

200 '4 Sec. 11-8-83  
Checked 11-29  
SHOT 12-1  
Revised 12-6

Case No. BZA 55-83 - Funke-Steven  
Leasing, - requests an exception to  
permit the establishment of an auto-  
mobile leasing business on property  
zoned the "LC" Light Commercial District  
and generally located within the  
Shopping Center Building of Towne West

Posted  
9-30-83  
GSL

ACTION

B.Z.A. 55-83 APPROVED 10/25/83  
DATE

200'4Sec. 11-8-83  
Checked 11-29  
SHOT 12-1  
Record 12-6

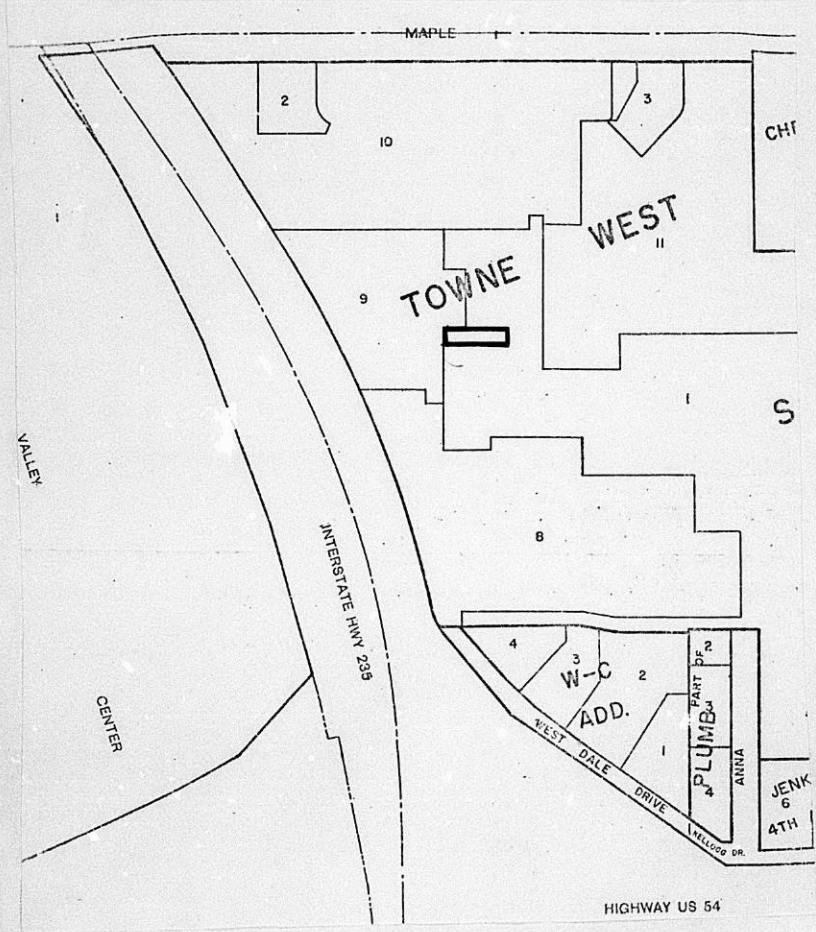
Case No. BZA 55-83 - Funke-Steven  
Leasing, - requests an exception to  
permit the establishment of an auto-  
mobile leasing business on property  
zoned the "LC" Light Commercial District  
and generally located within the  
Shannon-Corson-Bridleway-Deer-Run

Map No. 5146

BZA 55-83  
Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: E LC S LC W LC N LC
3. Land Use: East \_\_\_\_\_ South \_\_\_\_\_  
West \_\_\_\_\_ North \_\_\_\_\_
4. Area (is) (~~is not~~) platted.



**Shirley**  
No. 2153C  
HASTINGS, MN  
LOS ANGELES CHICAGO TORONTO  
MEMPHIS ST. LOUIS SINGAPORE  
U.S.A.

October 26, 1983

Funke-Steven Leasing  
7135 East Kellogg  
Wichita, Kansas

Re: BZA 55-83 - Request for Exception

Gentlemen:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on October 25, 1983.

This Resolution reflects the official action of the Board to approve your request, and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:sad  
Encl.

cc: Alan McHenry, 1318 Stackman, Wichita  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE October 24, 1983

TO Glen Lytle, Special Assistant for Zoning

FROM Dean Kruthof, Administrative Aide III

SUBJECT BZA 51-83 Northwest corner of  
St. Louis and Knight

BZA 52-83 Southeast corner of  
9th and Mt. Carmel

✓ BZA 55-83 Within the Towne West  
Mall Building

Due to the lack of a quorum at its October 24th meeting, CPO Council "N" will not submit recommendations to the Board of Zoning Appeals for the captioned cases.

*Dean Kruthof / sm*  
Dean Kruthof  
Administrative Aide III

RESOLUTION NO. BZA 55-83

WHEREAS, Funke-Steven Leasing, 7135 East Kellogg, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of an automobile leasing business on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, Towne West Square Second Addition to Wichita, Sedgwick County, Kansas. Generally located within the Shopping Center Building of Towne West Mall at 4600 West Kellogg.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of October 25, 1983, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the establishment of an automobile leasing business on property zoned the "LC" Light Commercial District subject to the conditions outlined in Section 28.04.183.2, Code of the City of Wichita.

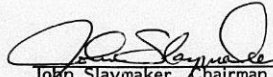
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of an automobile leasing business on property zoned the "LC" Light Commercial District legally described as follows:

Lot 1, Towne West Square Second Addition to Wichita, Sedgwick County, Kansas. Generally located within the Shopping Center Building of Towne West Mall at 4600 West Kellogg.


subject to the following conditions:

1. Storage and display of any vehicles shall be within the enclosed space as indicated by the site plan as space L-5 at 4600 West Kellogg.
2. The approval of this request shall terminate upon the termination or expiration of the lease by this applicant.

ADOPTED AT WICHITA, KANSAS, this 25th day of October, 1983.

  
John Slaymaker, Chairman

ATTEST:

  
Glen E. Lytle, Assistant Secretary

SECRETARY'S REPORT  
CASE NO. BZA 55-83

APPLICANT: Funke-Steven Leasing, 7135 East Kellogg,  
Wichita, Kansas.

AGENT: Alan McHenry, 1318 Stackman, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.183.2,  
Code of the City of Wichita to permit the  
establishment of an automobile leasing business  
in the "LC" Light Commercial District.

GENERAL LOCATION: Within the main buildings of the Towne West  
Shopping Center at 4600 West Kellogg.

ZONING: Subject property is zoned the "LC" Light  
Commercial District and a Community Unit Plan  
as is all of the shopping center.

LAND USE: A Regional Shopping Center.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 28.04.183.2 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception in order to establish an automobile leasing business within the "LC" Light Commercial District. This facility will be operated primarily as a leasing office that will deal with the leasing of automobiles on a 3-4 year long term lease and will not be operated as a car rental business such as "Hertz, Avis, etc." The business would not provide automobiles that will be leased from this location, but the automobiles will be picked up at the various dealerships represented by this leasing agency. Due to the fact that they will maintain a showroom for the display of automobiles that represent the type of automobiles that can be leased thru the agency, it is necessary to seek approval thru the Board of Zoning Appeals.

The applicant states that automobiles at this location will only be displayed indoors and will not be the vehicles that will be leased to the customers. No storage or demonstrations of the vehicles will be outside of the leased area within the shopping center building.

RECOMMENDATION:

It is the recommendation of the Secretary that the use as proposed by the application is appropriate in a regional shopping center and the application should be approved subject to the following conditions:

1. Storage and display of any vehicles shall be within the enclosed space as indicated by the site plan as space L-5 at 4600 West Douglas.
  2. The approval of this request shall terminate upon the termination or expiration of the lease by this applicant.
-

BZA CASE NO. 55-83

2 NOTICES SENT TO APPLICANT/AGENT

10 <sup>Legal Adv.</sup>  
~~NOTICES~~ SENT TO MAPC

1 NOTICES SENT TO CPO

5 NOTICES SENT TO ADJOINING PROPERTY OWNERS

8 TOTAL NOTICES SENT 10-5-83

BOARD OF ZONING APPEALS  
Tenth Floor - City Hall  
455 North Main, Wichita, Kansas 67202

October 5, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 55-83

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Funke-Steven Leasing, 7135 East Kellogg, Wichita, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of an automobile leasing business on property zoned "LC" Light Commercial District. A legal description of the applicant's property is as follows:

Lot 1, Towne West Square Second Addition to  
Wichita, Sedgwick County, Kansas. Generally  
located within the Shopping Center Building of  
Towne West Mall at 4600 West Kellogg.

This application has been assigned Case BZA 55-83. It will be considered by the Board of Zoning Appeals on October 25, 1983 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith  
Secretary

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 55-83  
FILED 9-30-83

APPLICATION FOR EXCEPTION

I. Name of Applicant Funke-Steven Leasing Inc.  
Mailing Address 7135 E. Kellogg Phone 685-4010  
Name of Authorized Agent Alan M. McHenry  
Mailing Address 1318 Stackman Phone 265-1872  
Relationship of applicant to property is that of Lessee  
(Owner, Tenant, Lessee, Other)

II. Application is made for an exception as provided in Section  
2.12.590.C, Code of the City of Wichita, Kansas, to permit  
the establishment of \_\_\_\_\_  
Vehicle rental agency

on property zoned LC,  
located AT 4600 West Kellogg, space L-5  
and legally described as: WITHIN LOT 1 OF  
Space L-5 Towne West Square SECOND ADDITION  
TO WICHITA, SEDGWICK CO., KANS.  
\_\_\_\_\_, in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- That he has received an instruction sheet concerning the filing and hearing of this matter;
- That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 36-596); and that the appropriate fee is herewith tendered;
- That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
- That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant Harold Johnson  
Controller

Authorized Agent Alan M. McHenry

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4:00 (a.m.-p.m.), SEPT. 30, 1983, together with appropriate fee of 2000.

Signed [Signature]

DAN MARTIN, PRES.

TOWN WEST SQUARE MERCHANTS ASSN.

4600 WEST KELLOGG

WICHITA, KS. 67209

Alan M. McHenry Architect  
Wichita, Kansas 265-1872

Sept. 29, 1983

Mr. Glen E. Lytle  
Metropolitan Area  
Planning Department  
City Hall - Tenth Floor  
455 N. Main St.  
Wichita, Kansas 67202

Re: Space L-5  
Towne West Square  
Funke-Steven Leasing

Dear Mr. Lytle:

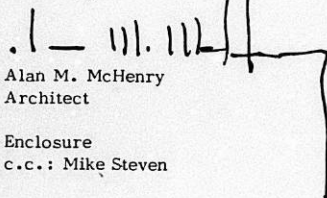
In accordance with our conversation yesterday morning, I have had extensive talks with the owners to determine their exact intentions for this leased space.

They are leasing the space strictly for long term (3-4 years) car leasing and this is spelled out in their lease. This will cover both individual and fleet leasing but they do NOT engage in daily rental such as Budget, Hertz, etc. They will have from 6-8 sample cars in the space but there will not be an exterior pool of cars. Vehicle pick up will basically be at their car lots.

As interpreted by the state, they are a registered retailer, not a dealer and will not have a dealer licence.

If I can be of any further assistance please do not hesitate to contact me.

Sincerely,



Alan M. McHenry  
Architect

Enclosure  
c.c.: Mike Steven

Alan M. McHenry Architect  
Wichita, Kansas 265-1872

Sept. 29, 1983

Mr. Glen E. Lytle  
Metropolitan Area  
Planning Department  
City Hall - Tenth Floor  
455 N. Main St.  
Wichita, Kansas 67202

Re: Space L-5  
Towne West Square  
Funke-Steven Leasing

Dear Mr. Lytle:

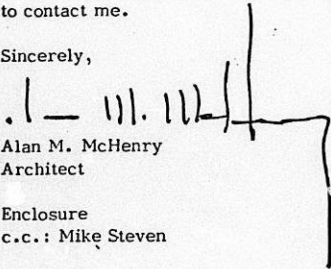
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If I can be of any further assistance please do not hesitate to contact me.

Sincerely,

  
Alan M. McHenry  
Architect

Enclosure  
c.c.: Mike Steven

O W N E R S H I P L I S T

<u>Property Description</u>	<u>Property Owner</u>
Lots 1 through 6, inclusive, Towne West Square Second Addition	✓ Towne West Mall Co. 1712 N. Meridian Indianapolis, Indiana 46202
Lot 7, Towne West Square Second Addition	✓ J. C. Penney Properties Inc. P.O. Box 2405 Dallas, Texas 75221
Lot 8, Towne West Square Second Addition	✓ Mont gomery Ward Development Corp. 6200 St. John Ave. Kansas City, Mo. 64123
Lot 9, Towne West Square Second Addition	— H. J. Wilson Co. Inc. P. O. Box 66221 Baton Rouge, La. 70896
Lot 10, Towne West Square Second Addition	✓ Towne West Mall Co. 1712 N. Meridian St. Indianapolis, Indiana 46202
Lot 11, Towne West Square Second Addition	AMPIC Associates <del>Address unknown</del>
Reserve A, Towne West Square Second Addition	✓ Towne West Mall Co. 1712 N. Meridian St. Indianapolis, Indiana 46202
Lots 6 & 7, Jenkins Fourth Addition	✓ Westwood Mall Assoc. Inc. 800 Brown Building Wichita, Kansas 67202

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tracts as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 30th day of September, 1983, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By

*Mary Isable*  
Vice President

Order No: 325860  
cf

**MICROFILMED  
FROM THE BEST  
AVAILABLE COPY**

FORM -021

PAYMENT NOTICE  
City of Wichita

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

DESCRIPTION	AMOUNT
Combined Sewer	\$200.00

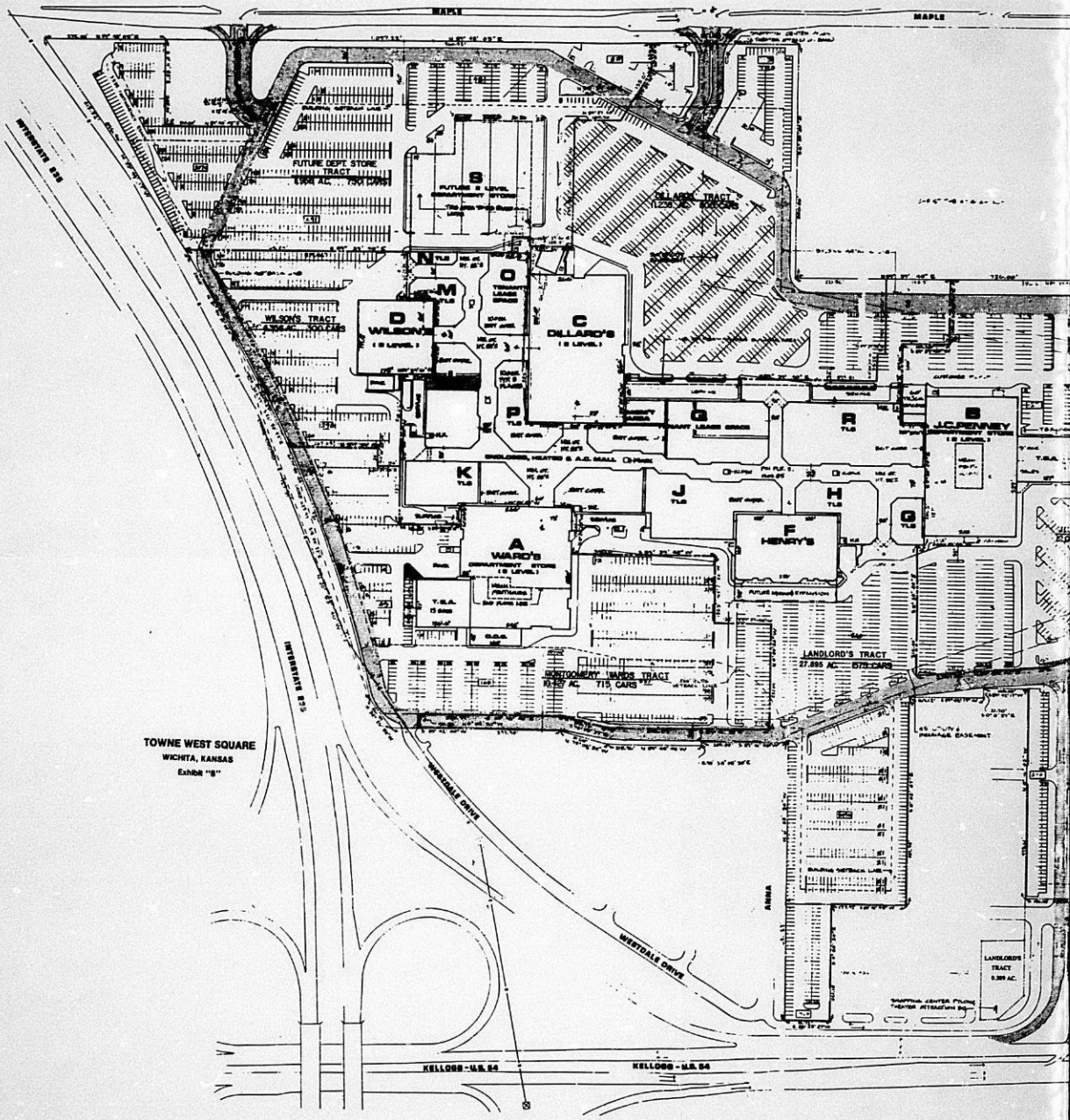
NAME STEVEN MINTZ

ADDRESS Box 1000 W.K.

FUND 755-40071-00 DUE DATE

COMMENTS

DATE April 29 1975 BY [Signature]



TOWNE WEST SQUARE  
 WICHITA, KANSAS  
 Exhibit "B"

KELLOUGH - M.S. 84

KELLOUGH - M.S. 84

LANDLORD'S TRACT  
 5.97 AC.

LANDLORD'S TRACT  
 27.885 AC. 678 CARS

MONTGOMERY WARD'S TRACT  
 1.57 AC. 715 CARS

WILSON'S TRACT  
 (2 LEVELS)

COLLARD'S  
 (2 LEVELS)

HENRY'S

WARD'S  
 DEPARTMENT STORE  
 (2 LEVELS)

MC PENNEY  
 (2 LEVELS)

N

O

M

S

ELMER TRACT

FUTURE DEPT STORE  
 WILSON'S TRACT

MAPLE

MAPLE

WESTVALE DRIVE

WESTVALE DRIVE

WESTVALE DRIVE

WESTVALE DRIVE

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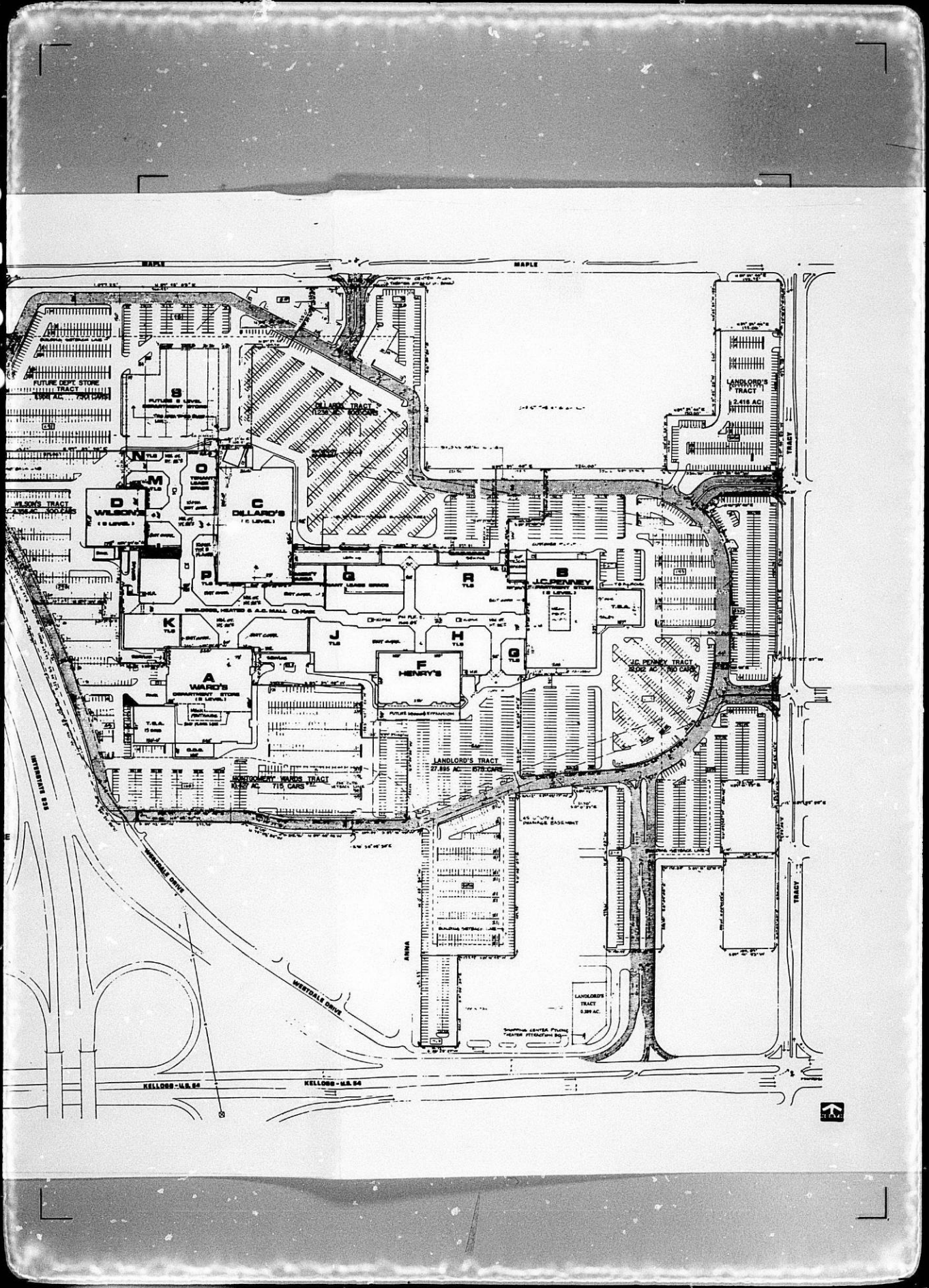
WESTVALE DRIVE

WESTVALE DRIVE

WESTVALE DRIVE

WESTVALE DRIVE

WESTVALE DRIVE



KELLOGG - U.S. 84

KELLOGG - U.S. 84

