

ACTION

DATE

COMMITTEE

M.A.P.C. Found in conference 6-8-78
with Comprehensive plan

B.C.C./B-GO-C.

DR 78-18 - Waco-Finn Urban Renewal
Plan Amendment-Consistency with
the Comprehensive Plan.

WICHITA-SEDGWICK COUNTY

DATE
June 1, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Wichita-Sedgwick County Metropolitan Area
Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 78-18 - Waco Finn Urban Renewal Plan
Amendment - Determination of Consistency
with the Comprehensive Plan

Appearing on your agenda for the June 8, 1978 meeting is a request from the Wichita Urban Renewal Agency to review a proposed amendment to the Waco-Finn portion of the adopted Urban Renewal Plan and to determine its consistency with the adopted Comprehensive Development Plan elements. The sections of the text of the Urban Renewal Plan proposed to be changed are underlined on the attachment marked "EXISTING" and the proposed revisions are set out in the corresponding section of the attachment marked "PROPOSED".

SUMMARY OF PROPOSED REVISIONS:

To summarize, revisions are proposed as follows:

(A) Section 1.a. Land Use Provisions and Building Requirements:

It is proposed to change the terminology for land use categories from "Parks and Open Space" and "Schools" to "Public and Semi-public."

(B) Section 1.b. (1) (a) Minimum Building Site:

It is proposed to change the minimum lot area per dwelling unit for duplexes from 5,000 square feet per unit to 3,000 square feet per unit to match the existing lot area requirements of the City Zoning Ordinance.

(C) Section 1. b. (2) (b) Maximum Building Height:

It is proposed to change the "no restriction" limitation of commercial buildings to correspond to the existing limitations of the City Zoning Ordinance.

(D) Action 1.b. (2) (c) I. and III. Maximum Building Setbacks:

It is proposed to establish a 25 foot setback line for commercial buildings abutting street right-of-way, except on corner lots where one of the two setbacks may be reduced to 15 feet and to increase the rear yard requirement from 5 feet to 10 feet for those commercial buildings which are to have rear yards.

- (E) Add to Section 1.b. (2) Commercial Buildings: two sub-sections (f) and (g) which require screening of commercial buildings when adjacent to residential development and also requires the submission to the Urban Renewal Agency of a site plan and landscape plan prior to the approval of construction plans.
- (F) The "Generalized Land Use Plan" map for the Waco-Finn Urban Renewal area is proposed to be revised by changing the "Residential" use designation to the "Commercial and Office" use designation to a depth of one-half block on each side of Arkansas Avenue from 21st Street to 25th Street and by changing the "Parks and Open Space" use designation to the "Commercial and Office" use designation for the area along the west side of Broadway from 22nd Street to 25th Street. The Urban Renewal Agency also proposes to reduce in size the area designated for commercial uses west of Broadway around the 21st Street and Broadway intersection to an area which more accurately reflects the limits of the existing commercial and light commercial zoning districts.

Although it is not shown on the proposed Generalized Land Use Plan, the Urban Renewal Agency intends to extend the "Commercial and Office" use designation along the south side of 21st Street from Waco to Arkansas to accommodate the commercial uses and zoning districts now existing in this location.

CONSISTENCY OF PROPOSED REVISIONS:

In regard to the proposed changes, it should be noted that in relation to item (D) above, the City Zoning Ordinance does not require a front yard setback in the "C" Commercial district or in the "LC" light commercial district when within or adjoining an area zoned "LC", "C", "D", "E", or "F" which is nine hundred feet or more in continuous length. In addition, when setbacks are secured along major streets through the platting process, 35 feet is required between the front lot line and the building as opposed to the general requirement of 25 feet suggested in the Urban Renewal proposal.

The City zoning ordinance also makes mandatory a 10 foot rear yard in the "LC" Light Commercial district whereas the Urban Renewal Agency is suggesting a permissive 10 foot rear yard requirement for commercial buildings.

The other proposed revisions to the Waco-Finn Urban Renewal Plan have been compared to the recommendations of the adopted elements of the Comprehensive Plan and there appears to be no inconsistencies in relation to future land use designations and community facility proposals.

Representatives of the Urban Renewal Agency will be available to answer any questions the Planning Commission may have regarding the proposed revisions to the Waco-Finn Plan.

Wichita-Sedgwick County Metropolitan Area Planning Commission
Page 3, June 1, 1978

RECOMMENDATION:

It is recommended that the Planning Commission take action to specify that the proposed revisions (to the Waco-Finn Urban Renewal Plan are consistent with the general provisions of the adopted elements of the Comprehensive Plan for the Wichita-Sedgwick County Metropolitan Area.)


Robert A. Lakin
Director of Planning

RAL:RY:bh

cc: Ken Kitchen, Executive Director, Wichita Urban Renewal Agency
Tom Risdal, Urban Planner

Proposed

LAND DISPOSITION SUPPLEMENT

This section contains the land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

1. Land Use Provisions and Building Requirements

- a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category public and semi-public provides for existing parks and the development of parks and open space along drainageways in the project area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

- (a) **Minimum Building Site.** No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 3,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

- (b) **Minimum Size of Dwelling Unit.** All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

| | |
|-----------------|-------------------|
| Efficiency Unit | 380 square feet |
| One bedroom | 525 square feet |
| Two bedroom | 720 square feet |
| Three bedroom | 900 square feet |
| Four bedroom | 1,120 square feet |
| Five bedroom | 1,320 square feet |
| Six bedroom | 1,540 square feet |

- (c) **Height Limit.** No dwelling shall be erected or enlarged to exceed 35 feet in height.

- (d) **Off-Street Parking.** In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.

- (e) **Front, Side, and Rear Yard.** No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of not less than ten (10) feet from each lot.

- (f) Signs. No signs, advertisements, bill boards, or advertising structures of any kind may be erected or maintained on the property without the consent in writing of the Urban Renewal Agency; provided, however, that permission is hereby granted for the erection and maintenance of more than one (1) sign-board for each building site as sold or conveyed, which sign-boards shall not be more than five (5) square feet in size and may be used for the sole and exclusive purpose of advertising; for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures. - One hundred percent (100%) except in the case of individual commercial parcels which are not a part of a larger development plan, in which case the maximum site coverage shall be fifty percent (50%) and required off-street parking shall be provided on the site.
- (b) Maximum Building Height. - No commercial structure shall exceed the maximum building height as established in the zoning ordinance of the City of Wichita, Kansas.
- (c) Minimum Building Setbacks.
- I. A twenty five (25) feet building setback shall be required from any property line abutting a street right-of-way, except that on corner lots one of the two setbacks may be reduced to no less than fifteen (15) feet.
- II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.
- III. All buildings shall have either no setback or a setback of not fewer than ten (10) feet for rear yards.
- (d) Minimum Off-Street Parking. - Off-street parking shall be provided as required in Section 28.04.141 of the Code of the City of Wichita, Kansas.
- (e) Signs
- I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
- II. Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary for the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.
- III. Any permitted sign may be illuminated from within or without provided that such lighting shall be limited to a non-flashing type.
- IV. No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.
- V. Signs affixed to a building wall shall not extend more than eighteen (18) inches from the building wall.

VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) Screening

A solid or semi-solid wall or fence will be required along the property line where commercial development abutts residential development and is not separated by any public way or street, excluding alleys. This wall or fence shall be constructed of bricks, stone, masonry, wood or similar material (not including chain link or woven wire) at least six feet but not more than eight feet high.

(g) Landscaping

A site plan and landscape plan will be required by the Agency prior to approval of any construction plans. This landscape plan will be drawn to scale and show the location, size and species of all existing and proposed landscaping. The minimum landscaping requirement will include street trees and front yard landscaping.

2. Circulation Requirements

Circulation requirements are delineated on the Generalized Land Use Plan Map.

3. Redevelopers Obligations

In the conveyance of land in cleared portions of the Waco-Finn Neighborhood, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

4. Design Objectives

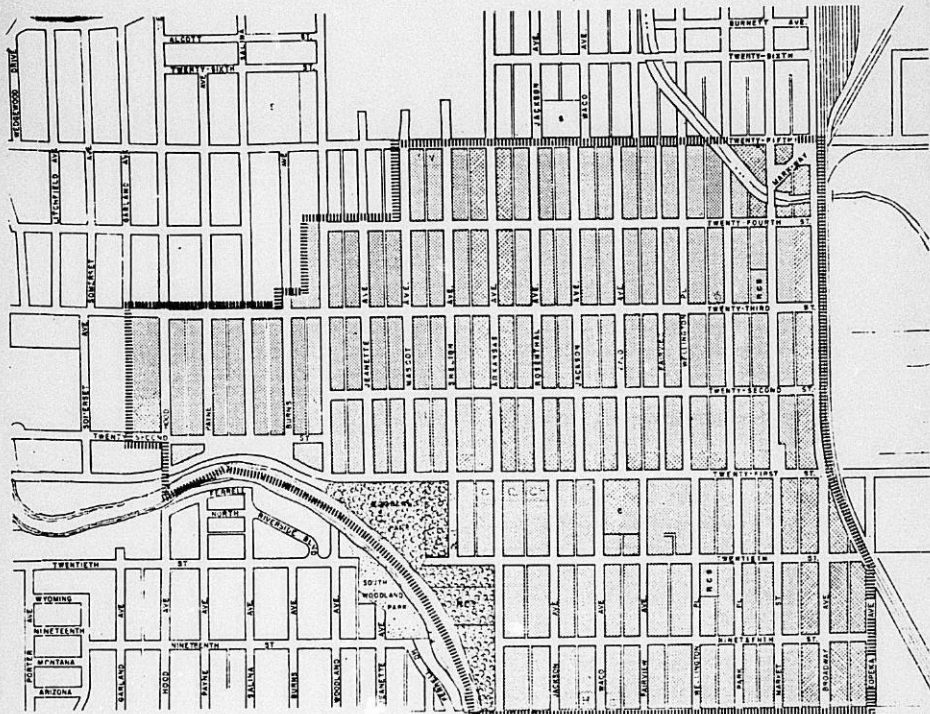
The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; to insure proper landscaping and in general a high type and quality of improvement in said property.

No improvements shall be undertaken until the complete plans and specifications including the floor plans and grade, landscaping and lot plan of such improvements, shall have been submitted to and approved in writing by the Urban Renewal Agency, which shall incur no liability by reason of its judgement, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specifications as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

5. Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgwick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be contained thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

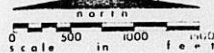
The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.



LEGEND

-  RESIDENTIAL
-  COMMERCIAL & OFFICE
-  PUBLIC & SEMI-PUBLIC

WACO - FINN
GENERALIZED LAND USE PLAN
 URBAN RENEWAL AGENCY OF THE WICHITA, KANSAS
 METROPOLITAN AREA



MAY, 1978

LAND DISPOSITION SUPPLEMENT

This section contains the land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

Land Use Provisions and Building Requirements

a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category Parks and Open Space provides for existing parks and the development of parks and open space along drainage ways in the project area. The use category Schools provides for existing-to-remain schools in the Waco-Finn area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

(a) Minimum Building Site. No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 5,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

(b) Minimum Size of Dwelling Unit. All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

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| Efficiency Unit | 380 square feet, |
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(c) Height Limit. No dwelling shall be erected or enlarged to exceed 35 feet in height.

(d) Off-Street Parking. In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.

(e) Front, Side, and Rear Yard. No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of no less than ten (10) feet from each lot.

(f) Signs. No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on the property without the consent in writing of the Urban Renewal Agency; provided, however, that permission is hereby granted for the erection and maintenance of more than one (1) signboard for each building site as sold or conveyed, which signboards shall not be more than five (5) square feet in size and may be used for the sole

and exclusive purpose of advertising for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures - 100% except in the case of individual commercial parcels which are not a part of a larger development plan in which case the maximum site coverage shall be 50% and required off-street parking shall be provided on the redevelopment site.
- (b) Maximum Building Height - No restriction.
- (c) Minimum Building Setbacks
 - I. No building setback shall be required from any property line abutting a street right-of-way.
 - II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.
 - III. All buildings shall have either no setback or a setback of not fewer than five (5) feet for rear yards.
- (d) Minimum Off-Street Parking - One (1) car space for each 250 square feet of gross office and retail floor area. These spaces shall be provided within 600 feet (as measured along the lines of public access) from the use which it serves.
- (e) Signs

- I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
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(f) screening or landscaping
Circulation Requirements

Circulation requirements are delineated on the Generalized Land Use Plan Map.

Redevelopers Obligations

In the conveyance of land in cleared portions of the Waco-Finn Area, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

Design Objectives

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the highest

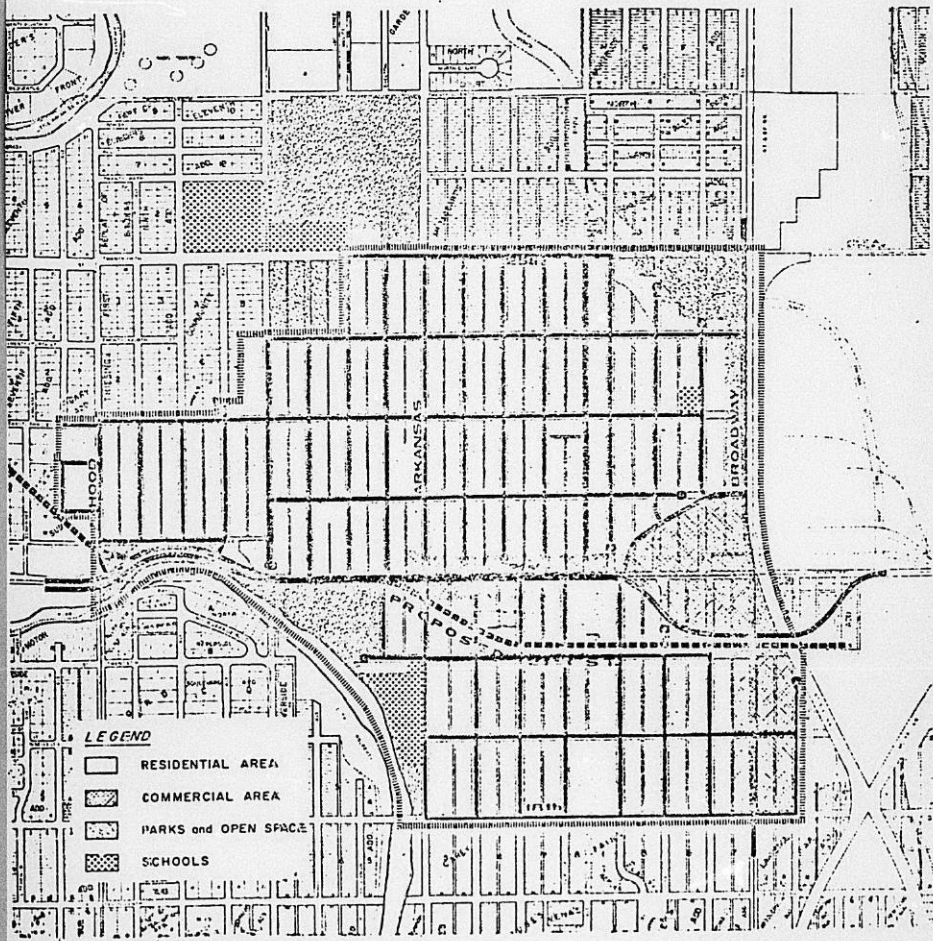
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5. Duration of Controls

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**WACO - FINN
GENERALIZED LAND USE PLAN**

URBAN RENEWAL AGENCY of the
WICHITA, KANSAS, METROPOLITAN AREA

Prepared By
ODLINGER - SMITH CORPORATION
CONSULTANTS IN PLANNING, DESIGN and DEVELOPMENT

THE PREPARATION OF THIS DOCUMENT WAS FINANCED
BY THE FEDERAL GOVERNMENT THROUGH THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT



0 500' 400' 800'
SCALE IN FEET

WICHITA-SEDGWICK COUNTY

DATE
June 1, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Wichita-Sedgwick County Metropolitan Area
Planning Commission

FROM Robert A. Lakin, Director of Planning

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Wichita-Sedgwick County Metropolitan Area Planning Commission
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Robert A. Lakin
Director of Planning

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(a) Maximum Site Coverage of Structures. - One hundred percent (100%) except in the case of individual commercial parcels which are not a part of a larger development plan, in which case the maximum site coverage shall be fifty percent (50%) and required off-street parking shall be provided on the site.

(b) Maximum Building Height. - No commercial structure shall exceed the maximum building height as established in the zoning ordinance of the City of Wichita, Kansas.

(c) Minimum Building Setbacks.

I. A twenty five (25) feet building setback shall be required from any property line abutting a street right-of-way, except that on corner lots one of the two setbacks may be reduced to no less than fifteen (15) feet.

II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.

III. All buildings shall have either no setback or a setback of not fewer than ten (10) feet for rear yards.

(d) Minimum Off-Street Parking. - Off-street parking shall be provided as required in Section 28.04.141 of the Code of the City of Wichita, Kansas.

(e) Signs

I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.

II. Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary to the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.

III. Any permitted sign may be illuminated from within or without provided that such lighting shall be limited to a non-flashing type.

IV. No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.

V. Signs affixed to a building wall shall not extend more than eighteen (18) inches from the building wall.

VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) Screening

A solid or semi-solid wall or fence will be required along the property line where commercial development abutts residential development and is not separated by any public way or street, excluding alleys. This wall or fence shall be constructed of bricks, stone, masonry, wood or similar material (not including chain link or woven wire) at least six feet but not more than eight feet high.

(g) Landscaping

A site plan and landscape plan will be required by the Agency prior to approval of any construction plans. This landscape plan will be drawn to scale and show the location, size and species of all existing and proposed landscaping. The minimum landscaping requirement will include street trees and front yard landscaping.

2. Circulation Requirements

Circulation requirements are delineated on the Generalized Land Use Plan Map.

3. Redevelopers Obligations

In the conveyance of land in cleared portions of the Waco-Finn Neighborhood, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

4. Design Objectives

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; to insure proper landscaping and in general a high type and quality of improvement in said property.

No improvements shall be undertaken until the complete plans and specifications including the floor plans and grade, landscaping and lot plan of such improvements, shall have been submitted to and approved in writing by the Urban Renewal Agency, which shall incur no liability by reason of its judgement, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specifications as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

5. Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgwick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be contained thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.

EXISTING

LAND DISPOSITION SUPPLEMENT

This section contains the land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

Land Use Provisions and Building Requirements

a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category Parks and Open Space provides for existing parks and the development of parks and open space along drainageways in the project area. The use category Schools provides for existing-to-remain schools in the Waco-Finn area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

(a) Minimum Building Site. No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 5,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

(b) Minimum Size of Dwelling Unit. All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

| | |
|-----------------|-------------------|
| Efficiency Unit | 380 square feet, |
| One bedroom | 525 square feet |
| Two bedroom | 720 square feet |
| Three bedroom | 900 square feet |
| Four bedroom | 1,120 square feet |
| Five bedroom | 1,320 square feet |
| Six bedroom | 1,540 square feet |

(c) Height Limit. No dwelling shall be erected or enlarged to exceed 35 feet in height.

(d) Off-Street Parking. In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.

(e) Front, Side, and Rear Yard. No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of no less than ten (10) feet from each lot.

(f) Signs. No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on the property without the consent in writing of the Urban Renewal Agency; provided, however, that permission is hereby granted for the erection and maintenance of more than one (1) signboard for each building site as sold or conveyed, which signboards shall not be more than five (5) square feet in size and may be used for the sole

and exclusive purpose of advertising for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures - 100% except in the case of individual commercial parcels which are not a part of a larger development plan in which case the maximum site coverage shall be 50% and required off-street parking shall be provided on the redevelopment site.
- (b) Maximum Building Height - No restriction.
- (c) Minimum Building Setbacks
 - I. No building setback shall be required from any property line abutting a street right-of-way.
 - II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.
 - III. All buildings shall have either no setback or a setback of not fewer than five (5) feet for rear yards.
- (d) Minimum Off-Street Parking - One (1) car space for each 250 square feet of gross office and retail floor area. These spaces shall be provided within 600 feet (as measured along the lines of public access) from the use which it serves.

(e) Signs

- I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
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- IV. No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.
- V. Signs affixed to a building wall shall not extend more than eighteen (18) inches from the building wall.
- VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) screening or landscaping
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Redevelopers Obligations

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Design Objectives

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the high-

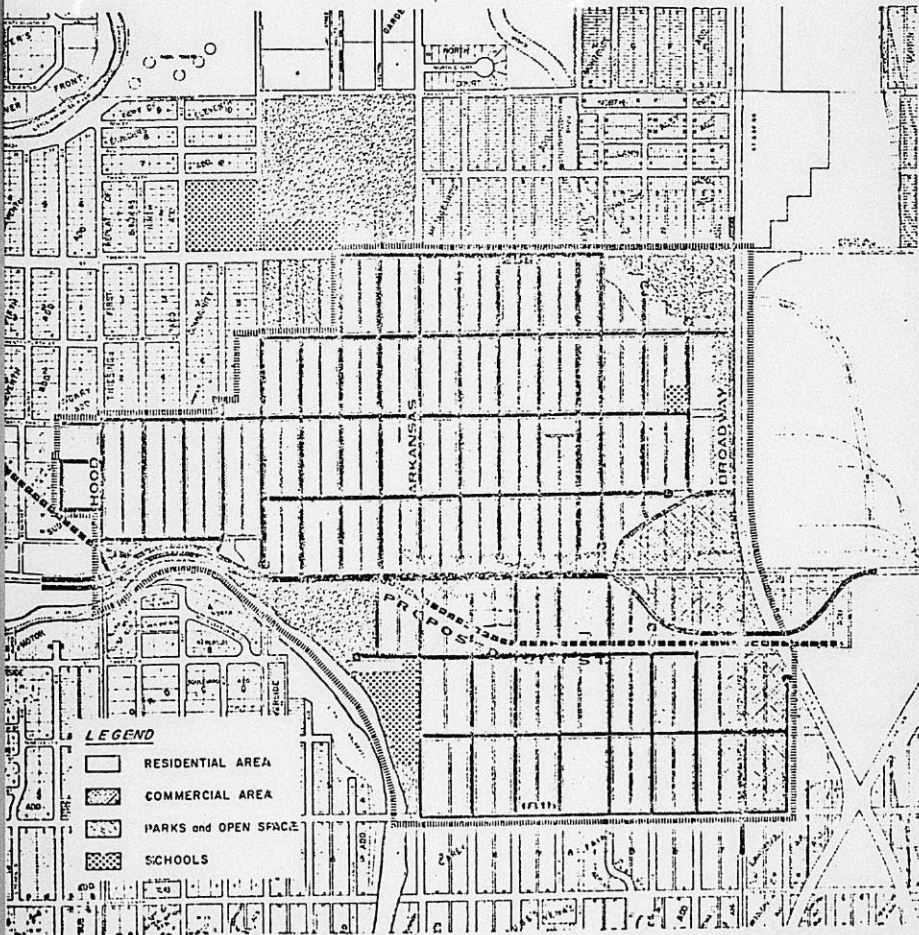
and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; and in general to provide adequately for a high type and quality of improvement in said property.

No improvements shall be undertaken until the complete plans and specifications including the floor plans and grade and plot plan of such improvements, shall have been submitted to and approved in writing by the Urban Renewal Agency, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specifications as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgewick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be continued thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.



**WACO - FINN
GENERALIZED LAND USE PLAN**

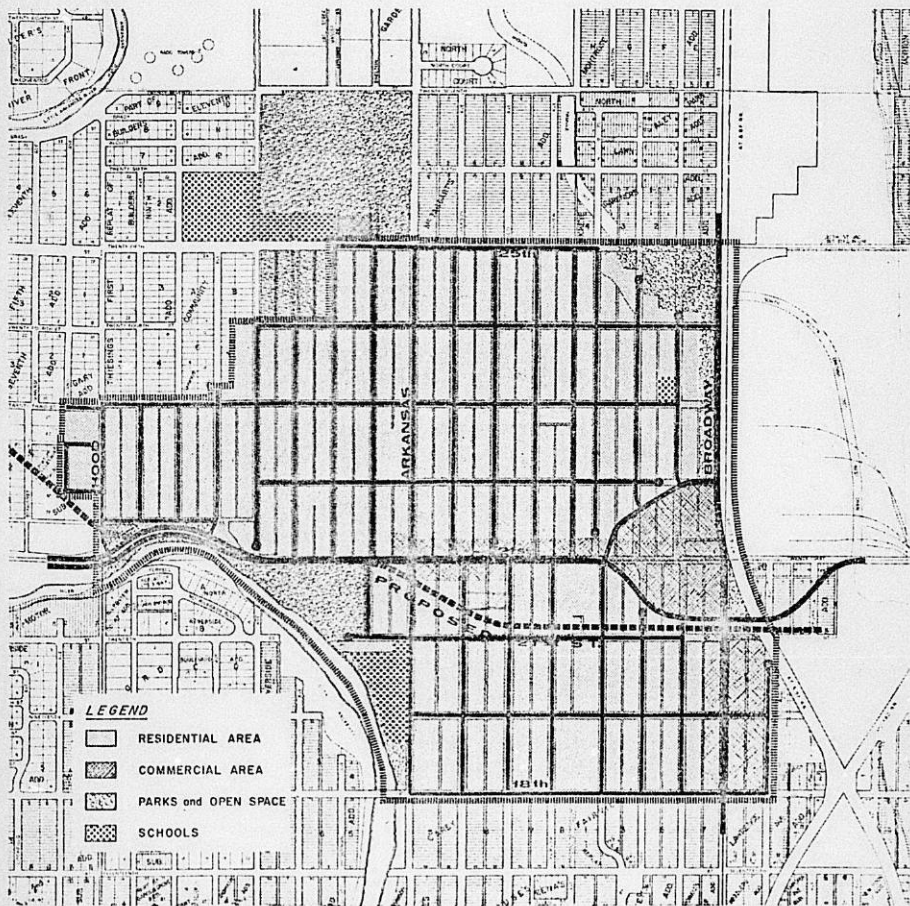
URBAN RENEWAL AGENCY of the
WICHITA, KANSAS, METROPOLITAN AREA

Prepared By
ODLINGER - SMITH CORPORATION
CONSULTANTS IN PLANNING, DESIGN AND DEVELOPMENT

THE PREPARATION OF THIS DOCUMENT WAS FINANCED
IN PART BY FEDERAL MONIES AWARDED BY THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT



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SCALE IN FEET



WACO - FINN GENERALIZED LAND USE PLAN

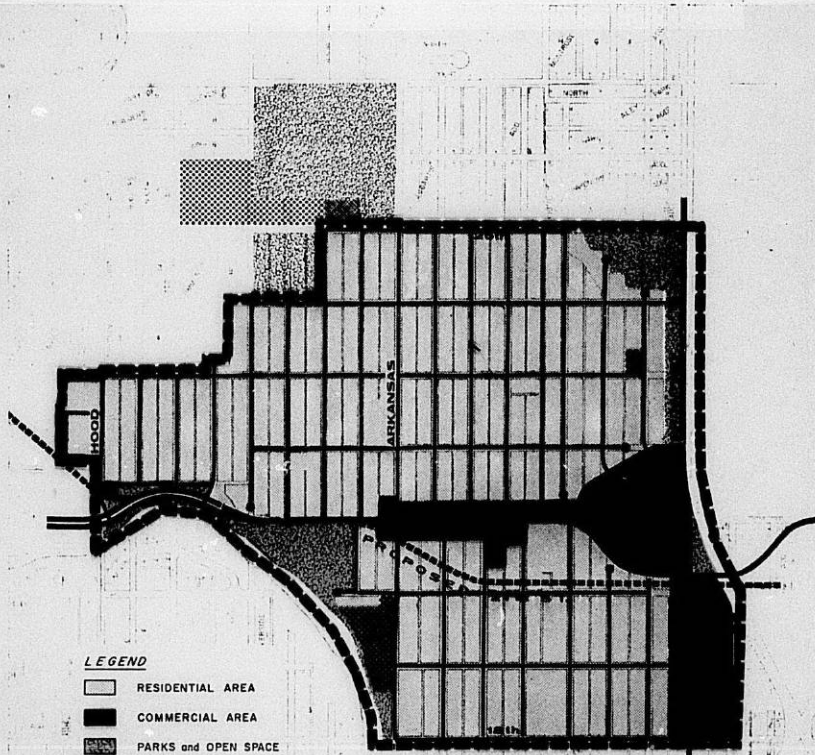
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DECEMBER 1971



- LEGEND**
- RESIDENTIAL AREA
 - COMMERCIAL AREA
 - PARKS and OPEN SPACE
 - SCHOOLS

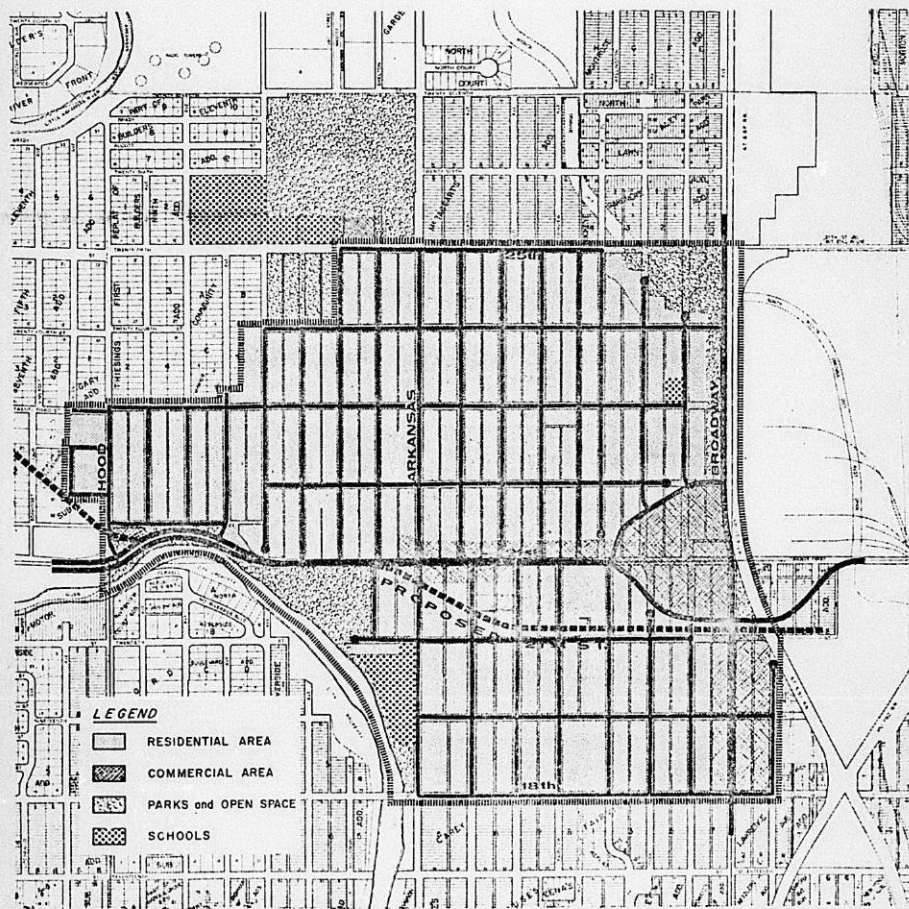
**WACO - FINN
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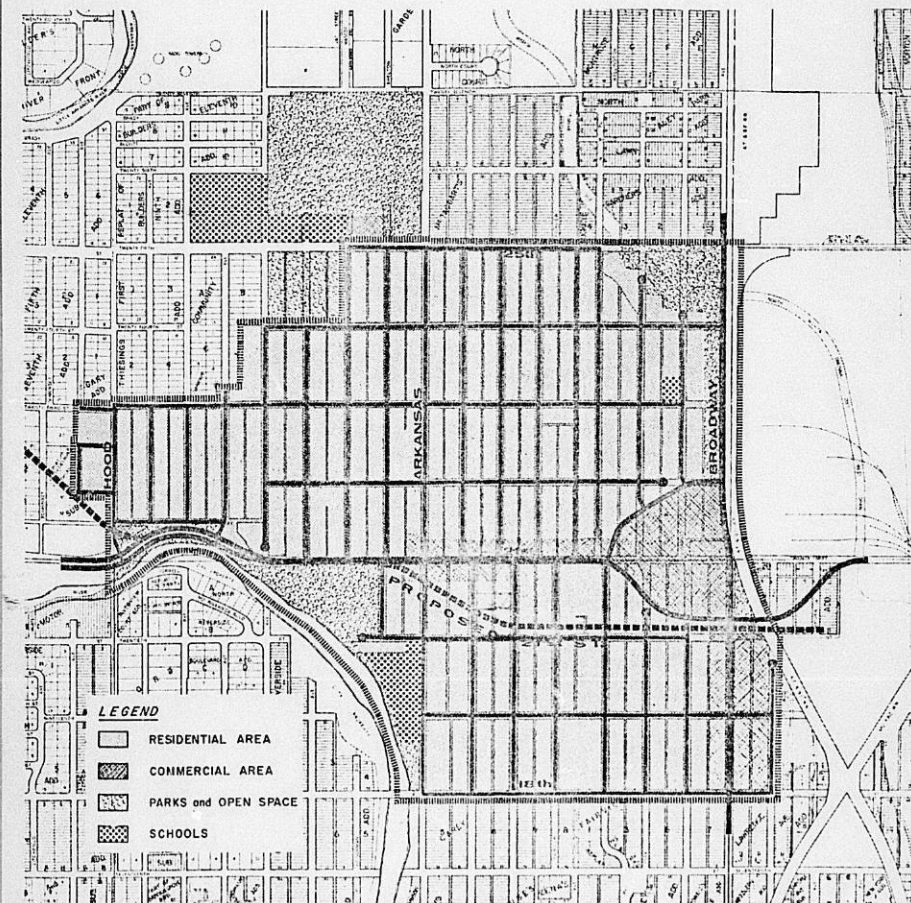
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WICHITA-SEDGWICK COUNTY

DATE
June 1, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Wichita-Sedgwick County Metropolitan Area
Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 78-18 - Waco Finn Urban Renewal Plan
Amendment - Determination of Consistency
with the Comprehensive Plan

Appearing on your agenda for the June 8, 1978 meeting is a request from the Wichita Urban Renewal Agency to review a proposed amendment to the Waco-Finn portion of the adopted Urban Renewal Plan and to determine its consistency with the adopted Comprehensive Development Plan elements. The sections of the text of the Urban Renewal Plan proposed to be changed are underlined on the attachment marked "EXISTING" and the proposed revisions are set out in the corresponding section of the attachment marked "PROPOSED".

SUMMARY OF PROPOSED REVISIONS:

To summarize, revisions are proposed as follows:

(A) Section 1.a. Land Use Provisions and Building Requirements:

It is proposed to change the terminology for land use categories from "Parks and Open Space" and "Schools" to "Public and Semi-public."

(B) Section 1.b. (1) (a) Minimum Building Site:

It is proposed to change the minimum lot area per dwelling unit for duplexes from 5,000 square feet per unit to 3,000 square feet per unit to match the existing lot area requirements of the City Zoning Ordinance.

(C) Section 1. b. (2) (b) Maximum Building Height:

It is proposed to change the "no restriction" limitation of commercial buildings to correspond to the existing limitations of the City Zoning Ordinance.

(D) Action 1.b. (2) (c) I. and III. Maximum Building Setbacks:

It is proposed to establish a 25 foot setback line for commercial buildings abutting street right-of-way, except on corner lots where one of the two setbacks may be reduced to 15 feet and to increase the rear yard requirement from 5 feet to 10 feet for those commercial buildings which are to have rear yards.

- (E) Add to Section 1.b. (2) Commercial Buildings: two sub-sections (f) and (g) which require screening of commercial buildings when adjacent to residential development and also requires the submission to the Urban Renewal Agency of a site plan and landscape plan prior to the approval of construction plans.
- (F) The "Generalized Land Use Plan" map for the Waco-Finn Urban Renewal area is proposed to be revised by changing the "Residential" use designation to the "Commercial and Office" use designation to a depth of one-half block on each side of Arkansas Avenue from 21st Street to 25th Street and by changing the "Parks and Open Space" use designation to the "Commercial and Office" use designation for the area along the west side of Broadway from 22nd Street to 25th Street. The Urban Renewal Agency also proposes to reduce in size the area designated for commercial uses west of Broadway around the 21st Street and Broadway intersection to an area which more accurately reflects the limits of the existing commercial and light commercial zoning districts.

Although it is not shown on the proposed Generalized Land Use Plan, the Urban Renewal Agency intends to extend the "Commercial and Office" use designation along the south side of 21st Street from Waco to Arkansas to accommodate the commercial uses and zoning districts now existing in this location.

CONSISTENCY OF PROPOSED REVISIONS:

In regard to the proposed changes, it should be noted that in relation to item (D) above, the City Zoning Ordinance does not require a front yard setback in the "C" Commercial district or in the "LC" light commercial district when within or adjoining an area zoned "LC", "C", "D", "E", or "F" which is nine hundred feet or more in continuous length. In addition, when setbacks are secured along major streets through the platting process, 35 feet is required between the front lot line and the building as opposed to the general requirement of 25 feet suggested in the Urban Renewal proposal.

The City zoning ordinance also makes mandatory a 10 foot rear yard in the "LC" Light Commercial district whereas the Urban Renewal Agency is suggesting a permissive 10 foot rear yard requirement for commercial buildings.

The other proposed revisions to the Waco-Finn Urban Renewal Plan have been compared to the recommendations of the adopted elements of the Comprehensive Plan and there appears to be no inconsistencies in relation to future land use designations and community facility proposals.

Representatives of the Urban Renewal Agency will be available to answer any questions the Planning Commission may have regarding the proposed revisions to the Waco-Finn Plan.

Wichita-Sedgwick County Metropolitan Area Planning Commission
Page 3, June 1, 1978

RECOMMENDATION:

It is recommended that the Planning Commission take action to specify that the proposed revisions to the Waco-Finn Urban Renewal Plan are consistent with the general provisions of the adopted elements of the Comprehensive Plan for the Wichita-Sedgwick County Metropolitan Area.


Robert A. Lakin
Director of Planning

RAL:RY:bh

cc: Ken Kitchen, Executive Director, Wichita Urban Renewal Agency
Tom Risdal, Urban Planner

PROPOSED

LAND DISPOSITION SUPPLEMENT

This section contains the land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

1. Land Use Provisions and Building Requirements

- a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category public and semi-public provides for existing parks and the development of parks and open space along drainageways in the project area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

- (a) Minimum Building Site. No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 3,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

- (b) Minimum Size of Dwelling Unit. All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

| | |
|-----------------|-------------------|
| Efficiency Unit | 380 square feet |
| One bedroom | 525 square feet |
| Two bedroom | 720 square feet |
| Three bedroom | 900 square feet |
| Four bedroom | 1,120 square feet |
| Five bedroom | 1,320 square feet |
| Six bedroom | 1,540 square feet |

- (c) Height Limit. No dwelling shall be erected or enlarged to exceed 35 feet in height.

- (d) Off-Street Parking. In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.

- (e) Front, Side, and Rear Yard. No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of no less than ten (10) feet from each lot.

- (f) Signs. No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on the property without the consent in writing of the Urban Renewal Agency; provided, however, that permission is hereby granted for the erection and maintenance of more than one (1) sign-board for each building site as sold or conveyed, which sign-boards shall not be more than five (5) square feet in size and may be used for the sole and exclusive purpose of advertising; for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures - One hundred percent (100%) except in the case of individual commercial parcels which are not a part of a larger development plan, in which case the maximum site coverage shall be fifty percent (50%) and required off-street parking shall be provided on the site.
- (b) Maximum Building Height - No commercial structure shall exceed the maximum building height as established in the zoning ordinance of the City of Wichita, Kansas.
- (c) Minimum Building Setbacks.
- I. A twenty five (25) feet building setback shall be required from any property line abutting a street right-of-way, except that on corner lots one of the two setbacks may be reduced to no less than fifteen (15) feet.
 - II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.
 - III. All buildings shall have either no setback or a setback of not fewer than ten (10) feet for rear yards.
- (d) Minimum Off-Street Parking - Off-street parking shall be provided as required in Section 20.04.141 of the Code of the City of Wichita, Kansas.
- (e) Signs
- I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
 - II. Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary to the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.
 - III. Any permitted sign may be illuminated from within or without provided that such lighting shall be limited to a non-flashing type.
 - IV. No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.
 - V. Signs affixed to a building wall shall not extend more than eighteen (18) inches from the building wall.

VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) Screening

A solid or semi-solid wall or fence will be required along the property line where commercial development abutts residential development and is not separated by any public way or street, excluding alleys. This wall or fence shall be constructed of bricks, stone, masonry, wood or similar material (not including chain link or woven wire) at least six feet but not more than eight feet high.

(g) Landscaping

A site plan and landscape plan will be required by the Agency prior to approval of any construction plans. This landscape plan will be drawn to scale and show the location, size and species of all existing and proposed landscaping. The minimum landscaping requirement will include street trees and front yard landscaping.

2. Circulation Requirements

Circulation requirements are delineated on the Generalized Land Use Plan Map.

3. Redevelopers Obligations

In the conveyance of land in cleared portions of the Waco-Finn Neighborhood, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

4. Design Objectives

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; to insure proper landscaping and in general a high type and quality of improvement in said property.

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5. Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgwick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be contained hereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.

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This section contains the land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

Land Use Provisions and Building Requirements

a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category Parks and Open Space provides for existing parks and the development of parks and open space along drainage ways in the project area. The use category Schools provides for existing-to-remain schools in the Waco-Finn area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

(a) Minimum Building Site. No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 5,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

(b) Minimum Size of Dwelling Unit. All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

| | |
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| Efficiency Unit | 380 square feet. |
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| Two bedroom | 720 square feet |
| Three bedroom | 900 square feet |
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| Five bedroom | 1,320 square feet |
| Six bedroom | 1,540 square feet |

(c) Height Limit. No dwelling shall be erected or enlarged to exceed 35 feet in height.

(d) Off-Street Parking. In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.

(e) Front, Side, and Rear Yard. No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of no less than ten (10) feet from each lot.

(f) Signs. No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on the property without the consent in writing of the Urban Renewal Agency; provided, however, that permission is hereby granted for the erection and maintenance of more than one (1) signboard for each building site as sold or conveyed, which signboards shall not be more than five (5) square feet in size and may be used for the sole

and exclusive purpose of advertising for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures - 100% except in the case of individual commercial parcels which are not a part of a larger development plan in which case the maximum site coverage shall be 50% and required off-street parking shall be provided on the redevelopment site.
- (b) Maximum Building Height - No restriction.
- (c) Minimum Building Setbacks
- I. No building setback shall be required from any property line abutting a street right-of-way.
 - II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.
 - III. All buildings shall have either no setback or a setback of not fewer than five (5) feet for rear yards.
- (d) Minimum Off-Street Parking - One (1) car space for each 250 square feet of gross office and retail floor area. These spaces shall be provided within 600 feet (as measured along the lines of public access) from the use which it serves.

(e) Signs

- I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
- II. Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary to the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.
- III. Any permitted sign may be illuminated from within or without provided that such lighting shall be limited to a non-flashing type.
- IV. No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.
- V. Signs affixed to a building wall shall not extend more than eighteen (18) inches from the building wall.
- VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) Screening in Landscaping
Circulation Requirements

Circulation requirements are delineated on the Generalized Land Use Plan Map.

Redevelopers Obligations

In the conveyance of land in cleared portions of the Waco-Finn Area, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

Design Objectives

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property; to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the high-

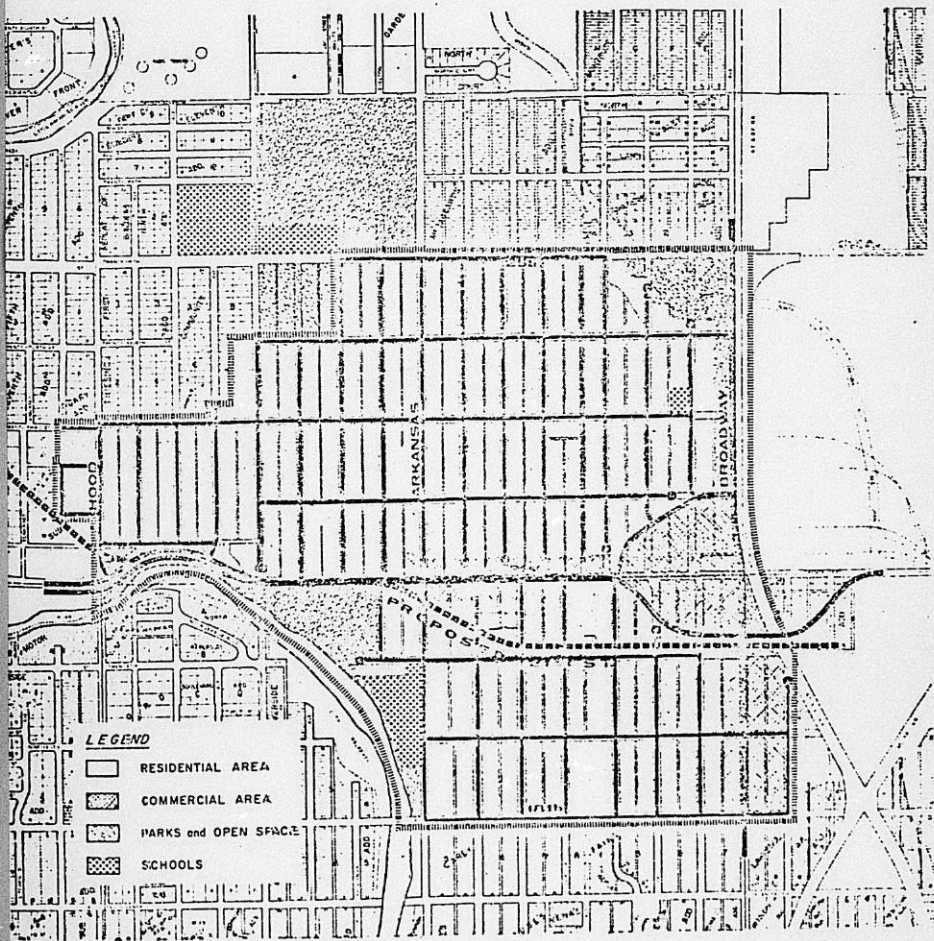
and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; and in general to provide adequately for a high type and quality of improvement in said property.

No improvements shall be undertaken until the complete plans and specifications including the floor plans and grade and plot plan of such improvements, shall have been submitted to and approved in writing by the Urban Renewal Agency, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specifications as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgewick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be continued thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.



WACO - FINN GENERALIZED LAND USE PLAN

URBAN RENEWAL AGENCY of the
WICHITA, KANSAS, METROPOLITAN AREA

Prepared By
ODLINGER - SMITH CORPORATION
CONSULTANTS IN PLANNING, DESIGN and DEVELOPMENT

THE PREPARATION OF THIS DOCUMENT WAS FINANCED
BY THE FEDERAL GOVERNMENT THROUGH THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT



0 500 400 800
SCALE IN FEET

June 12, 1978

Jon Risdal, Urban Planner

Jack H. Galbraith, Chief Planner

DR 78-18 - Waco Finn Urban Renewal
Plan Amendment - Determination of
Consistency with the Comprehensive
Plan

The Planning Commission at its regular meeting of June 8, 1978, considered the above-captioned request. With the understanding that the North Wichita Thruway would be indicated on the plan, and adjustments to the plan would be made in conformance with our staff comments, the action of the Planning Commission was to specify that the proposed revisions to the Waco-Finn Urban Renewal Plan are consistent with the general provisions of the adopted elements of the Comprehensive Plan for the Wichita-Sedgwick County Metropolitan Area.

If you have any questions concerning the action of the Planning Commission or our staff comments, please call.

Jack H. Galbraith
Chief Planner

JHG:bh

cc: Ken Kitchen, Executive Director, Urban Renewal Agency

WICHITA-SEDGWICK COUNTY

DATE
June 1, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Wichita-Sedgwick County Metropolitan Area
Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 78-18 - Waco Finn Urban Renewal Plan
Amendment - Determination of Consistency
with the Comprehensive Plan

Appearing on your agenda for the June 8, 1978 meeting is a request from the Wichita Urban Renewal Agency to review a proposed amendment to the Waco-Finn portion of the adopted Urban Renewal Plan and to determine its consistency with the adopted Comprehensive Development Plan elements. The sections of the text of the Urban Renewal Plan proposed to be changed are underlined on the attachment marked "EXISTING" and the proposed revisions are set out in the corresponding section of the attachment marked "PROPOSED".

SUMMARY OF PROPOSED REVISIONS:

To summarize, revisions are proposed as follows:

(A) Section 1.a. Land Use Provisions and Building Requirements:

It is proposed to change the terminology for land use categories from "Parks and Open Space" and "Schools" to "Public and Semi-public."

(B) Section 1.b. (1) (a) Minimum Building Site:

It is proposed to change the minimum lot area per dwelling unit for duplexes from 5,000 square feet per unit to 3,000 square feet per unit to match the existing lot area requirements of the City Zoning Ordinance.

(C) Section 1. b. (2) (b) Maximum Building Height:

It is proposed to change the "no restriction" limitation of commercial buildings to correspond to the existing limitations of the City Zoning Ordinance.

(D) Action 1.b. (2) (c) I. and III. Maximum Building Setbacks:

It is proposed to establish a 25 foot setback line for commercial buildings abutting street right-of-way, except on corner lots where one of the two setbacks may be reduced to 15 feet and to increase the rear yard requirement from 5 feet to 10 feet for those commercial buildings which are to have rear yards.

- (E) Add to Section 1.b. (2) Commercial Buildings: two subsections (f) and (g) which require screening of commercial buildings when adjacent to residential development and also requires the submission to the Urban Renewal Agency of a site plan and landscape plan prior to the approval of construction plans.
- (F) The "Generalized Land Use Plan" map for the Waco-Finn Urban Renewal area is proposed to be revised by changing the "Residential" use designation to the "Commercial and Office" use designation to a depth of one-half block on each side of Arkansas Avenue from 21st Street to 25th Street and by changing the "Parks and Open Space" use designation to the "Commercial and Office" use designation for the area along the west side of Broadway from 22nd Street to 25th Street. The Urban Renewal Agency also proposes to reduce in size the area designated for commercial uses west of Broadway around the 21st Street and Broadway intersection to an area which more accurately reflects the limits of the existing commercial and light commercial zoning districts.

Although it is not shown on the proposed Generalized Land Use Plan, the Urban Renewal Agency intends to extend the "Commercial and Office" use designation along the south side of 21st Street from Waco to Arkansas to accommodate the commercial uses and zoning districts now existing in this location.

CONSISTENCY OF PROPOSED REVISIONS:

In regard to the proposed changes, it should be noted that in relation to item (D) above, the City Zoning Ordinance does not require a front yard setback in the "C" Commercial district or in the "LC" light commercial district when within or adjoining an area zoned "LC", "C", "D", "E", or "F" which is nine hundred feet or more in continuous length. In addition, when setbacks are secured along major streets through the platting process, 35 feet is required between the front lot line and the building as opposed to the general requirement of 25 feet suggested in the Urban Renewal proposal.

The City zoning ordinance also makes mandatory a 10 foot rear yard in the "LC" Light Commercial district whereas the Urban Renewal Agency is suggesting a permissive 10 foot rear yard requirement for commercial buildings.

The other proposed revisions to the Waco-Finn Urban Renewal Plan have been compared to the recommendations of the adopted elements of the Comprehensive Plan and there appears to be no inconsistencies in relation to future land use designations and community facility proposals.

Representatives of the Urban Renewal Agency will be available to answer any questions the Planning Commission may have regarding the proposed revisions to the Waco-Finn Plan.

Wichita-Sedgwick County Metropolitan Area Planning Commission
Page 3, June 1, 1978

RECOMMENDATION:

It is recommended that the Planning Commission take action to specify that the proposed revisions to the Waco-Finn Urban Renewal Plan are consistent with the general provisions of the adopted elements of the Comprehensive Plan for the Wichita-Sedgwick County Metropolitan Area.


Robert A. Lakin
Director of Planning

RAL:RY:bh

cc: Ken Kitchen, Executive Director, Wichita Urban Renewal Agency
Tom Risdal, Urban Planner

PROPOSED

LAND DISPOSITION SUPPLEMENT

This section contains the land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

1. Land Use Provisions and Building Requirements

a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category public and semi-public provides for existing parks and the development of parks and open space along drainageways in the project area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

(a) Minimum Building Site. No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 3,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

(b) Minimum Size of Dwelling Unit. All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

| | |
|-----------------|-------------------|
| Efficiency Unit | 380 square feet |
| One bedroom | 525 square feet |
| Two bedroom | 720 square feet |
| Three bedroom | 900 square feet |
| Four bedroom | 1,120 square feet |
| Five bedroom | 1,320 square feet |
| Six bedroom | 1,540 square feet |

(c) Height Limit. No dwelling shall be erected or enlarged to exceed 35 feet in height.

(d) Off-Street Parking. In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.

(e) Front, Side, and Rear Yard. No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of no less than ten (10) feet from each lot.

- (f) Signs. No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on the property without the consent in writing of the Urban Renewal Agency; provided, however, that permission is hereby granted for the erection and maintenance of more than one (1) sign-board for each building site as sold or conveyed, which sign-boards shall not be more than five (5) square feet in size and may be used for the sole and exclusive purpose of advertising; for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures. - One hundred percent (100%) except in the case of individual commercial parcels which are not a part of a larger development plan, in which case the maximum site coverage shall be fifty percent (50%) and required off-street parking shall be provided on the site.

- (b) Maximum Building Height. - No commercial structure shall exceed the maximum building height as established in the zoning ordinance of the City of Wichita, Kansas.

(c) Minimum Building Setbacks.

- I. A twenty five (25) feet building setback shall be required from any property line abutting a street right-of-way, except that on corner lots one of the two setbacks may be reduced to no less than fifteen (15) feet.

- II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.

- III. All buildings shall have either no setback or a setback of not fewer than ten (10) feet for rear yards.

- (d) Minimum Off-Street Parking. - Off-street parking shall be provided as required in Section 28.04.141 of the Code of the City of Wichita, Kansas.

(e) Signs

- I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.

- II. Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary to the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.

- III. Any permitted sign may be illuminated from within or without provided that such lighting shall be limited to a non-flashing type.

- IV. No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.

- V. Signs affixed to a building wall shall not extend more than eighteen (18) inches from the building wall.

VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) Screening

A solid or semi-solid wall or fence will be required along the property line where commercial development abutts residential development and is not separated by any public way or street, excluding alleys. This wall or fence shall be constructed of bricks, stone, masonry, wood or similar material (not including chain link or woven wire) at least six feet but not more than eight feet high.

(g) Landscaping

A site plan and landscape plan will be required by the Agency prior to approval of any construction plans. This landscape plan will be drawn to scale and show the location, size and species of all existing and proposed landscaping. The minimum landscaping requirement will include street trees and front yard landscaping.

2. Circulation Requirements

Circulation requirements are delineated on the Generalized Land Use Plan Map.

3. Redevelopers Obligations

In the conveyance of land in cleared portions of the Waco-Finn Neighborhood, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

4. Design Objectives

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; to insure proper landscaping and in general a high type and quality of improvement in said property.

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5. Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgwick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be contained thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.

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III. All buildings shall have either no setback or a setback of not fewer than five (5) feet for rear yards.

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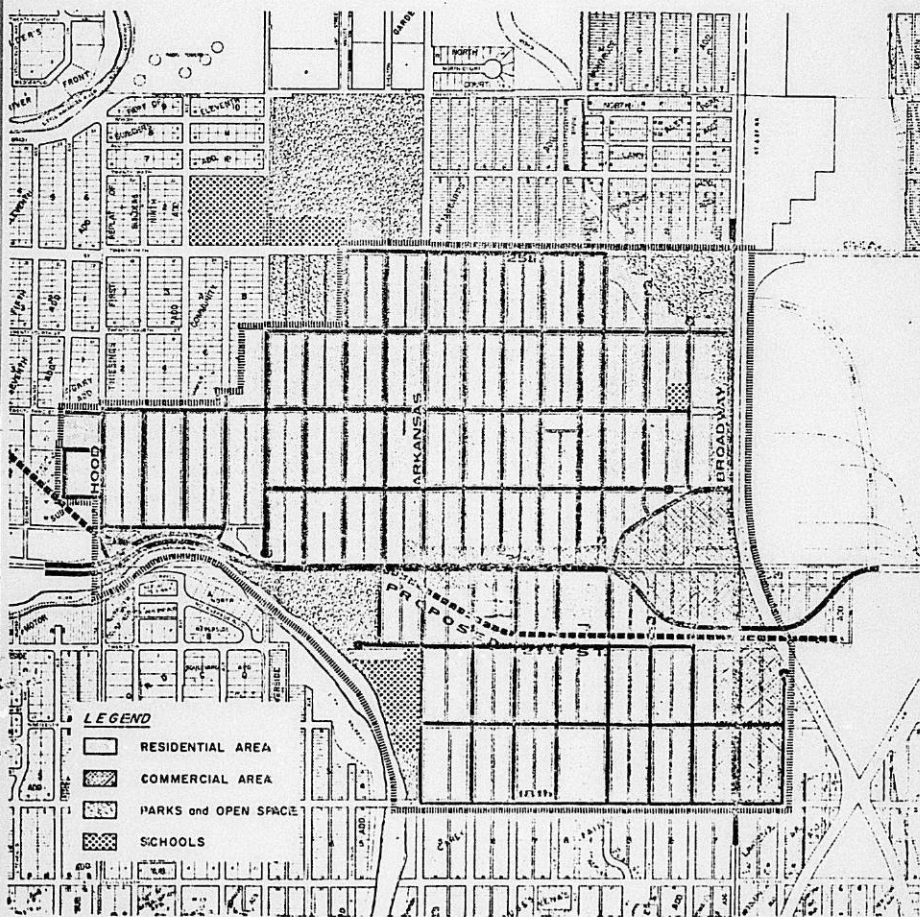
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**WACO - FINN
GENERALIZED LAND USE PLAN**

URBAN RENEWAL AGENCY of the
WICHITA, KANSAS, METROPOLITAN AREA

Prepared By
ODLINGER - SMITH CORPORATION
CONSULTANTS IN PLANNING, DESIGN and DEVELOPMENT

THE PREPARATION OF THIS DOCUMENT WAS FINANCED
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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT



NORTH

0 200 400 800

SCALE IN FEET

DECEMBER, 1971

June 1, 1978

Wichita-Sedgwick County Metropolitan Area
Planning Commission

Robert A. Lakin, Director of Planning

DR 78-18 - Waco Finn Urban Renewal Plan
Amendment - Determination of Consistency
with the Comprehensive Plan

Appearing on your agenda for the June 8, 1978 meeting is a request from the Wichita Urban Renewal Agency to review a proposed amendment to the Waco-Finn portion of the adopted Urban Renewal Plan and to determine its consistency with the adopted Comprehensive Development Plan elements. The sections of the text of the Urban Renewal Plan proposed to be changed are underlined on the attachment marked "EXISTING" and the proposed revisions are set out in the corresponding section of the attachment marked "PROPOSED".

SUMMARY OF PROPOSED REVISIONS:

To summarize, revisions are proposed as follows:

(A) Section 1.a. Land Use Provisions and Building Requirements:

It is proposed to change the terminology for land use categories from "Parks and Open Space" and "Schools" to "Public and Semi-public."

(B) Section 1.b. (1) (a) Minimum Building Site:

It is proposed to change the minimum lot area per dwelling unit for duplexes from 5,000 square feet per unit to 3,000 square feet per unit to match the existing lot area requirements of the City Zoning Ordinance.

(C) Section 1. b. (2) (b) Maximum Building Height:

It is proposed to change the "no restriction" limitation of commercial buildings to correspond to the existing limitations of the City Zoning Ordinance.

(D) Section 1.b. (2) (c) I. and III. Maximum Building Setbacks:

It is proposed to establish a 25 foot setback line for commercial buildings abutting street right-of-way, except on corner lots where one of the two setbacks may be reduced to 15 feet and to increase the rear yard requirement from 5 feet to 10 feet for those commercial buildings which are to have rear yards.

Wichita-Sedgwick County Metropolitan Area Planning Commission
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RECOMMENDATION:

It is recommended that the Planning Commission take action to specify that the proposed revisions to the Waco-Finn Urban Renewal Plan are consistent with the general provisions of the adopted elements of the Comprehensive Plan for the Wichita-Sedgwick County Metropolitan Area.

Robert A. Lakin
Director of Planning

RAL:RY:bh

cc: Ken Kitchen, Executive Director, Wichita Urban Renewal Agency
Tom Risdal, Urban Planner

Wichita-Sedgwick County Metropolitan Area Planning Commission
Page 3, June 1, 1978

the proposed revisions to the Waco-Finn Plan.

RECOMMENDATION:

It is recommended that the Planning Commission t

- (E) Add to Section 1.b. (2) Commercial Buildings: two subsections (f) and (g) which require screening of commercial buildings when adjacent to residential development and also requires the submission to the Urban Renewal Agency of a site plan and landscape plan prior to the approval of construction plans.
- (F) The "Generalized Land Use Plan" map for the Waco-Finn Urban Renewal area is proposed to be revised by changing the "Residential" use designation to the "Commercial and Office" use designation to a depth of one-half block on each side of Arkansas Avenue from 21st Street to 25th Street and by changing the "Parks and Open Space" use designation to the "Commercial and Office" use designation for the area along the west side of Broadway from 22nd Street to 25th Street. The Urban Renewal Agency also proposes to reduce in size the area designated for commercial uses west of Broadway around the 21st Street and Broadway intersection to an area which more accurately reflects the limits of the existing commercial and light commercial zoning districts.

Although it is not shown on the proposed Generalized Land Use Plan, the Urban Renewal Agency intends to extend the "Commercial and Office" use designation along the south side of 21st Street from Waco to Arkansas to accommodate the commercial uses and zoning districts now existing in this location.

CONSISTENCY OF PROPOSED REVISIONS:

In regard to the proposed changes, it should be noted that in relation to item (D) above, the City Zoning Ordinance does not require a front yard setback in the "C" Commercial district or in the "LC" light commercial district when within or adjoining an area zoned "LC", "C", "D", "E", or "F" which is nine hundred feet or more in continuous length. In addition, when setbacks are secured along major streets through the platting process, 35 feet is required between the front lot line and the building as opposed to the general requirement of 25 feet suggested in the Urban Renewal proposal.

The City zoning ordinance also makes mandatory a 10 foot rear yard in the "LC" Light Commercial district whereas the Urban Renewal Agency is suggesting a permissive 10 foot rear yard requirement for commercial buildings.

The other proposed revisions to the Waco-Finn Urban Renewal Plan have been compared to the recommendations of the adopted elements of the Comprehensive Plan and there appears to be no inconsistencies in relation to future land use designations and community facility proposals.

Representatives of the Urban Renewal Agency will be available to answer any questions the Planning Commission may have regarding the proposed revisions to the Waco-Finn Plan.

THE CITY OF WICHITA
OFFICE OF THE URBAN RENEWAL AGENCY

DATE May 23, 1978

DR-78-18

TO Robert Lakin, Director of Planning
FROM Jon M. Risdal, Urban Planner

SUBJECT Waco-Finn Urban Renewal
Plan Revision

Enclosed are twelve (12) copies each of the Existing and Proposed Land Use Supplements for the Waco-Finn area. I am requesting that you place this item on the MAPC agenda for review and compliance with the Comprehensive Plan.

I have underlined the changes on the Existing Land Use Supplement that are reflected in the Proposed Land Use Supplement. Most of the changes have been made to bring the original Land Use Plan more in agreement with what is existing today. The original concept proposed the realignment of the 21st Street/Broadway intersection to allow for a new commercial development. Also, the proposal called for removal of all the commercial land uses along Broadway from 22nd to 25th Streets and this land be held as open space. This proposal was approved by the City Commission but funds to complete the project were never obtained under the old Neighborhood Development Program (NDP). Therefore, these proposed changes are being made to bring the Land Use Plan more in line with the existing land uses in the area. The Urban Renewal Agency does not intend to acquire any more property in Waco-Finn.

I will be happy to discuss this item with you or your staff at your convenience.


Jon M. Risdal
Urban Planner

JMR/jm
Enclosures

PROPOSED

LAND DISPOSITION SUPPLEMENT

This section contains the Land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

1. Land Use Provisions and Building Requirements

- a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category public and semi-public provides for existing parks and the development of parks and open space along drainageways in the project area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

- (a) Minimum Building Size. No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 3,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

- (b) Minimum Size of Dwelling Unit. All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

| | |
|-----------------|-------------------|
| Efficiency Unit | 380 square feet |
| One bedroom | 525 square feet |
| Two bedroom | 720 square feet |
| Three bedroom | 900 square feet |
| Four bedroom | 1,120 square feet |
| Five bedroom | 1,320 square feet |
| Six bedroom | 1,540 square feet |

- (c) Height Limit. No dwelling shall be erected or enlarged to exceed 35 feet in height.
- (d) Off-Street Parking. In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.
- (e) Front, Side, and Rear Yard. No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of no less than ten (10) feet from each lot.

- (f) Signs - No signs, advertisements, billboards, or advertising structures of any kind may be erected or maintained on the property without the consent in writing of the Urban Renewal Agency; provided, however, that permission is hereby granted for the erection and maintenance of more than one (1) signboard for each building site as sold or conveyed, which signboards shall not be more than five (5) square feet in size and may be used for the sole and exclusive purpose of advertising for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures - One hundred percent (100%) except in the case of individual commercial parcels which are not a part of a larger development plan, in which case the maximum site coverage shall be fifty percent (50%) and required off-street parking shall be provided on the site.
- (b) Maximum Building Height - No commercial structure shall exceed the maximum building height as established in the zoning ordinance of the City of Wichita, Kansas.
- (c) Minimum Building Setbacks.
- I. A twenty five (25) feet building setback shall be required from any property line abutting a street right-of-way, except that on corner lots one of the two setbacks may be reduced to no less than fifteen (15) feet.
- II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.
- III. All buildings shall have either no setback or a setback of not fewer than ten (10) feet for rear yards.
- (d) Minimum Off-Street Parking - Off-street parking shall be provided as required in Section 28.04.141 of the Code of the City of Wichita, Kansas.

(e) Signs

- I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
- II. Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary to the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.
- III. Any permitted sign may be illuminated from within or without provided that such lighting shall be limited to a non-flashing type.
- IV. No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.
- V. Signs affixed to a building wall shall not extend more than eighteen (18) inches from the building wall.

VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) Screening

A solid or semi-solid wall or fence will be required along the property line where commercial development abuts residential development and is not separated by any public way or street, excluding alleys. This wall or fence shall be constructed of bricks, stone, masonry, wood or similar material (not including chain link or woven wire) at least six feet but not more than eight feet high.

(g) Landscaping

A site plan and landscape plan will be required by the Agency prior to approval of any construction plans. This landscape plan will be drawn to scale and show the location, size and species of all existing and proposed landscaping. The minimum landscaping requirement will include street trees and front yard landscaping.

2. Circulation Requirements

Circulation requirements are delineated on the Generalized Land Use Plan Map.

3. Redevelopers Obligations

In the conveyance of land in cleared portions of the Waco-Finn Neighborhood, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

4. Design Objectives

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; to insure proper landscaping and in general a high type and quality of improvement in said property.

No improvements shall be undertaken until the complete plans and specifications including the floor plans and grade, landscaping and lot plan of such improvements, shall have been submitted to and approved in writing by the Urban Renewal Agency, which shall incur no liability by reason of its judgement, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specifications as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

5. Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgwick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be contained thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.

LAND DISPOSITION SUPPLEMENT

This section contains the land disposition controls for a portion of the NDP area known as Waco-Finn, which is delineated on the attached map entitled Generalized Land Use Plan, Waco-Finn. This map indicates the specific allowable land uses and the street pattern. Waco-Finn is an area of scattered redevelopment sites due to demolition of dilapidated residential and commercial structures throughout the area.

Land Use Provisions and Building Requirements

a. Land use shall be as indicated on the Generalized Land Use Plan. In those areas indicated for Residential uses, the use shall be restricted to low and moderate density residential uses. In those areas indicated for commercial land use, land uses permitted shall be commercial, retail, office, and public and private parking facilities. The use category Parks and Open Space provides for existing parks and the development of parks and open space along drainageways in the project area. The use category Schools provides for existing-to-remain schools in the Waco-Finn area.

b. Building Requirements

In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Waco-Finn Area.

(1) Residential Area

(a) Minimum Building Site. No dwelling shall be erected or placed on any lot having a width of less than fifty (50) feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet. Two-family dwellings shall have a lot area not less than 5,000 square feet per dwelling unit. Multi-family dwelling units shall have a lot area of not less than 1,500 square feet per dwelling unit.

(b) Minimum Size of Dwelling Unit. All dwelling units with the number of bedrooms specified below shall have no fewer than the indicated square feet of livable floor area, exclusive of open porch and attached garage:

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| Six bedroom | 1,540 square feet |

(c) Height Limit. No dwelling shall be erected or enlarged to exceed 35 feet in height.

(d) Off-Street Parking. In addition to the livable floor space required hereunder, each single family dwelling shall include either a garage or a carport or a paved parking space, sufficient to accommodate at least one automobile and a paved driveway access. For two family and multi-family dwelling units, 1-1/2 paved parking spaces shall be provided for each dwelling unit.

(e) Front, Side, and Rear Yard. No dwelling shall be located nearer to the front lot line than twenty (20) feet; no dwelling shall be located nearer to the rear lot line than twenty (20) feet. Interior side setback line shall be not less than six (6) feet on each lot. Two family and multi-family units facing a side lot line shall have a side setback of no less than ten (10) feet from each lot.

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and exclusive purpose of advertising for sale or lease, the building site upon which it is erected and improvements thereon, if any; and provided further, that the restrictions and conditions of this section shall not apply to operations of the Urban Renewal Agency.

(2) Commercial Area

- (a) Maximum Site Coverage of Structures - 100% except in the case of individual commercial parcels which are not a part of a larger development plan in which case the maximum site coverage shall be 50% and required off-street parking shall be provided on the redevelopment site.
- (b) Maximum Building Height - No restriction.
- (c) Minimum Building Setbacks
 - I. No building setback shall be required from any property line abutting a street right-of-way.
 - II. All buildings shall have either no setback or a setback of not fewer than five (5) feet for side yards not abutting a street right-of-way.
 - III. All buildings shall have either no setback or a setback of not fewer than five (5) feet for rear yards.
- (d) Minimum Off-Street Parking - One (1) car space for each 250 square feet of gross office and retail floor area. These spaces shall be provided within 600 feet (as measured along the lines of public access) from the use which it serves.
- (e) Signs
 - I. The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
 - II. Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary to the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.
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 - VI. These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(f) screening
2. Circulation Requirements (g) Landscaping

Circulation requirements are delineated on the Generalized Land Use Plan Map.

3. Redevelopers Obligations

In the conveyance of land in cleared portions of the Maco-Finn Area, an obligation will be imposed upon purchasers to commence and complete construction of improvements within a reasonable time and in conformance to the basic plan and this supplement.

4. Design Objectives:

The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the high

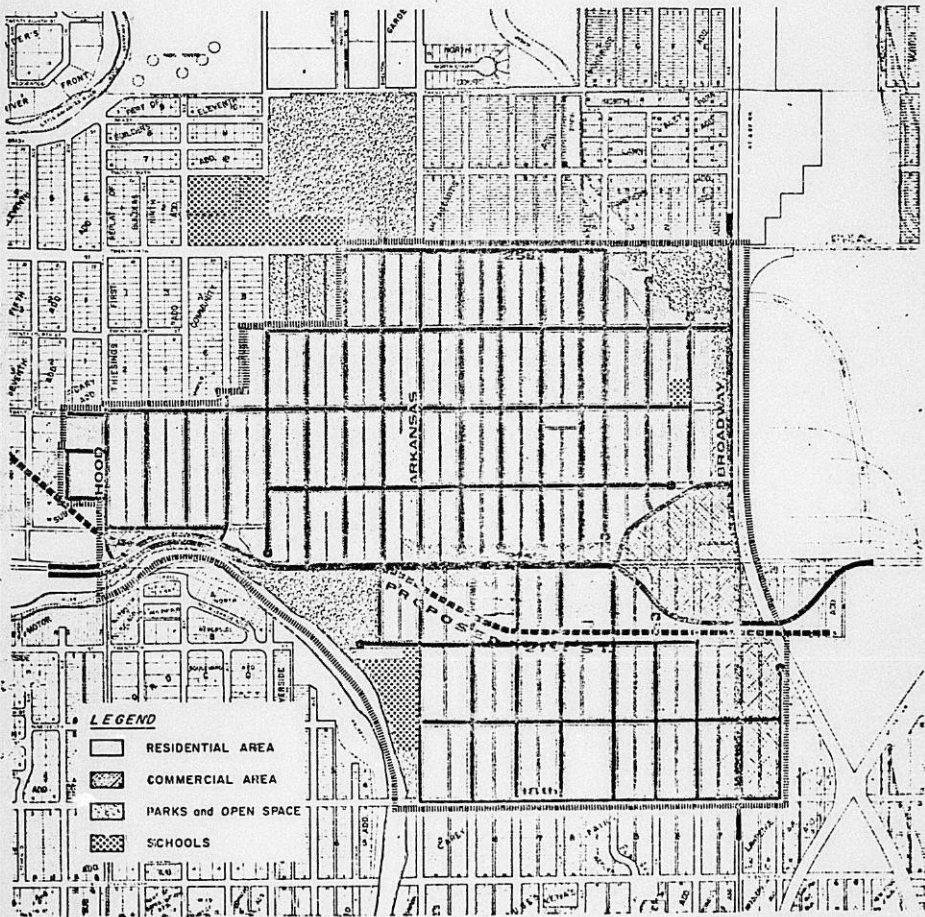
and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof; to secure adequate free spaces between structures; and in general to provide adequately for a high type and quality of improvement in said property.

No improvements shall be undertaken until the complete plans and specifications including the floor plans and grade and plot plan of such improvements, shall have been submitted to and approved in writing by the Urban Renewal Agency, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specifications as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

5. Duration of Controls

From and after the filing of this Land Disposition Supplement, which shall constitute a "Declaration of Restrictive Covenants," in the office of the Register of Deeds of Sedgewick County, Kansas, the restrictions contained in this Supplement shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder until December 31, 1999, and automatically shall be continued thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

The provisions and requirements under 1.a. and 1.b. shall be made applicable to properties which are not to be acquired through enforcement of the zoning ordinance of the City of Wichita, Kansas. Said "Declaration of Restrictive Covenants" will, however, exclude applicability to existing structures now in place, but will pertain to alterations, additions and replacements. As a minimum, these provisions and requirements shall be applicable to a property which is not to be acquired when the owner thereof acquires project land.



**WACO - FINN
GENERALIZED LAND USE PLAN**

URBAN RENEWAL AGENCY of the
WICHITA, KANSAS, METROPOLITAN AREA

Prepared By
OBLINGER - SMITH CORPORATION
CONSULTANTS IN PLANNING, DESIGN and DEVELOPMENT

THE PREPARATION OF THIS DOCUMENT WAS FINANCED
IN PART THROUGH A FELLOWSHIP AWARDED FROM THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT



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SCALE IN FEET

DECEMBER, 1971