthur D. Chambers Name
So. Planner Title

FORM 29-

PAYMENT NOTICE
City of Wichita

| Bldg. | Use of Str. | Code Bks | Copies |
|-------|------------------|------------|--------|
| Elec | Elev. Insp. | Hse Moving | Lic. |
| Mech | Boiler Insp. | Fav. Cuts | Cert. |
| Plbg | Exam Fees | Sewer | Elev. |
| Signs | Plan Rev. (P.W.) | Cement | M.S.P. |

Planning

| DESCRIPTION | AMOUNT |
|----------------------------|-----------------------|
| <i>2nd Floor UP # 803</i> | |
| NAME <i>Charles W. ...</i> | |
| ADDRESS | |
| FUND | DUE DATE |
| COMMENTS | |
| DATE <i>Jan 24</i> | BY <i>[Signature]</i> |

*

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

Roll # 1

*