

POSTED
3-7-65
CH

ACTION

DATE

COMMITTEE

M.A.P.C. Approved 4-1-65

B.C.C./B. CO. C.

Closed 4-2-65

UP-5 - Byers Construction Co. re-
quests "LC" CUP for WOODLAWN EAST
the northwest corner of Central and
Park Road

Map No. E-9
Sec. 18
Twp. 27
Range 2E

DATA SHEET
COMMUNITY UNIT PLAN

DP-5
Z-
Filed 3-1-65

APPLICATION REQUEST: Approval of proposed planned Commercial development.

1. Applicant Byers Construction Co.
Address 1006 Grand Avenue, Kansas City, Missouri Phone VI2-0297
2. Agent Harmon & O'Donnell
Address 2nd & Detroit, Denver, Colorado Phone Area 303-388-4228
3. General Location Northwest corner of Central and Rock Road
Address _____
4. Proposed Use Shopping Center and Environmentally Architecturally Controlled Service Station

AREA DATA

1. Acres 8.98 and 0.52 (_____ ft. by _____ ft.)
2. Existing Zoning AA Proposed Zoning A, B, and LC
3. Area ~~is~~ (is not) platted. Proposed Woodlawn East Addition
4. Existing R/W 40 (half) ft. 30 (half) ft. _____ ft.
Central St. Rock Road St. _____ ft.
Proposed R/W 50 (half) ft. 50 (half) ft. _____ ft.
Central St. Rock Road St. _____ ft.

HISTORY

Associated Zone Case No. Z-0629
Associated Plat - S/D 64-73 - Woodlawn East Addition

PROCEDURE DATA

1. MAPC Meeting:
Date 4-1-65 Action Approved
2. Governing Body
Date _____ Action _____

NOTES:

June 23, 1983

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

DP-5 - Woodlawn East Commercial C.U.P. Generally located
at the northwest corner of Central and Rock Road.
Request for an Administrative Adjustment.

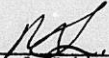
Attached is a copy of a letter from Roe P. Platt and Bill Bell requesting an administrative adjustment for a portion of the 200 foot building setback line along Central in the above referenced C.U.P. Specifically, they are requesting that the 200 foot setback be reduced to 170 feet for a length of approximately 143 feet (see attached site plan). The proposed addition would be located at the southeast corner of the existing building to the west of this bank and would encroach into the parking area on the south side of the building.

After reviewing the attached letter and site plan, I feel that reducing the 200 foot setback would not be a substantial deviation from the intent and purpose of the C.U.P. provisions. However, the reduction of the setback should be limited to 25 feet so that future expansions will not encroach into the existing circulation drive. Although we have not calculated, in detail, the number of parking spaces that would be required, it does not appear that the loss of six to twelve spaces will result in less than the number required.

Your signature of approval will indicate that you concur that a 25 foot reduction of the 200 foot setback along Central, for a length of approximately 143 feet, would not be a substantial deviation of the intent and purpose of the C.U.P. provisions. Your signature will also indicate that Mr. Platt's and Mr. Bell's request to reduce the 200 foot setback is approved and that the new setback (shown as a blue line on the attached site plan) will be 175 feet.

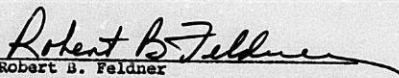
Page Two
Robert B. Feldner
June 23, 1983

Mr. Platt and Mr. Bell will be notified by copy of this memorandum of our joint action regarding their request. If you have any questions, please call.



Robert A. Lakin
Director of Planning

APPROVED:



Robert B. Feldner
Superintendent of Central Inspection

RAL:ADC:el

Attachments

cc: Roc P. Platt, 300 W. Douglas, Wichita 67202
Bill Bell, Walter Morris Investment Co., Inc.
128 South Dellrose, Wichita 67218



13 June, 1983

**PLATT
ADAMS
BRAHT**
& ASSOCIATES
ARCHITECTS

300 West Douglas
Wichita, Kansas 67202
(316) 267-2241

Mr. Robert A. Lakin, Director of Planning
Wichita/Sedgwick Co. Metropolitan Area Planning Commission
City Hall
455 North Main
10th Floor
Wichita, Kansas 67202

RE: Morristown Building Setback Adjustment Request

Dear Mr. Lakin:

Our client Walter Morris Investment Company, Inc. would like to expand their existing commercial lease space at Morristown Shopping Center (the northwest corner of Central and Rock Road) here in Wichita. The Owner and expanding tenant desire an approximate 1200 square foot addition south of the southeast corner of the existing commercial lease space building. (See enclosed site plan). This would extend the existing south building line approximately 29 feet. (See preliminary addition plans).

My understanding is that there is no platted setback for the concerned property. However, Community Unit Plan B-5 apparently calls for a 200 foot setback from Central and 85 feet from Rock Road. Our proposed expansion would conflict with this 200 foot setback.

Our request is that the Owner be granted an administration adjustment for the setback off of Central from 200 feet to 170 feet in order to allow for this expansion.

Please feel free to contact either myself or Mr. Bill Bell of Walter Morris Investment Company, Inc. if you have any questions or desire additional information. We would appreciate your prompt review of this matter.

Very Respectfully,

Roc P. Platt
PLATT, ADAMS, BRAHT & ASSOCIATES
ARCHITECTS

RECEIVED

JUN 16 1983

METROPOLITAN PLANNING
ROUTE 25

S. S. PLATT, AIA
R. D. ADAMS, AIA
F. W. BRAHT, AIA

D. W. BRADLEY, AIA

R. P. PLATT

Bill Bell
Bill Bell
Walter Morris Investment Company, Inc.

128 So Delloze 67218

RPP/me
enclosures: site plan
preliminary addition plans (Youthful Shoes)



**PLATT
ADAMS
BRAHT**
& ASSOCIATES
ARCHITECTS

300 West Douglas
Wichita, Kansas 67202
(316) 267-2241

TRANSMITTAL LETTER

TO: Mr. Jack Galbraith
City Hall
455 North Main
10th Floor
Wichita, Kansas 67202

DATE: 20 June, 1983

FROM: PLATT, ADAMS, BRAHT & ASSOCIATES, AIA ARCHITECTS BY:


Roc P. Platt

RE: Morrystown Setback Adjustment

_____ Copies are enclosed of the following:

_____ Shop Drawings
_____ Certificates
_____ Contracts
_____ Literature
_____ Other

_____ Copies have been retained for our file.

_____ Copies should be checked, signed and returned.

_____ **"APPROVED"** indicates no change or correction required and are released for construction or processing.

_____ **"APPROVED AS NOTED"** indicates that certain items require correction, modification, or additional information, and are released for construction or processing subject to the notations made.

_____ **"DISAPPROVED"** indicates that this material must be revised and resubmitted for approval for the following reasons:

REMARKS:

Jack:

Enclosed per your phone request are five (5) copies of setback adjustment request.

Thank You.

S. S. PLATT, AIA
R. D. ADAMS, AIA
F. W. BRAHT, AIA

D. W. BRADLEY

CUP DP-5
18
DP-5

October 4, 1978

Walter Morris Investment Co. Inc.
128 South Dellrose
Wichita KS 67218

Dear Sir:

Due to the harsh summer weather, Central Inspection Division is in the process of inspecting all Community Unit Plan Developments within the City for the purpose of verifying the installation and maintenance of screening and landscaping as required by the approved CUP. Unfortunately, this inspection conducted September 29, 1978, revealed that CUP DP-5 (known as Morristown Shopping Center) is in violation.

A number of the required plantings in the planting strip are either dead or dying. The dead materials must be replaced and the screening/landscaping maintained.

This letter shall be considered as official notification that unless action is initiated within thirty days to provide screening and landscaping, in accordance with the approved plan, the appropriate action will be taken to insure correction of these deficiencies. Bonds guaranteeing such installations may be considered to be acceptable initial action.

It will be necessary to withhold approval for all building permits and occupancy permits associated with this CUP until such time that the deficiencies have been corrected. Your assistance and cooperation in expeditiously resolving this matter will be appreciated. We look forward to hearing from you soon.

Sincerely,

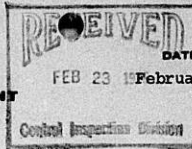
Sam L. Mobley
Building Code Administrator

SLM:AI:kda



WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT



FEB 23 1976

TO Mr. Robert Feldner, Superintendent of Central Inspection
FROM Robert A. Lakin, Director of Planning

SUBJECT Request for administrative adjustment on DP-5
WOODLAWN EAST COMMUNITY UNIT PLAN.

Attached is a copy of a letter with an accompanying plan from Mr. J. D. Stetler, Senior Construction Supervisor of the Derby Refining Company, requesting that Mr. John Parsons of One-Day Film Service be permitted to construct a free standing photo shop approximately 6' X 18' on the western portion of Parcel #2 on the above referenced C.U.P. As you are aware, one of the conditions of approval of a Community Unit Plan is:

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

Mr. Stetler is requesting an interpretation that construction of the photo shop as shown on the plot plan would not represent a "substantial deviation" of the plan. After reviewing the request, it is our feeling that construction of another free standing structure within the 35' building setback line adjacent to the west side of Parcel #2 does constitute substantial deviation and would require an amendment to the existing C.U.P. This determination is based upon two reasons:

1. Section 28.04.190.5.C of the Code of the City of Wichita (C.U.P. Regulations of the Zoning Ordinance) requires a rear yard, alley, service drive or combination thereof of not less than 30 feet around major structures. Although we have in the past been able to support an extension of an existing building for five or six feet into the 35 foot building set-


Page Two
Mr. Robert Feldner, Sup't. Central Inspection
February 20, 1976

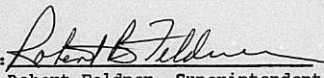
back line, I cannot say that construction of a free standing building reducing the setback line to 12 feet or less than half of the required 30' service drive is not a substantial deviation. Such a waiver of the existing C.U.P. regulations can only be granted by the Board of City Commissioners after a public hearing before the Planning Commission as provided in Section 28.04.090.9 of the City Code.

2. A September 18, 1968 administrative interpretation (attached for your reference) reducing the north setback line of Parcel 2 from 35 to 26 feet to permit construction of the existing service station stipulated that the required 35' setbacks from the east, south, and west shall under no circumstances be waived.

It would be difficult to support another free standing structure upon this parcel even under a request for amendment to the Community Unit Plan, however the present request could only be granted by the Board of City Commissioners and not through an administrative interpretation. I would suggest that Mr. Stetler arrange an appointment with Jack Galbraith of my staff to discuss the filing of an amendment to the existing C.U.P.

Upon your review of this memo and the attached letter of request and accompanying plan, your signature will indicate that you concur that such request is a substantial deviation of the existing C.U.P. and requires an amendment thereof. If you have questions regarding this matter, please do not hesitate to call.


Robert A. Lakin
Director of Planning

APPROVED: 
Robert Feldner, Superintendent
of Central Inspection

RAL:MM:el
Enclosures
cc: Mr. J.D.Stetler, Senior Construction Supervisor
Derby Refining Co., P.O.Box 1030, Wichita, Ks. 67201
Mr. John Parsons, 2000 W. Kellogg, Wichita, Ks. 67213

DERBY REFINING COMPANY



P. O. BOX 1030 - WICHITA, KANSAS 67201 (316) 267-0361

January 30, 1976

Mr. Bob Lakin
Director of Planning
City of Wichita
455 North Main
Wichita, Kansas 67202

Dear Sir:

Mr. John Parsons of One-Day Film Service has been negotiating with Derby Refining Company regarding the placing of one of his kiosk buildings on our property located at Central and Rock Road.

I have enclosed a copy of the proposed location which Mr. Parsons and Derby Refining Company desire for this building. This property is zoned under the CUP and I realize that this location infringes upon the 35' building setback line, but we are both in agreement that this is the most appropriate location.

Is it possible for you to make an administrative adjustment on this setback line? If not, please explain what, if any, means we may have to enable us to place this building on the desired location.

If you have any questions, please feel free to call me.

Sincerely,

J. D. Stetler
Senior Construction Supervisor

JDS:ml
Enclosure

cc: J. J. Schartz
R. D. Thompson
G. L. Sturdy
John Parsons, 2000 West Kellogg, Wichita



September 18, 1968

Robert Feldner, Superintendent of
Central Inspection
C. Bickley Foster, Director of Planning *OKS*

DP-5 Woodlawn East Community Unit Plan

Attached is a copy of a letter from H. D. Moore, President of Derby Refining Company, with an accompanying plan from Jerald R. Jones requesting that a service station be permitted to be constructed to within 26 feet of the north line of Parcel #2 as approved on the above-captioned Community Unit Plan by the Planning Commission on April 1, 1965. One of the conditions of approval which offers limited flexibility to the developer is as follows:

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

In reviewing this request, this department is of the opinion that based on the other adequate established setbacks on Parcel #1, this does not violate the purpose and intent of the Community Unit Plan provisions, nor is it a substantial deviation of the plan which would require an amendment to the plan. Our opinion is conditioned, however, with the understanding that under no circumstances shall the percentage of coverage or setbacks from the east, south and west be waived. Although this Community Unit Plan does not provide the standard clause concerning service station canopies extending into 35 foot setbacks, it is our opinion also that the intent of the Planning Commission, based on their actions of other Community Unit Plans, is that "Canopies may extend and gasoline pumps may be placed in the 35 foot building setback for Parcel #2 for a distance not to exceed 20 feet.

Upon your review of this memo and the attached letter of request and accompanying illustrations, your signature of approval will

Robert Feldner
September 18, 1968
Page 2

indicate that you concur that this proposal is in keeping with the purpose and intent of the community unit plan provisions, and is not a substantial deviation of the plan.

CBP:JMS:js

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

cc: H. D. Moore, President
Derby Refining Company
P. O. Box 1030
Wichita, Kansas 67201

Mr. Jerald R. Jones
6629 E. Kellogg
Wichita, Kansas 67207

February 20, 1976

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

Request for administrative adjustment on DP-5
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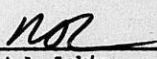
Page Two
Mr. Robert Feldner, Sup't. Central Inspection
February 20, 1976

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Upon your review of this memo and the attached letter of request and accompanying plan, your signature will indicate that you concur that such request is a substantial deviation of the existing C.U.P. and requires an amendment thereof. If you have questions regarding this matter, please do not hesitate to call.


Robert A. Lakin
Director of Planning

APPROVED: _____
Robert Feldner, Superintendent
of Central Inspection

RAL:MM:el
Enclosures

cc: Mr. J.D.Stetler, Senior Construction Supervisor
Derby Refining Co., P.O.Box 1030, Wichita, Ks. 67201
Mr. John Parsons, 2000 W. Kellogg, Wichita, Ks. 67213

DERBY REFINING COMPANY

P. O. BOX 1030 - WICHITA, KANSAS 67201 (316) 267-0361



January 30, 1976

Mr. Bob Lakin
Director of Planning
City of Wichita
455 North Main
Wichita, Kansas 67202

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I have enclosed a copy of the proposed location which Mr. Parsons and Derby Refining Company desire for this building. This property is zoned under the CUP and I realize that this location infringes upon the 35' building setback line, but we are both in agreement that this is the most appropriate location.

Is it possible for you to make an administrative adjustment on this setback line? If not, please explain what, if any, means we may have to enable us to place this building on the desired location.

If you have any questions, please feel free to call me.

Sincerely,

J. D. Stetler
Senior Construction Supervisor

JDS:ml
Enclosure

cc: J. J. Schartz
R. D. Thompson
G. L. Sturdy
John Parsons, 2000 West Kellogg, Wichita



September 18, 1968

Robert Feldner, Superintendent of
Central Inspection
C. Bickley Foster, Director of Planning *CBF*

DP-5 Woodlawn East Community Unit Plan

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Upon your review of this memo and the attached letter of request and accompanying illustrations, your signature of approval will

Robert Feldner
September 18, 1968
Page 2

indicate that you concur that this proposal is in keeping with the purpose and intent of the community unit plan provisions, and is not a substantial deviation of the plan.

CBF:JHS:js

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

cc: H. D. Moore, President
Derby Refining Company
P. O. Box 1030
Wichita, Kansas 67201

Mr. Jerald R. Jones
6629 E. Kellogg
Wichita, Kansas 67207

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT
COMMUNITY DEVELOPMENT DIVISION

Public Inquiry Slip

NAME Jerry Steller Derbyville DATE 1-30-76
PHONE 267-0361 PHONE COUNTER
PROPERTY LOCATION _____ MAP # 5946

N.W. corner of Rock Rd. & Central - Derby
Service Station

NATURE OF REQUEST:

CITY ZONING COUNTY ZONING _____ CONDITIONAL USE _____

PLAT _____ LOT SPLIT _____ BZA _____

VACATION _____ DEDICATION _____ STREET NAME CHANGE _____

REMARKS:

Wants to install a 24 hr. photo film service booth along west side of Service Station. C.U.P. - DP-5 indicates corner parcel to have 35' ~~total~~ bldg. setback. photo booth would encroach on the setback.
I advised him to write Lakin requesting an interpretation or permitted use on ~~the~~ corner parcel and to request administrative adjustment to the interior 35' bldg. setback.

ROUTE TO: _____
GALBRAITH SHIRKEY NEWBY _____ RICHTER _____ DOBSON _____ MEEK
LAKIN STOCKWELL _____ RETURN TO _____

COMMENTS:

T9-126

I would have digressed on administrative adjustment. File this in DP # 5

Louis Kretsch called on 3/26/75
and discussed the locating of a
small photo quiz-my station near Central
that violated the 200 ft setback line.
John Parsons discussed this matter
with me on 3/27/75 and I advised
him of the procedure for amending a
C.U.P. Also called Bill Bell
and advised him that amending the CUP
would require bringing it up to date and
might open up the discussion for
additional street ROW.

JLH

February 22, 1974

Robert Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

Landscape Plan for DP-5 now known as
Morristown Shopping Center - located
at the northwest corner of Central and
Rock Road.

Our last memorandum to you on the above captioned C.U.P. (originally know as Woodlawn East Community Unit Plan) on December 11, 1973, was concerning an administrative adjustment request as to the location of the wall on the north. Our concurrence in this adjustment request was subject to the owner installing the required wall on the north and submitting a landscape plan for the 10 foot planting area on the north and along Central and for the area adjacent to the drainage swale on the west. The construction of the wall and the plantings were to occur in the spring of 1974.

In accordance with this requirement, William Bell has submitted plans for the wall and a landscaping plan prepared by Oblinger and Smith. We have reviewed the landscape plan and the proposed plant materials with John Firsching, City Forester. He cautioned that the Japanese pagoda does not do well in tight clay soil as usually found in this area and thought the developer might want to consider a substitute.

After again viewing the site and taking into consideration that the residential lots to the west have their own fences, we agree that the landscape screen is sufficient to provide screening for the adjacent area. Based on this, the landscape plan is approved with the understanding that plants will be placed on the west side of the existing drainage swale so as not to interfere with the maintenance of that area by the developer. I have marked an approved copy of the landscape plan which is attached and which is also being forwarded with a copy of this memo to Mr. Bell. Also attached for your information and files is a copy of plans for the proposed wall on the north. If your staff sees any problems in the design of the wall, please contact Mr. Bell. Also, if you have any questions on the approved landscape plan, please call.

JHG:rme
Attachment

cc: William A. Bell, Assistant Secretary
Walter Morris Investment Co, Inc.
128 South Dellrose, 67218

December 11, 1973

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

DP-5 - Request for Administrative Adjustment on
Woodlawn East Community Unit Plan

We have reviewed the letter received from William A. Bell, Walter Morris Investment Co., Inc. requesting an adjustment to permit the reversing of the required wall and 10 foot planting screen on the above captioned C.U.P. which was approved in 1965. Also, attached with his letter was a letter from W. W. Taylor, President of Horizons East, Inc., the developers of the apartments to the north agreeing to the request. One of the conditions of the approval of the C.U.P. was as follows:

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

After reviewing this request and keeping in mind that Mr. Taylor has no objection to changing the location of the wall and landscaping, we are of the opinion that what is proposed is a better solution, that it would be difficult for the developer of the shopping center to maintain landscaping on the north side of that masonry wall. It would seem to us that Mr. Taylor will want to maintain all the area north of the wall and perhaps provide some landscaping that would be compatible with landscaping provided for his apartment project. As requested, the 10 feet of landscaping on the south side of the wall should provide additional beautification to the shopping center.

In discussing this matter with Mr. Bell, we raised the question as to when the required wall and 10 foot landscaping would be provided on the west. He pointed out that there is now a drainage swale in the 10 foot planting area and that wooden fences exist on two of the residential lots to the west. After viewing this area in the field, there appears to be some room for plantings, and we certainly agree that it would not seem practical to require a wall as long as there are

Mr. Robert Feldner
December 11, 1973
Page 2

existing fences. We would recommend, however, that the developer coordinate the construction of either a wall or fence with the property owner on the lot adjacent to Central and that the wall not be required on the northern two lots unless the fences are removed.

Our concurrence to this request is therefore subject to the owner installing the required wall on the north and either a wall or fence adjacent to the south residential lot to the west; and submitting a landscape plan, prepared by a landscape architect for the 10 foot planting area on the north and along Central as well as for the area adjacent to the drainage swale on the west, to the Planning Department for their review and approval; and that subject wall (fence) and plantings shall be completed during the next planting season (spring of 1974). This approval is also subject to the wall on the north being constructed to a minimum height of 5 feet from the grade of the property south of the wall.

Upon your review of this memo, your signature of approval will indicate that you concur that this proposal is in keeping with the purpose and intent of the Community Unit Plan provisions, and is not a substantial deviation of the plan.

RAL:JHG:rme
Attachment

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

cc: William A. Bell, Assistant Secretary
Walter Morris Investment Co., Inc.
128 South Dellrose, 67218

W. W. Taylor, President
Horizons East, Inc.
505 North Rock Road, 67206

Walter Morris Investment Company, Inc.

SHOPPING CENTERS AND COMMERCIAL DEVELOPERS

128 SOUTH DELLROSE

TELEPHONE (316) 685-5341

WICHITA, KANSAS 67218

November 28, 1973

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

SUBJECT: DP-5-Woodlawn East
Community Unit Plan

We request that an administrative adjustment in the present Community Unit Plan be allowed for the relocation of the screening wall. The original plan called for the wall to be 10 feet south of the property line and the planting area to the north. We request that it be revised so that the wall is on the property line with the planting area to the south of the wall.

A plot plan with the relocation of the new wall and planting area and a detailed plan and specifications of the construction of the wall are attached.

A letter from W. W. Taylor, President of Horizons East, Inc., stating that the relocation of the wall meets with his approval, is also attached.

Yours truly,

WALTER MORRIS INVESTMENT CO., INC.

BY William A. Bell
Asst. Secretary

WB/cg

Enc.



ESTABLISHED 1888

WALTER MORRIS & SON..

128 S. DELLROSE

WICHITA, KANSAS 67218

TELEPHONE (316) 685-5341

November 29, 1973

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

SUBJECT: DP - 5 - Woodlawn East
Community Unit Plan

This letter is to inform you that Horizons East, Inc. is the owner of the North 60 feet of Lot 30, Block 3, Woodlawn East, Wichita, Sedgwick County, Kansas, and that we request that the location of the fence, as set out in the above mentioned Community Unit Plan, be allowed to be placed on the North property line of Lot 30, except the North 60 feet thereof, Block 3, Woodlawn East, and that the 10 foot planting strip be moved to the south side of the wall.

We further state that the design of and use of materials in said fence meets with our approval and will be in harmony with the design of our apartment complex being built north of said property.

Yours truly,

HORIZONS EAST, INC.

BY W. W. Taylor
W. W. Taylor President



IRREVOCABLE LETTER OF CREDIT
FIRST NATIONAL BANK IN WICHITA
WICHITA, KANSAS 67201
(Name of bank)

Date: NOVEMBER 2, 1973

THE CITY OF WICHITA
WICHITA, KANSAS

Dear Sirs:

We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding \$ 5,000.00 for the account of FIRST NATIONAL BANK IN WICHITA, WICHITA, KANSAS (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before SEPTEMBER 1, 1974 (Insert date two years from MAPC approval of plat)

1. RE: DP-5, WOODLAWN EAST COMMUNITY UNIT PLAN.
2. CAPPING OF UTILITIES, REMOVAL OF STRUCTURE AND FOUNDATION OF TEMPORARY BANKING FACILITY.
- 3.

in WOODLAWN EAST, a subdivision of the City of Wichita, Kansas.

Acting through the City Engineer, you will notify us when either:

1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default hereunder.

All drafts drawn hereunder must be marked: "Drawn under _____ FIRST NATIONAL BANK IN WICHITA, WICHITA, KANSAS, Credit No. C-272, dated NOVEMBER 2, 1973 (Name of bank)

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before SEPTEMBER 1, 1974.

(CORPORATE SEAL)



Very truly yours,
FIRST NATIONAL BANK IN WICHITA
WICHITA, KANSAS
(Name of bank)

By: John W. Long
(Authorized signature)
JOHN W. LONG, VICE PRESIDENT & CASHIER

October 31, 1973

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

DP-5 Woodlawn East Community Unit Plan *RS Feldner*

We have reviewed the letter submitted to you by Mr. Chandler and examined the map outlining the location of the temporary bank facility which is proposed to be placed within the approved 200 foot setback. This Community Unit Plan was approved by the Planning Commission on April 11, 1965 and one of the conditions was as follows:

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

In reviewing this request, and inasmuch as practically all of the building area is either developed and proposed to be developed by the construction of the permanent bank facility, and inasmuch as the required parking for the Carl Bell Market will not be affected, this department is of the opinion this will not violate the proposed and intent of the Community Unit Plan provisions, nor is it a substantial deviation of the plan which will require an amendment. Our opinion is conditioned, however, on the understanding that such temporary facilities shall be removed by September 1, 1974, and subject to a satisfactory financial guarantee being submitted that such structure and foundation should be removed by that date and utilities will be appropriately capped. We are of the opinion that either an Irrevocable Letter of Credit or Performance Bond in the amount of \$5,000 should be satisfactory and should be submitted to our office prior to the issuance of any building permits. Attached is a sample bond form and Irrevocable Letter of Credit that, with some revisions, should be satisfactory.

Upon your review of this memo and the attached letter of request and accompanying illustrations, your signature of approval will indicate that you concur that this proposal is in keeping with

Robert Feldner
October 31, 1973
Page 2

the purpose and intent of the Community Unit Plan provisions,
and is not a substantial deviation of the plan.

RAL:JHG:rme
Attachment

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

cc: C. Q. Chandler, President
First National Bank in Wichita, 67202

W. L. Morris
Attn: William Bell
208 North Broadway, 67202

FIRST NATIONAL BANK IN WICHITA
WICHITA, KANSAS

October 17, 1973

Mr. Robert B. Feldner
Superintendent of Central Inspection
104 South Main
Wichita, Ks. 67202

Dear Bob:

This is to request an exception to the Community Unit Plan to allow installation of a temporary banking facility on the Carl Bell parking lot at 7728 East Central Avenue. Attached is a plot plan showing desired location, together with the consent of the Carl Bell Markets and Walter Morris Investment Company.

This temporary facility would be used only until construction of our permanent bank to be located at 7800 East Central is complete. We intend to commence construction as soon as possible, with completion anticipated approximately September 1, 1974.

Your consideration of this matter is greatly appreciated.

Sincerely yours,

C. C. Chandler
President

CC:mjb

Enclosures



THE CARL BELL MARKETS

CARL BELL'S EAST
7728 EAST CENTRAL
WICHITA, KANSAS 67206
685-2336

CARL BELL'S NORTH
1400 NORTH ST. FRANCIS
WICHITA, KANSAS 67214
265-2681

October 12, 1973

Mr. Rick Bumgardner
First National Bank
105 N. Main
Wichita, Kansas

Dear Rick:

Your proposal to put a temporary drive in banking facility,
as per your plot plan, is perfectly agreeable with us.

Sincerely,

The Carl Bell Markets, Inc.

Fred L. Bell

Fred L. Bell

APPROVED

William A. Bell
William A. Bell

Walter Morris Investment Company, Inc

Fb/cb

WHERE "VALUE" IS AN IMPORTANT FAMILY TRADITION

February 1, 1972

Mr. Jim Boyd, Senior V. Pres.
Real Estate Department
4th. National Bank
Wichita, Kansas

Dear Mr. Boyd:

Mr. W. W. Taylor has employed me to prepare a landscape plan for his proposed apartment project on Rock Road. The south property line is adjacent to a 9' wide (or 10' wide total) strip of land next to your shopping center. It is my understanding that a 5' high masonry wall is to be built by you along this strip of land as required by the City of Wichita.

In discussing this situation with Mr. Taylor, I suggested a 6'0" high concrete wall with a stucco texture as shown in the enclosed sketch. The wall could be capped with a rough 2"x12" board and broken up with wood panels in certain areas as shown. This type of wall would look attractive and would utilize the proposed design motif of the apartments. The cost would be less than a brick wall and practically maintenance free. In this type of construction the extra foot of height would be just the cost of concrete because the labor cost would be the same as a 5' high wall. Mr. Taylor stated that he would pay for half of the cost of building the wall (as per bids) if it was located in the center of the strip. This would reduce maintenance of the ground for everyone (gravel or planting could even be used rather than lawn) and prevent the area from being overgrown with weeds, etc.

I think this would work out well for both properties since it would be providing a maintenance free solution with minimum cost. The location of the center of the wall would be 4½' or 5' from either property line on each side of the greenway strip.

If you have any other questions or suggestions please contact myself or Mr. Taylor.

Thanking you for your consideration in this matter, I am,

Very truly yours,





donald e. bodley, ph.d

bodley associates

July 23, 1971

Mr. Jack H. Galbraith
Chief Planner
Wichita - Sedgwick County
Metropolitan Area Planning Department
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Dear Mr. Galbraith:

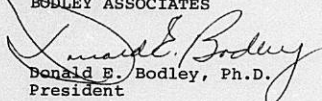
Thank you for your letter of clarification concerning our conversation concerning property of interest to Mr. W. W. Taylor.

I am sorry that proper identification was not made to you, however, from your conversation, I felt that your secretary had passed on that information when the call was given to you.

I regret that I misinterpreted your statement concerning possible lower density requirements at the time of application for a building permit.

Thank you again for your clarification and support of the data given to us in this matter.

Cordially,
BODLEY ASSOCIATES



Donald E. Bodley, Ph.D.
President

DEB/er

cc: W. W. Taylor
W. W. Taylor Development Company



6245 renwick, suite 53 houston, texas 77036 area code (713) 666-8051

MANAGEMENT • MARKETING • SYSTEMS CONSULTANTS TO THE APARTMENT PROFESSION

April 10, 1969

Robert Feldner, Supt. of Central Inspection

C. Bickley Foster, Director of Planning

DP-5 - Woodlawn East Community Unit Plan

On April 1, 1969, we forwarded to you a copy of a letter written to W. L. Morris Estates to the attention of William Bell, concerning a request for an interpretation on the above captioned community unit plan. Attached with a copy of that letter was your memorandum of March 28, 1969, with my signature concurring in your interpretation that the intent of the community unit plan was not violated as a result of the new ownership not having the north sixty feet of the original approved development plan. In both my letter and in signing your memorandum there was a statement that "Regarding the ten-foot planting screen, it is assumed that this screen will be provided by the owner to the north since it is to benefit and beautify the apartment complex to the north".

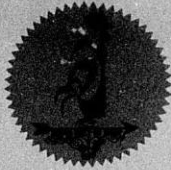
Upon receiving copies of these letters Mr. George Byers of Kansas City, who was the original owner and is still the owner to the north, advised in a letter dated April 4, 1969, that the assumption that the owner to the north would provide the planting screen was not correct, and he requested that we further check into the matter. Upon further checking the file and the original approved community unit plan, it is obvious that the intent was that the commercial development provide both a wall and a ten-foot planting screen. Therefore, this is to advise you that our previous assumption was in error and that the wall and planting screen are a requirement of the new owner and should be indicated on your copy of the plan sixty feet south of the north line of the original plan. Jack Galbraith of our office has made these notations in our file and our copy of the community unit plan and will be happy to mark your copy of the plan so that they both correspond.

If you have any further questions concerning this development plan, please contact our office.

CBF:JHG:js

cc: W. L. Morris Estate
Attention: William Bell
208 North Broadway
Wichita, Kansas 67202

Mr. Byers
6701 North Agnes
Kansas City, Mo. 64119



Reed P. Byers • George W. Byers • Robert F. Denneberg

byers built homes

BYERS BROS. REAL ESTATE & INSURANCE AGENCY, INC. • BYERS CONSTRUCTION CO., INC. • CITY HOMES, INC.

6701 North Agnes • GL. 4-0450 • VI. 2-0297 • Kansas City, Mo. 64119

April 4, 1969

Mr. C. Buckley Foster
Director of Planning
City of Wichita
208 North Broadway
Wichita, Kansas 67202

Subject: DP-5 - Woodlawn East
Community Unit Plan

Dear Mr. Foster,

I am in receipt of your letter dated April 1, 1969 in regard to the above referenced matter.

I note that in your comment regarding the ten foot planting screen and you say that it is assumed that this screen will be provided by the owner to the north.

This was not to be the case, as a very definite stipulation and consideration in granting the CUP Zoning was that this screening be included as part of the commercial endeavor.

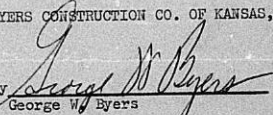
The rear of the shopping center is the service and truck delivery side and it would certainly be the responsibility and expense of the commercial owner to provide the screen.

I think a review of the original minutes will show this to have been a much discussed point and it was made quite clear that the commercial developer was to provide the screen - whoever he might be.

I would hope that anyone being granted CUP Commercial Zoning would have the responsibility of the screening rather than the adjacent owner.

Sincerely,

BYERS CONSTRUCTION CO. OF KANSAS, INC.

By 
George W. Byers



GWB/mr
cc; Robert A. Lalkin, City Plan
cc; Jack Galbraith, City Plan
cc; Wm. A. Bell, 208 N. Broadway

Members: Home Builders Association of Kansas City • National Association of Real Estate Builders • National Association of Home Builders

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE March 28, 1969



TO C. Bickley Foster, Director of Planning

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT DP - 5 Woodlawn East
Community Unit Plan

Attached is a copy of a letter with accompanying drawings from the W. L. Morris Estate requesting that the north boundary line be moved sixty feet to the south. When this property was acquired, they were not able to purchase this sixty foot strip. By moving the boundary line, the thirty-five foot setback would still be maintained. This will reduce the total net area to 357,005 feet. This will in turn reduce the maximum land coverage by the building (30%) to 107,101. The developers intend to construct a maximum of 90,000 square feet as noted on the original drawings.

In reviewing this request, it is noted that the proposed building area of 90,000 square feet is still less than the allowable maximum land coverage. This division is of the opinion that this does not violate the purpose and intent of the Community Unit Plan provisions, nor is it a substantial deviation of the plan which would require an amendment to the plan.

Upon your review of this letter and attached letter of request and accompanying drawings, your signature of approval will indicate that you concur.

RFB:ml

cc: W. L. Morris Estate
Attention: William A. Bell
208 North Broadway

APPROVED: With the understanding that the five-foot high wall and thirty-five-foot setback is relocated south sixty feet. The ten-foot planting strip is considered to be on the property to the north.

C. Bickley Foster

A handwritten signature in cursive script that reads "C. Bickley Foster".

W. L. Morris, Estate

208 N. BROADWAY.

TELEPHONE F0rest 38221

WICHITA, KANSAS 67202

March 11, 1969

Mr. Robert Feldner
Supt. of Central Inspection
City of Wichita, Kansas.

Re: Walter Morris Investment Company, Inc.
CUP Plat NW Corner Central & Rock Road.

Dear Mr. Feldner:

The Walter Morris Investment Company, Inc., 208 N. Broadway, Wichita, Kansas, is the record owner of the following tract:

LOT 30, except the North 60 feet thereof,
Block 3, Woodlawn East, Wichita, Sedgwick
County, Kansas.

Lot 30, Block 3, Woodlawn East has been approved for CUP zoning by case number DP-5 dated April 1, 1965, and the lot has been plated and recorded.

The Walter Morris Investment Company, Inc., is preparing to proceed with the development of a shopping center in stages for a total of 90,000 square feet in the designated area shown on the CUP plat with the except of the North 60 feet.

The Company requests that you give it an interpretation and a finding that the area owned by the Company does not substantially deviate from the approved CUP and that it be authorized to proceed thereunder in accordance with requirement outlined on the CUP plat.

Yours truly,

WALTER MORRIS INVESTMENT
COMPANY, INC.

By William H. Bell

J. P. WEIGAND & SONS - Realtors

MEMO

September 13, 1967

Mr. James Boyd
Fourth National Bank & Trust Company
Wichita, Kansas

Notes re: Central & Rock Road

W.E. - 1

Total Area Net 8.98 ac or
Maximum Gross Floor Area 70,000
Maximum Land Coverage by Building 30% 11,700
Building Setback Lines - Rock Road
Building Setback Lines - Central
North & East Property Line
10 Planter Strip for Screen along North Property Line and
West Property Line and portion of South Property Line along
Central Ave.

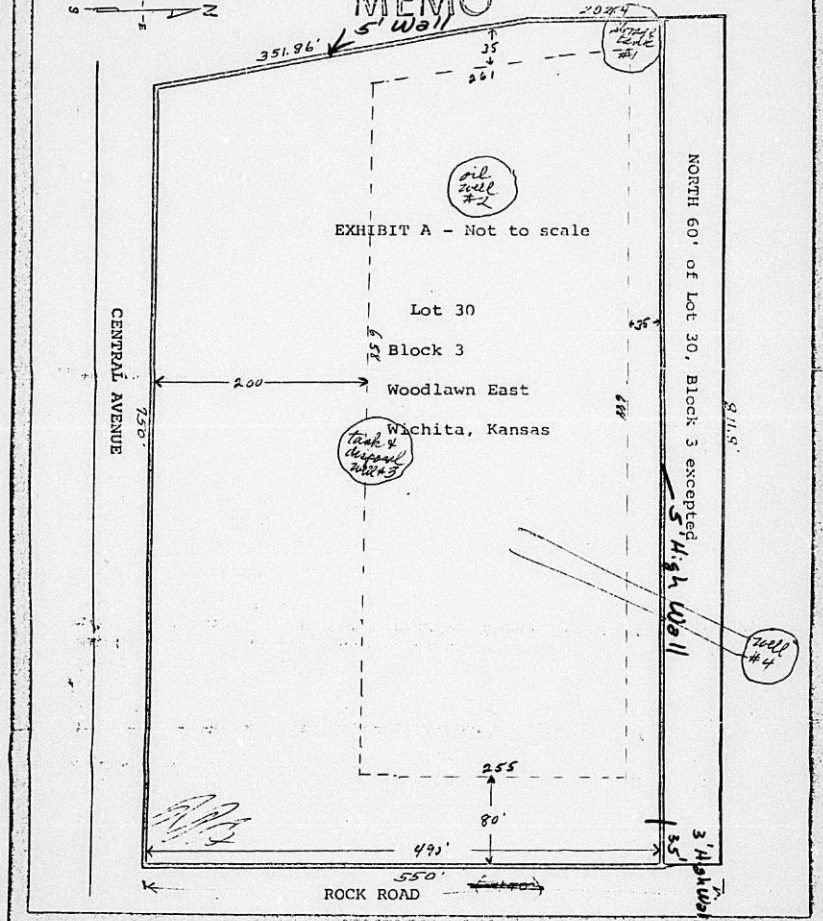
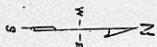
Maximum Height
Parking Ratio as Required under "L.C." Zoning
Uses - As permitted under L.C. Zoning
Proposed uses: Shopping Center, Supermarket, Drug Store,
Variety, Hardware, Barber, Beauty, Liquor,
Restaurant, Specialty Dress Shop, Specialty
Mens Shop, Flower Shop, Specialty Jewelry Store,
Shoe Store, Professional Offices, Other
Specialty Stores Related to Neighborhood Shopping

CORNER W.E.-2

Total Area Net 0.52 ac. 22,500 sq. ft.
Maximum Gross Floor Area 5,000 sq. ft.
Maximum Land Coverage by Building 30% or 6,750 sq. ft.
Building Setback Lines - Rock Road 35 feet
Building Setback Lines - Central 35 feet
North & East Property Line
Underground Storage Tanks permitted outside setback lines.
Maximum Height
Parking Ratio as required under L.C. Zoning
Uses permitted under L.C. Zoning
Proposed Uses: Environmental Architecturally controlled
service station

J. P. WIGAND & SONS Realtors

MEMO



April 1, 1969

W. L. Morris Estate
Attention: William A. Bell
208 North Broadway
Wichita, Kansas 67202

Subject: DP-5 - Woodlawn East
Community Unit Plan

Gentlemen:

We are in receipt of a memorandum dated March 28, 1969, from Robert B. Feldner, Superintendent of Central Inspection, requesting a concurrence in an interpretation on the above captioned community unit plan. We understand that you represent a company which has purchased Lot 30, except the north 60 feet, Block 3, Woodlawn East Addition, and have requested that an interpretation be made that the 60 feet which you have not purchased can be excluded from the requirements of the approved community unit plan. We do concur that this is not a substantial deviation requiring an amendment to the community unit plan with the understanding that all of the requirements of the community unit plan still are to be complied with and that the north thirty-five foot setback is to be south of your north ownership line, and that the required five-foot high wall is to be constructed in the vicinity of your north property line. Regarding the ten-foot planting screen, it is assumed that this screen will be provided by the owner to the north since it is to benefit and beautify the apartment complex to the north. \

Although sixty feet of light commercial zoning is not in your ownership, it is not assumed that the strip of light commercial zoning to the north can be developed for light commercial purposes, but rather must be included with the "B" zoning to the north and developed with uses permitted in the multiple family district.

W. L. Morris Estate
April 1, 1969
Page 2

I am forwarding a copy of this letter to Mr. George Byers, who I assume is still the owner of the "B" zoning to the north, as well as the sixty-foot strip of light commercial zoning on which you requested a determination. If any of you have any questions concerning this matter, please contact our office.

Very sincerely yours,

C. Bickley Foster
Director of Planning

CBF:JHG:js

cc: Mr. George Byers
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Robert Feldner, Superintendent
of Central Inspection

WICHITA-SEDGWICK COUNTY

DATE
September 18, 1968

METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert Feldner, Superintendent of
Central Inspection
FROM C. Bickley Foster, Director of Planning *CBF*
SUBJECT DP-5 Woodlawn East Community Unit Plan

Attached is a copy of a letter from H. D. Moore, President of Derby Refining Company, with an accompanying plan from Jerald R. Jones requesting that a service station be permitted to be constructed to within 26 feet of the north line of Parcel #2 as approved on the above-captioned Community Unit Plan by the Planning Commission on April 1, 1965. One of the conditions of approval which offers limited flexibility to the developer is as follows:

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

COPY

In reviewing this request, this department is of the opinion that based on the other adequate established setbacks on Parcel #1, this does not violate the purpose and intent of the Community Unit Plan provisions, nor is it a substantial deviation of the plan which would require an amendment to the plan. Our opinion is conditioned, however, with the understanding that under no circumstances shall the percentage of coverage or setbacks from the east, south and west be waived. Although this Community Unit Plan does not provide the standard clause concerning service station canopies extending into 35 foot setbacks, it is our opinion also that the intent of the Planning Commission, based on their actions of other Community Unit Plans, is that "Canopies may extend and gasoline pumps may be placed in the 35 foot building setback for Parcel #2 for a distance not to exceed 20 feet.


Upon your review of this memo and the attached letter of request and accompanying illustrations, your signature of approval will

Robert Feldner
September 18, 1968
Page 2

indicate that you concur that this proposal is in keeping with the purpose and intent of the community unit plan provisions, and is not a substantial deviation of the plan.

CBF:JHG:js

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

cc: H. D. Moore, President
Derby Refining Company
P. O. Box 1030
Wichita, Kansas 67201

Mr. Jerald R. Jones
6629 E. Kellogg
Wichita, Kansas 67207

September 18, 1968

Robert Feldner, Superintendent of
Central Inspection
C. Bickley Foster, Director of Planning *CRS*

DP-5 Woodlawn East Community Unit Plan

Attached is a copy of a letter from H. D. Moore, President of Derby Refining Company, with an accompanying plan from Jerald R. Jones requesting that a service station be permitted to be constructed to within 26 feet of the north line of Parcel #2 as approved on the above-captioned Community Unit Plan by the Planning Commission on April 1, 1965. One of the conditions of approval which offers limited flexibility to the developer is as follows:

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

In reviewing this request, this department is of the opinion that based on the other adequate established setbacks on Parcel #1, this does not violate the purpose and intent of the Community Unit Plan provisions, nor is it a substantial deviation of the plan which would require an amendment to the plan. Our opinion is conditioned, however, with the understanding that under no circumstances shall the percentage of coverage or setbacks from the east, south and west be waived. Although this Community Unit Plan does not provide the standard clause concerning service station canopies extending into 35 foot setbacks, it is our opinion also that the intent of the Planning Commission, based on their actions of other Community Unit Plans, is that "Canopies may extend and gasoline pumps may be placed in the 35 foot building setback for Parcel #2 for a distance not to exceed 20 feet.

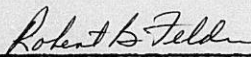
Upon your review of this memo and the attached letter of request and accompanying illustrations, your signature of approval will

Robert Feldner
September 18, 1968
Page 2

indicate that you concur that this proposal is in keeping with the purpose and intent of the community unit plan provisions, and is not a substantial deviation of the plan.

CBF:JHG:js

APPROVED:


Robert Feldner, Superintendent
of Central Inspection

cc: H. D. Moore, President
Derby Refining Company
P. O. Box 1030
Wichita, Kansas 67201

Mr. Jerald R. Jones
6629 E. Kellogg
Wichita, Kansas 67207

DERBY REFINING COMPANY A DIVISION OF COLORADO OIL AND GAS CORPORATION



P.O. BOX 1030 • WICHITA, KANSAS • 67201

September 17, 1968

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

Attention: Jack Galbraith

Dear Mr. Galbraith:

The undersigned has entered into a lease with Walter Morris Investment Company, Inc., for property located at 7990 East Central Avenue, which is the Northwest corner of Central and Rock Road. As you are aware this property is the subject of a Community Unit Plan which has been duly approved and is on file with your office.

The service station area on the above Community Unit Plan indicates a 35 foot setback in all directions inside a 150 square foot area. The station we plan to construct will adhere to the 35 foot setback on the South and East, and will provide a setback on the West of 42 feet, but on the North will provide only 26'4".

In the lease agreement there is a provision that no obstructions will be placed at the property lines and the ultimate result will be that our North and West paved areas will be a mere continuation of the shopping center parking lot when it is constructed.

In view of the foregoing the Superintendent of Building Inspection, in accordance with his duties under City Code provision 28.04.190810(f) has requested your opinion in determining whether this constitutes 'any

Page -2-
September 17, 1968

substantial deviation' from the approved Community Unit development plan in your office. Would you accordingly provide him with your administrative interpretation in connection therewith and we would appreciate it if you would be so kind as to send us a copy thereof.

Yours very truly,

DERBY REFINING COMPANY

BY

H. D. Moore

H. D. Moore
President

HDM/cs



April 7, 1965

Glen Lytle, Superintendent of Central Inspection

Jack H. Galbraith, Senior Planner

DP-5 Planned Commercial Development at the northwest corner
of Central and Rock Road

At its regular meeting on April 1, 1965, the Metropolitan
Area Planning Commission considered the above-captioned
Development Plan. The action of the Planning Commission
was to approve this Development Plan subject to:

1. The development of this property proceeding
in accordance with the development plan as
approved by the Planning Commission, and any
substantial deviation from the plan as deter-
mined by the Superintendent of Central
Inspection shall constitute a violation of
the building permit authorizing construction
of the proposed development.
2. Any major change in this development plan
being resubmitted to the Planning Commission
to assure compliance with the requirements
and intent of Section 28.04.190 of the Zon-
ing Ordinance.
3. The applicant providing a detailed screening
plan for approval by the Planning Commission
prior to the time any building permits are
issued for this property.

Attached is the Development Plan which was approved by the
Planning Commission.

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

JHG:bgs

Attachment

WICHITA-SEDGEWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

DATE: April 1, 1965

Case No. DP-5

Request: Approval of proposed planned
commercial development under the
Community Unit Plan provisions of
the Zoning Ordinance

Location: Generally located at the northwest corner of Central and
Rock Road.

Acres: 9.5

History: Case No. 2-0629 - Approved by MAPC 3-18-65 subject to
approval of Community Unit Plan
Case No. S/D 64-73 - Approved by MAPC 3-18-65 subject to
conditions

Comments:

1. City Homes, Inc., has submitted a development plan under the Community Unit Plan provisions of the City Zoning Ordinance for 9.5 acres.
2. As a requirement under the CUP provisions, the development plan indicates the required information pertaining to gross area, maximum coverage, gross floor area, maximum height, proposed general uses, maximum curb cuts, building setbacks, general sign information, and screening requirements. Attached to this report is a copy of the proposed development plan.
3. Under "General Notes", the development plan indicates that advertising signs along Central Avenue and Rock Road shall not exceed 30 feet in height and that no signs shall be located along the north and west property lines. The plan also indicates that there will be a maximum of eight curb cuts, four to Rock Road and four to Central.
4. The plan provides that the screening requirements shall comply with the CUP regulations. The applicant has indicated on the plan that a 10-foot planting screen and a 5-foot high wall will be constructed along the north and west property lines. The 5-foot high wall is reduced to 3 feet in the required front setback.

Recommendation:

The Planning Department recommends that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control, and is in

Page 2 - Case No. DF-3
April 1, 1965

accordance with the intent of Section 28.04.190 of the Zoning Ordinance to promote a well-planned and well-organized development. It is further recommended that approval of the plan be given subject to the following conditions:

1. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation from the plan as determined by the Superintendent of Central Inspection shall constitute a violation of the building permit authorizing construction of the proposed development.
2. Any major change in this development plan shall be resubmitted to the Planning Commission to assure compliance with the requirements and intent of Section 28.04.190 of the Zoning Ordinance.

April 2, 1965

Mr. George Byers
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Subject: DP-5 - Planned Commercial Development at the northwest corner of Central and Rock Road

Dear Mr. Byers:

At its regular meeting on April 1, 1965, the Metropolitan Area Planning Commission considered the above-captioned Development Plan. The action of the Planning Commission was to approve this Development Plan subject to:

1. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation from the plan as determined by the Superintendent of Central Inspection shall constitute a violation of the building permit authorizing construction of the proposed development.
2. Any major change in this development plan being resubmitted to the Planning Commission to assure compliance with the requirements and intent of Section 28.04.190 of the Zoning Ordinance.
3. The applicant providing a detailed screening plan for approval by the Planning Commission prior to the time any building permits are issued for this property.

April 2, 1965

If you have any questions concerning this matter, please do not hesitate to call.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:JWH:bgs

cc: Mr. Ron Hoisington
Harman, O'Donnell & Henninger
Second and Detroit
Denver 6, Colorado

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION**

DATE: April 1, 1965

Case No. DP-5

Request: Approval of proposed planned commercial development under the Community Unit Plan provisions of the Zoning Ordinance

Location: Generally located at the northwest corner of Central and Rock Road.

Acres: 9.5

History: Case No. Z-0629 - Approved by MAPC 3-18-65 subject to approval of Community Unit
Case No. S/D 64-73 - Approved by MAPC 3-18-65 subject to conditions

Comments:

1. City Homes, Inc., has submitted a development plan under the Community Unit Plan provisions of the City Zoning Ordinance for 9.5 acres.
2. As a requirement under the CUP provisions, the development plan indicates the required information pertaining to gross area, maximum coverage, gross floor area, maximum height, proposed general uses, maximum curb cuts, building setbacks, general sign information, and screening requirements. Attached to this report is a copy of the proposed development plan.
3. Under "General Notes", the development plan indicates that advertising signs along Central Avenue and Rock Road shall not exceed 30 feet in height and that no signs shall be located along the north and west property lines. The plan also indicates that there will be a maximum of eight curb cuts, two to Rock Road and four to Central.
4. The plan provides that the screening requirements shall comply with the CUP regulations. Applicant has indicated on the plan that a 10-foot planting strip and a 5-foot high wall will be constructed along the north and west property lines. The 5-foot high wall is reduced to 3 feet in the required front setback.

Recommendation:

The Planning Department recommends that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control, and is in

Page 2 - Case No. DP-5
April 1, 1965 HIGHWAY-DEVELOPMENT DIVISION
METROPOLITAN AREA PLANNING COMMISSION

accordance with the intent of Section 28.04.190 of the Zoning Ordinance to promote a well-planned and well-organized development. It is further recommended that approval of the plan be given subject to the following conditions:

1. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission; and any substantial deviation from the plan as determined by the Superintendent of Central Inspection shall constitute a violation of the building permit authorizing construction of the proposed development.

2. Any major change in this development plan shall be resubmitted to the Planning Commission to assure compliance with the requirements and intent of Section 28.04.190 of the Zoning Ordinance.

Comments:

1. City Homes, Inc., has submitted a development plan under the Community Unit Plan provisions of the City Zoning Ordinance for 9.5 acres.
2. As a requirement under the CUP provisions, the development plan indicates the required information pertaining to gross area, maximum coverage, gross floor area, maximum height, proposed general curb, sidewalk curb cuts, building setback, general sign information, and screening requirements. Attached to this report is a copy of the proposed development plan.
3. Under "General Notes", the development plan indicates that advertising signs along Central Avenue and Rock Road shall not exceed 30 feet in height and that no signs shall be located along the north and west property lines. The plan also indicates that there will be a maximum of eight curb cuts, four to Rock Road and four to Central.
4. The plan provides that the screening requirements shall comply with the CUP regulations. The applicant has indicated on the plan that a 10-foot planting screen and a 5-foot high wall will be constructed along the north and west property lines. The 5-foot high wall is reduced to 3 feet in the required front setback.

Recommendation:

The Planning Department recommends that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control, and is in

Map No. E-9
Sec. 18
Twp. 27
Range 2E

DATA SHEET
COMMUNITY UNIT PLAN

DP-5
Z-
Filed 3-1-65

APPLICATION REQUEST: Approval of proposed planned Commercial development.

1. Applicant Byers Construction Co.
Address 1006 Grand Avenue, Kansas City, Missouri Phone VI2-0297
2. Agent Harmon & O'Donnell
Address 2nd & Detroit, Denver, Colorado Phone Area 303-388-4228
3. General Location Northwest corner of Central and Rock Road
Address _____
4. Proposed Use Shopping Center and Environmental Architecturally Controlled Service Station

AREA DATA

1. Acres 8.98 and 0.52 (_____ ft. by _____ ft.)
2. Existing Zoning AA Proposed Zoning A, B, and LC
3. Area ~~KXX~~ (is not) platted. Proposed Woodlawn East Addition
4. Existing R/W 40 (half)ft. 30 (half) ft. _____ ft.
Central St. Rock Road St. _____ St.
Proposed R/W 50 (half)ft. 50 (half) ft. _____ ft.
Central St. Rock Road St. _____ St.

HISTORY

Associated Zone Case No. Z-0629
Associated Plat - S/D 64-73 - Woodlawn East Addition

PROCEDURE DATA

1. MAPC Meeting:
Date 4-1-65 Action Approved

2. Governing Body
Date _____ Action _____

NOTES:

March 2, 1965

Mr. George Byers
Byers Construction Company
1006 Grand Avenue
Kansas City, Missouri

Subject: DP-5 - Planned Commercial Development at the northwest corner of Central and Rock Road

Dear Mr. Byers:

We have reviewed the Preliminary Development Plan which you submitted to this office relative to the Community Unit Plan Provisions for Woodlawn East. Following are some of the comments made by this office relative to the various segments of the C.U.P. Provisions as indicated in the proposed Preliminary Development Plan.

Zoning

As Mr. Howe notified you in his letter of February 25, the zoning case, Z-0629, will be heard by the Planning Commission on March 18, 1965. It is necessary that the Development Plan be approved with the zoning application; however, since we only received the Development Plan, it will be necessary to advertise this for public hearing the earliest date being April 1, 1965. I would imagine that the Planning Commission would defer the zoning case to the April 1 meeting so that both could be considered together. However, as of our telephone conversation of March 2, 1965, the zoning case will still be considered on March 18.

March 2, 1965

We would suggest that each parcel be described in some method other than "L.C. Zone #1" since the area is zoned "LC". A method such as using the initials of the name of the proposed development as W.E. - 1, meaning Woodlawn East, Parcel 1, would seem suitable.

Gross Floor Area

Item B.2 of the Ordinance (materials to be submitted with the zoning application) provides that the Preliminary Development Plan include the maximum gross floor area. No information has been submitted on either area for maximum gross floor area.

Uses

We suggest that you provide a more detailed list of proposed uses as only shopping center, as indicated for area No. 1, is not sufficient. I would suggest listing several uses normally associated with shopping center development.

Screening

No provision has been made for a 10-foot planting area along the south line of the property across from the "AA" Residential District. The Ordinance does provide that any tract, adjacent to a residential zoning district but separated by a public way, should provide a 10-foot planting area along the edge of the tract. Should you desire a waiver of this request, you should submit a letter to this office stating reasons for such waiver.

The Ordinance also provides for a solid or semi-solid wall when adjacent to a residential district and not separated by a public way. You have indicated only a 10-foot planting screen along the north and west sides. If some other type of screen is proposed to be used, it should be specified as to type, minimum height, and specific density. We feel the wall requirements are quite specific; however, should you desire to provide another method of screening, you should again submit a letter of request for the waiver of the wall requirement.

Signs

In reviewing the Preliminary Development Plan, we have found that no provisions have been made for signs of any type. We suggest that you indicate on the Development Plan the number of advertising signs and sign height control, not exceeding

March 2, 1965

30 feet in height, along Rock Road and Central. We would also suggest that signs be prohibited along the north and west property lines.

Curb Cuts

We do not feel that it is necessary, at this time, to indicate the exact location of all curb cuts within the tract itself. However, under "General Notes" the developer should indicate the minimum number of curb cuts proposed for both Rock Road and Central.

These are some of the problems which we can foresee at this time as related to the various segments of the Development Plan. It will now be necessary that these suggested changes be made and twelve copies of the corrected Development Plan be submitted to our office by no later than March 22, 1965. We are enclosing a marked copy of the Preliminary Development Plan to Mr. Ron Hoisington so that he may make these corrections.

If either you or Mr. Hoisington have any questions concerning these comments, we will be available to discuss these matters at your convenience.

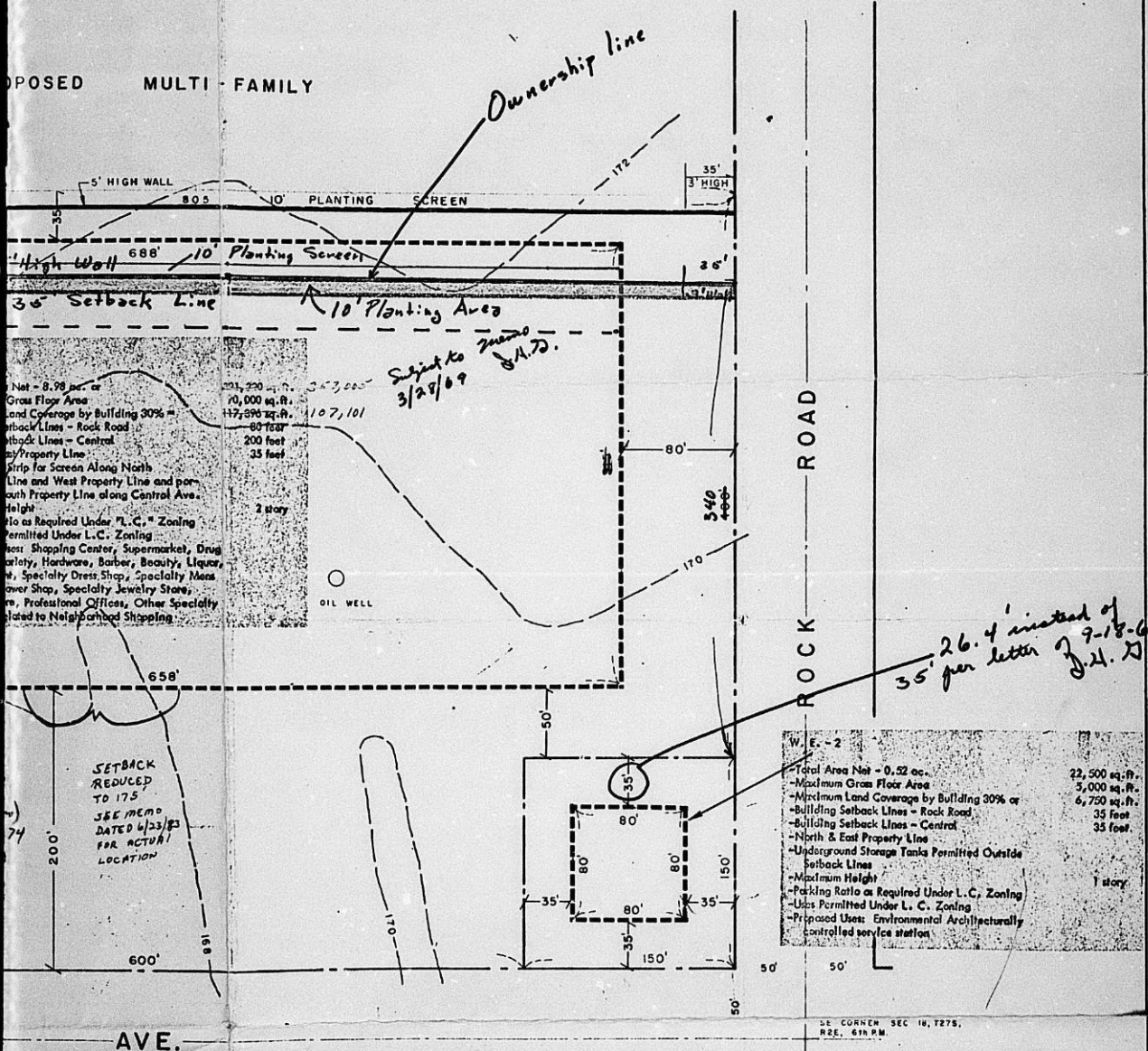
Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs

cc: Mr. Ron Hoisington
Harman, O'Donnell & Henninger
Second and Detroit
Denver 6, Colorado

PROPOSED MULTI-FAMILY



Net - 8.98 ac.
 Gross Floor Area
 Land Coverage by Building 30% =
 Setback Lines - Rock Road
 Setback Lines - Central
 Property Line
 Strip for Screen Along North
 Line and West Property Line and
 South Property Line along Central Ave.
 Height
 2 story
 201,230 sq. ft.
 70,000 sq. ft.
 137,890 sq. ft.
 80 feet
 200 feet
 35 feet
 107,101
 Subject to
 3/28/69
 memo
 J.A.D.

W. E. - 2
 Total Area Net - 0.52 ac. 22,500 sq. ft.
 - Maximum Gross Floor Area 5,000 sq. ft.
 - Maximum Land Coverage by Building 30% of 6,750 sq. ft.
 - Building Setback Lines - Rock Road 35 feet
 - Building Setback Lines - Central 35 feet
 - North & East Property Line
 - Underground Storage Tanks Permitted Outside
 Setback Lines
 - Maximum Height 1 story
 - Parking Ratio as Required Under L.C. Zoning
 Uses Permitted Under L.C. Zoning
 - Proposed Uses: Environmental Architecturally
 controlled service station

26.4' instead of
 35' per letter 7-18-68
 J.A.D.

SETBACK
 REDUCED
 TO 175'
 SEE MEMO
 DATED 4/23/65
 FOR ACTUAL
 LOCATION

SE CORNER SEC 10, T27S,
 R2E, 6th PM

COMMUNITY UNIT PLAN
 FOR
 L.C. ZONING
 WOODLAWN EAST
 WICHITA, KANSAS

Final Development Plan
 Approved by Planning Commission
 on April 1, 1965

APPROVED CUP
 WAPC
 BCC
 April 14, 1965
 D.P. - 5

REV 3 - 5 - 65
 2 - 23 - 65

Harman, O'Donnell & Hennings
 PLANNING CONSULTANTS
 SECOND AND DETROIT DENVER 6, COLO. Associates, Inc.

*

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

Roll # 1

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