

COMMITTEE \_\_\_\_\_

M.A.P.C.

*Approved*

*7-7-66*

~~B.C.C.A.B.~~

~~*Approved*~~

*8-9-66*

*subject to conditions*

*Closed 8-9-66*

JP-18 - RIVER BEND SHOPPING CENTER -  
At the northwest corner of 21st St.  
and Hood

Pass  
6-17-66

# ACTION

COMMITTEE \_\_\_\_\_

M.A.P.C. Approved 7-7-66

~~B.C.C. / B.C.C.~~ Approved 8-9-66  
*subject to conditions*

*Closed 8-9-66*

IS RIVER BEND SHOPPING CENTER -  
at the northwest corner of 21st St.  
and Hood

Map No. 5350  
Sec. 6  
Twp. 27  
Range 1E

DATA SHEET  
COMMUNITY UNIT PLAN

DP- 18  
Z- 0793  
Filed 6-6-66

APPLICATION REQUEST: Approval of proposed planned commercial development.

1. Applicant Wm. F. Farha  
Address 206 Courtleigh Phone MU2-9028
2. Agent Richard A. Loyd, Attorney  
Address 500 Farmers & Bankers Bldg. Phone AM28444
3. General Location At the northwest corner of 21st Street and Hood  
Address \_\_\_\_\_
4. Proposed Use RIVER BEND SHOPPING CENTER and associated uses

AREA DATA

1. Acres 6.4 ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Existing Zoning "AA" & "LC" Proposed Zoning "LC"
3. Area (is) ~~platted~~ platted. W. F. Farha Addition
4. Existing R/W 30' half ft. 30' half ft. 30' half ft. 50' half ft.  
22nd Street St. Somerset St. Hood St. 21st St.  
Proposed R/W \_\_\_\_\_ ft. \_\_\_\_\_ ft. \_\_\_\_\_ ft. \_\_\_\_\_ ft.  
\_\_\_\_\_ St. \_\_\_\_\_ St. \_\_\_\_\_ St. \_\_\_\_\_ St.

HISTORY

Associated Cases: W. F. Farha Addition & W. F. Farha 3rd Addition  
V-0387  
Z-0793  
Z-0590

PROCEDURE DATA

1. MAPC Meeting:  
Date 7-7-66 Action Approve
2. Governing Body - BCC  
Date 8-9-66 Action Approved subject to conditions

NOTES:



October 4, 1978

William F. Farha  
2220 Somerset  
Wichita KS 67204

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 October 2, 1978, revealed that CUP DP-18 (known as Riverbend Shopping Center) is in violation.

Item 7 of the general provisions of the approved development plan states in part: "A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line . . ." In all areas where this planting strip is required, only grass exists. The shrubbery must be installed.

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

SIM:AI:kda

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

August 29, 1974

TO Robert A. Lakin, Director of Planning

FROM Jack H. Galbraith, Chief Planner *JHG*

SUBJECT City Manager's Inquiry on DP-18 - Riverbend  
Shopping Center - Northeast corner of 21st  
Street North and Somerset

Ralph Wulz called this date and stated that Bill Farha had called him and advised that Central Inspection had contacted him that Ardens located on Parcel #1 could not store merchandise in the vacant service station on Parcel #2 at the northeast corner of Somerset and 21st Street. It seems that since the service station has become vacant, Ardens has stored various goods, including Christmas merchandise, in this building. The CUP states that Parcel #2 is to be used only for a service station.

In checking with Lytle and after reviewing the commercial warehouse definition, it states in part "this shall not be deemed to include the storage area in connection with a purely retail business when located on the same property".

Lytle's interpretation, and I concur, is that the service station structure may be used for storing merchandise for Ardens, since it is on the same property and is owned by one individual - Farha. I passed this opinion on to Wulz and also advised him that, in my opinion, the CUP had to either first be amended or an administrative adjustment made that Parcel #2 could be used for temporary storage. I advised him that you and Feldner could consider approving such an adjustment.

He advised that he would contact Farha and suggest that he write to you and Feldner for an administrative interpretation.

JHG:ber

cc: Robert Feldner, Superintendent  
of Central Inspection

jk  
April 3, 1974  
File #2069



Mrs. Bonna Mullens  
2334 Somerset  
Wichita, Kansas

Dear Mrs. Mullens:

I have followed your complaint of March 29. As I am sure you will recall, your complaint covered the removal of a portion of the five foot block wall at the Northwest corner of the Riverbend Shopping Center grounds.

Today, I took the opportunity of viewing the situation in the field. The portion removed is quite visible and I can see your reason for complaining.

The Riverbend Shopping Center development was authorized by what is known as a community unit plan (CUP.) A CUP is roughly a guarantee to the City Commission and to the neighborhood of the fulfillment of certain conditions in return for the privilege of establishing a shopping center.

One of the conditions set forth by the CUP is the wall. The CUP also permits what are known as "curb cuts" at two places on 22nd Street. A curb cut is simply the name given to the entrance from a street and implies that a portion of the curb is removed in order to put in a driveway. The center has the two curb cuts, one at the West end and one at the South end and it has a continuous block wall between the two curb cuts. On this basis, it appears that the conditions of the CUP have been followed.

I believe the problem is with the curb cut at the West end of the property. Apparently, the driveway was enlarged to provide access for the loading dock and the enlargement of the driveway necessitated the demolition of a portion of the wall.

The Wichita City code allows a driveway to be as wide as 30 feet and while I did not measure the one under question, it appeared to be within the 30 feet limitation. We will have it checked and we will advise you. If it is found that the driveway is within the legal 30 feet or less, there is little that can be done to require the rebuilding of the wall.

Page 2

Other remedies are available for controlling trash. The operators of the businesses are required by City code to provide for trash receptacles and to prevent trash from blowing from their premises. Of course, the operators must not only collect trash and refuse but must also provide for its removal. The Wichita-Sedgwick County Health Department has the responsibility for enforcing the trash and littering ordinances and I am alerting the Health Department to this problem at the Riverbend Shopping Center. I must point out that I did not notice trash when I inspected the site this morning. The area surrounding the dock appeared to be fairly well maintained and trash did not litter the ground. There was a fairly strong wind and this condition always is worse when trash is a problem.

I will continue to investigate your complaint but I believe there is less than an even chance that any requirement or code can be found to compel the re-erection of the wall.

Please let me know if conditions change in the next few days and you can expect to hear from me within another week or two at the most.

Sincerely,



Fredrick A. Linde,  
Grievance Officer

FL:pc

cc: Mr. Joe Donnelly, Maint. Inspection Supervisor  
✓ Mr. Jack Galbraith, Chief Planner  
Mr. Jim Aiken, Director of Environmental Health

August 23, 1966

Glen Lytle, Superintendent of Central Inspection  
Jack H. Galbraith, Senior Planner

DP-18 - Commercial Community Unit Plan for River Bend Shopping  
Center on the north side of 21st Street between Hood  
and Somerset

At its regular meeting on August 9, 1966, the Board of City  
Commissioners considered the above-captioned community unit  
plan and approved the development plan under the Community  
Unit Plan provisions of the City Zoning Ordinance subject  
to the recommendation of the Metropolitan Area Planning  
Commission.

Attached for your information and files is a copy of the  
development plan as approved by the Planning Commission and  
the governing body.

JHG:bgs

Report from the MAPC to the Board of City Commissioners

Case No. DP-18

Considered by M.A.P.C. 7-7-66

Request for: **Approval of Commercial Community Unit Plan**

Reason for request (as provided by petitioner): **None Given**

Location of property: **Northwest corner of 21st Street and Hood**

Legal description of property:

**Replat of Block 1, W. F. Farha Addition; and Lots 29, 30, 31 and 32, Guthrie Subdivision of the E½ of the SE¼, Section 6, Township 27, Range 1 East of the 6th P.M., together with vacated 22nd Street lying between, all in Wichita, Sedgwick County, Kansas.**

Petitioner: **William F. Farha**  
Address: **206 Courtleigh**

Counsel for petitioner: **Richard A. Loyd, Attorney**  
**500 Farmers & Bankers Life Bldg.**

Protesters (list counsel, if any): **None**

Surrounding zoning: **To the north and south is "AA"; east is "AA" & "LC"; and west is "AA" & "B"**

Land use: **Subject property is vacant as is that to the south; north is single family and vacant; east is single family and general business; west is single family and multiple family**

Planning Commission recommendation:

**MOONEY moved, TROUT seconded and it carried unanimously that the Planning Commission recommend to the City Commission that Case No. DP-18 be approved subject to the following:**

**(See attached sheet for conditions)**

Respectfully submitted,

Vote of Planning Commission Unanimous

\_\_\_\_\_  
Secretary

**ACTION: 1. Approve the recommendation of the Metropolitan Area Planning Commission, or 2. Return the application to the Metropolitan Area Planning Commission for its reconsideration. The City Commission states the following reasons for its action:**

Conditions of Approval

1. The applicant adding a condition pertaining to the wall adjacent to 22nd Street under the General Provisions to read as follows:  
  
"8. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile, or similar material shall be constructed along the north property line as indicated on the plat. The above condition shall be complied with prior to the occupancy of any structure on Parcel #1".
2. The applicant indicating a 10-foot planting strip adjacent to 22nd Street in those areas where the wall will not be provided.
3. The applicant, at his request, changing the maximum gross floor area figure for Parcel #1 to not exceed 30 percent of that parcel.
4. 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.
5. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JULY 7, 1966:

- "24. Case No. Z-0793 - William F. Farha requests change from "AA" to "LC" for a tract beginning at the southeast corner of the SE $\frac{1}{4}$  of Section 6, Township 27, Range 1 East; thence north 565.86 feet; thence west 598 feet; thence south 565.86 feet; thence east to the place of beginning, except the south 330 feet thereof, and except roads and streets. Generally located in an area north of 21st Street between Hood and Somerset.
25. Case No. DP-18 - William F. Farha requests approval of a commercial community unit plan for property legally described as Replat of Block 1, W. F. Farha Addition, and Lots 29, 30, 31 and 32, Guthrie Subdivision of the East half of the SE $\frac{1}{4}$  of Section 6, Township 27, Range 1 East, together with vacated 22nd Street lying between. Generally located at the northwest corner of 21st Street and Hood.

GALBRAITH pointed out the area in question and summarized the following staff report:

Comments

1. The applicant presently has approximately 3 $\frac{1}{2}$  acres of "LC" zoning and is requesting additional "LC" in order to have an adequate site to build a small shopping center. The "LC" that exists was not recommended for approval by the Planning Commission (Case Z-0590); however, the City Commission determined that the zoning was logical and proper, and approved the request on April 6, 1965.
2. To the west of subject property is a large church site and apartments; to the north is single family, which sides into the proposed commercial and is separated from the commercial by 22nd Street; to the east is primarily zoned "LC" but development is both commercial and single family; and to the south is a narrow strip of land between the Little Arkansas River and 22nd Street which is undeveloped and zoned "AA" Single Family.
3. It is the opinion of the Planning Department that since "LC" has been approved at this location and since this is an extension of that "LC" under the same ownership, the request is logical and proper inasmuch as the granting of the additional "LC" zoning would make a total of 6.44 acres of light commercial under one ownership and control, which requires a development plan under the CUP provisions of the ordinance. The development plan will give greater assurance to the surrounding property owners that adequate setbacks will be provided, as well as proper screening.
4. As a requirement under the CUP provisions of the zoning ordinance, a preliminary development plan has been submitted for review. The development plan indicates the required information pertaining to gross area, maximum building heights, maximum building coverage, proposed general use, maximum curb cuts, sign controls, minimum building setbacks and screening controls.

The development plan generally is in agreement with the comments made by the staff in the original review with the applicant. There are, however, some minor points which should be clarified.

#### Screening

Under General Provisions, there should be a condition pertaining to the wall adjacent to the north property line. The condition should read as follows:

- '8. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed along the north property line as indicated on the plan.'

It should also be noted that a 10-foot planting strip should be indicated on the plan adjacent to 22nd Street in those areas where the wall will not be provided.

The plan indicates a 10-foot planting strip adjacent to the east side of Parcel #3. A planting strip is not required at this location; however, the applicant may provide the planting strip if he so desires. If the planting strip is shown on the plan, it will become a part of the development plan and will, therefore, be a requirement.

#### Setbacks

It should be pointed out that the setbacks proposed in Parcel #1 adjacent to Somerset, 22nd Street, and Hood Avenue, are less than what is normally required for a major structure on a development plan. In this case, however, there is a 20-foot drainage easement which runs east and west approximately through the middle of the tract on which no building may be constructed, thus limiting the site. It is the opinion of the Planning Department that in view of the easement problem, the setbacks as proposed will be adequate and will permit the applicant to utilize his property economically.

#### Recommendation

It is the recommendation of the Planning Department that the zone change from "AA" to "LC" be approved subject to platting, and approval of a development plan, and that the zoning, plat and development plan be forwarded to the City Commission at the same time with the publication of the zoning being withheld until such time as the plat is recorded.

It is further recommended 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 accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-maintained shopping centers, subject to the following conditions:

1. The applicant adding a condition pertaining to the wall adjacent to 22nd Street under the General Provisions to read as follows:

'8. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile, or similar material shall be constructed along the north property line as indicated on the plan. The above condition shall be complied with prior to the occupancy of any structure on Parcel #1.'

2. The applicant indicating a 10-foot planting strip adjacent to 22nd Street in those areas where the wall will not be provided.
3. 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.
4. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

GALBRAITH pointed out a change which should be made under General Provisions as related to the development plan, to provide a more desirable floor area ratio.

No one appeared in opposition.

RICHARD LOYD, attorney for the applicant, said they were agreeable to the staff recommendations.

MOTION: MOONEY moved, TROUT seconded and it carried unanimously that the Planning Commission recommend to the City Commission that Case No. Z-0793 be approved for "LC" zoning, and that Case No. DP-18 be approved subject to the following:

1. The applicant adding a condition pertaining to the wall adjacent to 22nd Street under the General Provisions to read as follows:

'8. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile, or similar material shall be constructed along the north property line as indicated on the plan. The above condition shall be complied with prior to the occupancy of any structure on Parcel #1.'

2. The applicant indicating a 10-foot planting strip adjacent to 22nd Street in those areas where the wall will not be provided.
  3. The applicant, at his request, changing the maximum gross floor area figure for Parcel #1 to not exceed 30 percent of that parcel.
  4. 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.
  5. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration."
-

July 8, 1966

Mr. Richard A. Loyd  
500 Farmers & Bankers Bldg.  
Wichita, Kansas

Subject: Z-0793 - Zone change from "AA" to "LC";  
and DP-18 - River Bend Shopping Center Commercial  
Community Unit Plan in an area north of 21st St.  
between Hood and Somerset

Dear Mr. Loyd:

At its regular meeting on July 7, 1966, the Metropolitan Area Planning Commission considered the above-captioned zone change request. The action of the Planning Commission was to recommend that this application be approved subject to platting and the approval of the development plan. It was also recommended that the ordinance effectuating the zone change not be published until such time as the plat is recorded.

The Planning Commission also considered the above-captioned development plan and recommended that it be approved subject to:

*JK* 1. The applicant adding a condition pertaining to the wall adjacent to 22nd Street under the General Provisions to read as follows:

"8. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile, or similar material shall be constructed along the north property line as indicated on the plat. The above condition shall be complied with prior to the occupancy of any structure on Parcel #1."

*JK* 2. The applicant indicating a 10-foot planting strip adjacent to 22nd Street in those areas where the wall will not be provided.

July 8, 1966

3. The applicant, at his request, changing the maximum gross floor area figure for Parcel #1 to not exceed 30 percent of that parcel.
4. 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.
5. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Prior to forwarding the development plan to the Board of City Commissioners for its consideration, it is necessary that you revise the development plan as approved by the Planning Commission and submit eight corrected copies to this office, as well as meeting the conditions of approval of the final plat of W. F. Farha 3rd Addition.

The zone change request, plat and development plan will be forwarded to the Board of City Commissioners for its consideration on July 26, 1966, if all conditions of approval of the plat and development plan are complied with, as well as submission of the eight corrected copies of the plan, by 5:00 p.m., Wednesday, July 20, 1966.

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

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:bgs

cc: William F. Farha  
206 Courtleigh

NICHITA-SEBOWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

DATE: July 7, 1966

Case No. Z-0793 DP-18	Request: "AA" to "LC" Approval of a Development Plan under the CUP provisions of the zoning ordinance
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Location: North side of 21st Street between Somerset and Hood

Acres: 6.44                      Size: 558 ft. by 503.36 ft.

	Land Use	Zoning
Existing	Vacant	"AA" & "LC"
North	Single family and vacant	"AA"
East	Single family and general business	"AA" & "LC"
South	Vacant	"AA"
West	Single family and multi-family	"AA" & "E"

Platted X

Existing R/W - Hood - half 30 ft.  
Proposed R/W - Hood - half 40 ft.  
Existing R/W - 21st - half - Varies  
Proposed R/W - 21st - half - Varies  
Existing R/W - Somerset - full 60 ft.  
Proposed R/W - Somerset - full 60 ft.  
Existing R/W - 22nd Street - full 60 ft.  
Proposed R/W - 22nd Street - full 60 ft.

History: Z-0590 - "AA" to "LC"  
MAPC: 11-5-64 - Denied  
BCC: 11-24-64 - Deferred for platting  
BCC: 4-6-65 - Approved

Comments

1. The applicant presently has approximately 3½ acres of "LC" zoning and is requesting additional "LC" in order to have an adequate site to build a small shopping center. The "LC" that exists was not recommended for approval by the Planning Commission (Case Z-0590), however, the City Commission determined that the zoning was logical and proper and approved the request on April 6, 1965.
2. To the west of subject property is a large church site and apartments; to the north is single family, which sides into the proposed commercial and is separated from the commercial by 22nd Street; to the east is primarily zoned "LC" but development is both commercial and single family; and to the south is a narrow strip of land between the Little Arkansas River and 22nd Street which is undeveloped and zoned "AA" Single family. 21x

3. It is the opinion of the Planning Department that since "LC" has been approved at this location and since this is an extension of that "LC" under the same ownership, the request is logical and proper inasmuch as the granting of the additional "LC" zoning would make a total of 6.44 acres of light commercial under one ownership and control, which requires a development plan under the CUP provisions of the ordinance. The Development Plan will give greater assurance to the surrounding property owners that adequate setbacks will be provided as well as proper screening.
4. As a requirement under the CUP provisions of the zoning ordinance, a preliminary development plan has been submitted for review. The development plan indicates the required information pertaining to gross area, maximum building heights, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.

The development plan generally is in agreement with the comments made by the staff in the original review with the applicant. There are, however, some minor points which should be clarified.

#### Screening

Under General Provisions there should be a condition pertaining to the wall adjacent to the north property line. The condition should read as follows:

8. A 5'-8" solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed along the north property line as indicated on the plat.

It should also be noted that a 10-foot planting strip should be indicated on the plan adjacent to 22nd Street in those areas where the wall will not be provided.

The plan indicates a 10-foot planting strip adjacent to the east side of Parcel #3. A planting strip is not required at this location, however, the applicant may provide the planting strip if he so desires. If the planting strip is shown on the plan, it will become a part of the development plan and will, therefore, be a requirement.

#### Setbacks

It should be pointed out that the setbacks proposed in Parcel #1 adjacent to Somerset, 22nd Street, and Hood Avenue, are less than what is normally required for a major structure on a development plan. In this case, however, there is a 20-foot drainage easement which runs east and west approximately through the middle of the tract on which no building may be constructed, thus limiting the site. It is the

opinion of the Planning Department that in view of the easement problem, the setbacks as proposed will be adequate and will permit the applicant to utilize his property economically.

Recommendation

It is the recommendation of the Planning Department that the zone change from "AA" to "LC" be approved, subject to platting, and approval of a development plan, and that the zoning, plat and development plan be forwarded to the City Commission at the same time with the publication of the zoning being withheld until such time as the plat is recorded.

It is further recommended 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 accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-maintained shopping centers, subject to the following conditions:

1. The applicant adding a condition pertaining to the wall adjacent to 22nd Street under the General Provisions to read as follows:

"B. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile, or similar material shall be constructed along the north property line as indicated on the plat. The above condition shall be complied with prior to the occupancy of any structure on Parcel #1.
2. The applicant indicating a 10-foot planting strip adjacent to 22nd Street in those areas where the wall will not be provided.
3. 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.
4. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

DP-18 - 60 NOTICES MAILED JUNE 16, 1966, FOR JULY 7, 1966, MAPC

69

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

NOTICE TO ADJOINING PROPERTY OWNERS

JUN 16 1966

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at its meeting at 2:00 p.m. on JUN - 7 1966, at which time you may appear either in person or by agent or attorney, if you so desire.

C. Bickley Foster, Secretary

DP-19 - Replat of Block 1, W. F. Farha Addition, and Lots 29, 30, 31 and 32, Guthrie Subdivision of the E½ of the SE¼, Section 6, Township 27, Range 1 East of the 6th P.M., together with vacated 22nd Street lying between, all in Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of 21st Street and Hood.

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

The Development Plan on file proposes a 6.4 acre commercial development for the River Bend Shopping Center. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, C. Bickley Foster, 104 South Main, 7 days prior to the meeting. The Chairman and Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

T9-215

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" - One-Family Dwelling District  
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" - Two-Family Dwelling District  
Permits two-family dwellings and uses permitted in "AA".
- "RB" - Four-Family Dwelling District  
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "B" - Multiple-Family Dwelling District  
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" - Office District  
Permits apothecaries, clinics, hospitals; medical, business and professional offices; motels under certain conditions; and all residential uses.
- "LC" - Light Commercial District  
Permits all purely retail business conducted within an enclosed building; service stations; all residential and office uses.
- "C" - Commercial District  
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" - Central Business District  
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" - Light Industrial District  
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" - Heavy Industrial District  
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" - Mobile Home District  
Permits mobile home parks and associated uses.

( ) (Published in The Wichita Beacon on \_\_\_\_\_, 19\_\_)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on July 7, 1966, at 2:00 P.M., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider an application for a COMMUNITY UNIT PLAN - PLANNED COMMERCIAL DEVELOPMENT, for property legally described as follows:

DP-18 - Replat of Block 1, W. F. Farha Addition; and Lots 29, 30, 31 and 32, Guthrie Subdivision of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$ , Section 6, Township 27, Range 1 East of the 6th P.M., together with vacated 22nd Street lying between, all in Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of 21st Street and Hood.

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

The Development Plan on file proposes a 6.4 acre commercial development for the River Bend Shopping Center. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

This hearing is to be held as provided in Section 28.04.190 of the Code of the City of Wichita and the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND AND SEAL this 9th day of June, 1966.

C. Bickley Foster, Secretary  
Wichita-Sedgwick County Metropolitan Area Planning Commission

(SEAL)

(1-T)

May 24, 1966

Mr. William F. Farha  
206 Courtleigh  
Wichita, Kansas

Subject: River Bend Shopping Center -  
Commercial Community Unit Plan

Dear Mr. Farha:

We have reviewed the Preliminary Development Plan which you submitted, without an application, relative to the Community Unit Plan provisions of the City Zoning Ordinance for property bounded by 21st Street, 22nd Street, Somerset and Hood Avenue. Following are some of the comments the Planning Staff made during the review of this Development Plan.

Zoning

It should be noted that only approximately the south half of the property is presently zoned "LC" Light Commercial, and it will be necessary to submit a zoning application for the remainder of the property.

Topography

OK.  
The Community Unit Plan regulations require that topography be indicated at 2-foot contour intervals and that any other significant land features also be shown. Therefore, it will be necessary to indicate topography when the plan is resubmitted for review. The 20-foot drainage easement dedicated in conjunction with Vacation Case V-0356 must also be shown on the Development Plan. This will require a change of building setback lines on Parcel No. 1.

Parcels

The property has only 570 feet of frontage on 21st Street and the Plan indicates 300 feet of the 21st Street frontage proposed

May 24, 1966

for drive-in type uses. It is the opinion of the staff that this is not in keeping with the purpose and intent of the Community Unit Plan regulations, which are to encourage well-planned and well-organized development of commercial areas. The applicant should first determine whether or not the development is to be a neighborhood shopping center complex or strip development with several drive-in type facilities. If strip commercial development is desired, the additional light commercial zoning to the north should not be encouraged. It should also be pointed out that 21st Street is presently being improved with medians and because of the curve at Hood and 21st Street, Parcel No. 3 will not have direct access from 21st Street. Therefore, it is recommended that Parcel No. 3 be deleted from the Plan, which will provide more parking in front of the shopping center.

#### Sign Controls

The Planning Commission has not encouraged the placement of signs adjacent to residential streets surrounding a shopping area but has in the past limited their placement adjacent to the major street only. Therefore, it is recommended that General Provision No. 1 be changed to read as follows:

OK

- "1. Sign Control - Signs shall not be permitted adjacent to Hood Avenue, north of where 22nd Street intersects from the east; Somerset, north of Parcel No. 2; and 22nd Street. Signs along 21st Street shall not exceed 30 feet in height and shall be placed so as not to project over public right-of-way".

#### Curb Cuts

OK

The total number of curb cuts proposed is 11 and it does not appear that all of these access points are necessary for the circulation of this shopping center. Eleven curb cuts on this small tract is considerably more than have been permitted on other similar size shopping centers. It has been the agreement of all the City staff involved that the access to Parcel No. 3 from 21st Street should not be granted. It is the opinion of the Planning Department that three access points from 22nd Street, which is a residential street, is not necessary to the circulation of the shopping center and it is recommended that the center curb cut in line with Garland be removed.

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Maximum Building Coverage

Originally the maximum building coverage was established based on the total site because the development plans were of one parcel and were not submitted with small parcels such as Parcels No. 2 and 3. The reason for specifying that no parcel shall exceed 30% ground coverage is to avoid the possible overbuilding of a parcel which could be sold off and would then not be able to provide the required amount of off-street parking. Therefore, it is recommended that Provision No. 4 be changed to read as follows:

ok

- "4. Maximum building coverage shall not exceed 30% by parcel and in no event shall exceed 30% by the total site".

Screening

To avoid the possibility of future amendments to the screening provision of the Ordinance, it is recommended that General Provision No. 8 be changed to read as follows:

- "8. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Somerset and Hood Avenue, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with prior to the occupancy of any structure on the site".

It should be pointed out that the Ordinance requires a 10-foot planting screen adjacent to a residential zoning district when separated by a public street. Therefore, a 10-foot planting screen should be indicated adjacent to 21st Street.

May 24, 1966

Setbacks

In most cases, the Planning Commission has required that major structures for shopping centers maintain a setback of 100 feet from street right-of-way. However, on smaller parcels with associated commercial uses, such as Parcel No. 2, the 35-foot minimum setback has been acceptable. In keeping with the Planning Commission recommendations of requiring greater setbacks for major structures, the setback for Parcel No. 1 from 22nd Street, 21st Street, Somerset and Hood Avenue to the major structure should be 100 feet.

These are most of the comments which the Planning staff made during their review of this Preliminary Development Plan. We suggest that you redesign the plan as recommended above and submit 15 copies to our office with the completed Community Unit Plan application form, the required ownership list, and the zoning application so that the Development Plan can be scheduled for public hearing. The next closing date is June 8, 1966, and the hearing date by the Metropolitan Area Planning Commission would then be July 7, 1966. Enclosed are the necessary applications and marked copy of the Preliminary Development Plan for your files.

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

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:bjg

Enclosure

cc: Mr. Richard Loyd, Attorney  
500 Farmers & Bankers Building

Hannay & Sanders Architects  
1734 North Hillside

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

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents.

a. Applicant William F. Farha

Address 206 Courtleigh, Wichita, Kansas Phone MU 2-9028

Agent Richard A. Loyd

Address 500 Farmers & Bankers Life Bldg.  
Wichita, Kansas Phone AM 2-8444

b. Applicant N/A

Address \_\_\_\_\_ Phone \_\_\_\_\_

Agent N/A

Address \_\_\_\_\_ Phone \_\_\_\_\_

c. Applicant N/A

Address \_\_\_\_\_ Phone \_\_\_\_\_

Agent N/A

Address \_\_\_\_\_ Phone \_\_\_\_\_

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

II.A The applicant hereby requests Community Unit Plan approval on property zoned LC requested and legally described as Lot(s)

\_\_\_\_\_, Block(s) \_\_\_\_\_

\_\_\_\_\_ Addition.

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

Replat Block 1, W. F. Farha Addition, and Lots 29, 30, 31 and 32, Guthrie Subdivision, of the East Half of the Southeast Quarter, Section 6, Township 27, Range 1 East, together with vacated 22nd Street lying between, Sedgwick County, Kansas.

II.B There are 6.4 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) \_\_\_\_\_.

The general location is (use appropriate section)

a. at the northwest corner of Twenty-first  
and Hood Streets; or

b. on the \_\_\_\_\_ side of \_\_\_\_\_ (Ave.,  
Street) between \_\_\_\_\_ (Ave., Street) and  
\_\_\_\_\_ (Ave., Street).

IV. I (~~we~~), the applicant(~~s~~), acknowledge receipt of the instruction  
sheet explaining the method of submitting this application. I  
(~~we~~) realize that this application cannot be processed unless it  
is completely filled in and accompanied by a current abstractor's  
certificate as required in the instruction sheet.

William F. Farha \_\_\_\_\_ N/A \_\_\_\_\_

By Richard A. Loyd \_\_\_\_\_ By N/A \_\_\_\_\_  
Authorized Agent (if any) Authorized Agent (if any)  
Richard A. Loyd

N/A \_\_\_\_\_ N/A \_\_\_\_\_

By N/A \_\_\_\_\_ By N/A \_\_\_\_\_  
Authorized Agent (if any) Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at

10:30 AM PM on 6-6-66 (Day, Month,

Year). It has been checked and found to be complete and accom-

panied by required documents and the appropriate fee of

\$ None.

Ronald G. Williams \_\_\_\_\_ Name  
PL \_\_\_\_\_ Title



STATEMENT OF RECORD OWNERSHIP

STATE OF KANSAS )  
 )  
 SEDGWICK COUNTY )

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

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

Property lying within a radius of 500 ft of:  
 Lots 29 & 31, on Hood Avenue & Lots 30 & 32, on Somerset Avenue, in Guthrie's Sub of E $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec 6, Twp 27, R. 1 E. and Block 1, W. F. Farha Add. Wichita, Kansas.

  
**Fidelity**  
**Title**  
**Company.**  
 inc.

And from such examination find that the record owners thereof are as set opposite the description of the property below, viz:

LOT	ADDITION	OWNER
21 & 22	Guthrie's Sub	✓ Adalbert Avery Armstrong 2435 St. Louis
25 & 27	" "	✓ John J. Lane 2309 Hood
29, 30, 31 & 32	" "	✓ William F. Farha 701 E 2nd St.
53	" "	✓ Bertha Cummings 4602 Arkansas
1 & 2	Repl't Lots 23, 24, 26, 28, Guthrie's Sub.	✓ Administrator of Veterans Affairs
3, 4 & N $\frac{1}{2}$ of 5	" " "	" " " "
S $\frac{1}{2}$ Lot 5, all Lots 6 & 7	" " "	✓ Walter P. & Bonna Mae Mullens, ux 2334 Somerset
8, 9 & S $\frac{1}{2}$ Lot 10	" " "	✓ Administrator of Veterans Affairs
N $\frac{1}{2}$ Lot 10, All of Lots 11 & 12	" " "	✓ Armand R. & Ruby A. Villegas, ux 2560 Payne



LOT	Street	ADDITION	OWNER
13 & 14		Repl't Lots 23, 24, 26, 28, Guthrie's Sub.	✓ David P. & Amelia Ornelas, ux 2541 Fairview
15 & 16	"	" " " "	✓ Leroy Charles & Cora Nelle Muller, ux 2358 Garland
17 & 18	"	" " " "	X Administrator of Veterans' Affairs
1		Repl't of Walker-Seed	✓ Ad A. & Louise A. Wolf, ux 2457 Coolidge
2	"	" " " "	✓ Walter Henry & Donna Margaret Walker, 1604 W 22nd St. ux
		Pleasant Valley Church	✓ Pleasant Valley Assembly of God, Inc. 1513 Denker, Roscoe T. Herman, Sec.
1, Blk 1,		Curtis Schulz	✓ D. F. & Opal E. Christian 2901 Conemor
13 & 15	Hood	River Bend	✓ Ubert H. & Lela E. Stacy, ux 2378 Hood
17 & 19	"	" "	✓ Dale A. & Maxine McRae McQuiston, ux 1207 Coolidge
21 & 23 & N 6' Lot 25	"	" "	✓ Ira A. Beatty 2366 Hood
S 19' Lot 25, all Lot 27	"	" "	✓ Edward R. & Fredia R. Ukena, ux Cheney, Ks.
29 & 31	"	" "	✓ Don Dinning Realtors, Inc. 305 N. Main
33, 35, 37	"	" "	✓ Edna R. Kolb 2350 Hood
39 & 41	"	" "	✓ Irven R. & Edna A. Calkins, ux 306 S. Green
43, 45,	"	" "	✓ Donald L. & Betty E. Douglass, ux 2338 Hood
47 & 49	"	" "	✓ Kenneth L. & Louise M. Girard, ux 2334 Hood
51, 53, 55, & 57	"	" "	✓ Joel Birch & Mary Maxine Wooldridge, 2326 Hood ux
59 & 61	"	" "	X Administrator of Veterans' Affairs
63 & 65	"	" "	" " " "
67 & 69	"	" "	✓ Midland Investment Co., Inc. 2101 Woodland
71 & 73	"	" "	✓ Robert E. & Dorothy Dee Blase, ux 709 Bitting Bldg.
18 & 20	Payne	" "	✓ Wilbur & Harriett Dirkson, ux 2371 Payne
22 & 24	"	" "	✓ James P. & Carol L. Collie, ux 1908 Bonn
26, 28, 30	"	" "	✓ Chester Aal Lawson 2359 Payne
32, 34, 36	"	" "	X Chester Aal & Carrie L. Lawson, ux 2359 Payne

LOT	STREET	ADDITION	OWNER
38 & 40	Payne	River Bend	✓ Juenita Navarro 2347 Payne
42 & 44	"	" "	✓ Jack F. & Marie A. Hall, ux 2341 Payne
46 & 48	"	" "	X Administrator of Veterans' Affairs
50 & N 20' of Lot 52	"	" "	✓ Lloyd S. & Mildred D. Bean, ux 2413 Payne
S 5' Lot 52, All of 54 & N 10' Lot 56	"	" "	✓ Stanley Eugene & Glennie Mae Clifton, 2325 Payne ux
S 15' Lot 56. All Lot 58	"	" "	✓ Cecil V. & Elva Pierce, ux 945 Woodrow
60 & 62	"	" "	✓ Harry Street Improvement Co., Inc. 208 N. Broadway
64 & 66	"	" "	✓ Martha Ruick 1915 Payne
68 & 70	"	" "	✓ Patsy D. Osborne 2307 Payne
72 & 74	"	" "	✓ Jacob W. Morton 2411 Fairview
29 & 31	"	" "	✓ H. V. & Cleat Clark, ux 2358 Payne
33, 35, 37	"	" "	✓ Roy & Melvina McKay, ux 2341 Salina
39 & 41	"	" "	✓ Howard E. Swayzee 2344 Payne
43 & 45	"	" "	✓ Harold A. & Doris M. Layton, ux 2340 Payne
47 & 49	"	" "	X Administrator of Veterans' Affairs
51 & 53	"	" "	✓ Warren E. & Virginie S. Jones, ux 3202 E. 14th St.
55 & 57	"	" "	✓ John E. & Betty Gene Breising, ux 2322 Payne
59 & 61	"	" "	✓ James E. & Mary Bee Burns, ux 2318 Payne
63 & 65	"	" "	X Administrator of Veterans' Affairs
67, 69, 71, 73 "	"	" "	✓ M. Y. & Olive E. Foster, ux R # 1, Carthage, Mo.
5, exc S 45 ft Hood		Riverview Court	✓ Forrest H. & Eunice A. Berry, ux 2130 Hood
S 45 ft Lot 5 & N 10 ft " 4	"	" "	✓ Carl T. & Ula F. Reed, ux 2126 Hood
10 exc S 125 ft Payne	"	" "	✓ Cecil D. & Geneva L. Logerman, ux 2141 Payne

LOT	STREET	ADDITION	OWNER
S 62 1/2 ft Lot 10	Payne	Riverview Court	Jacob O. H. & Dolphine Arnold, et al 2129 Payne
N 62 1/2 ft of S 125 ft of Lot 10	"	"	Elmer S. & Thessa S. Hall, et al 2410 Coolidge
W 80 ft Lot 1		Repl't Lots 3-4-5 Ford's 2nd.	Hazel M. Jones 2182 N. Riverside Blvd.
Lot 1, ex'c W 80 ft.		"	Vern J. & Jennie S. MacNeill, et al 2178 N. Riverside Blvd.
108	20th St.	Motor add.	John A. & Helen W. Longley, et al 1504 W. 20th St.
Vac Motor Ave., 20' to River	"	"	Stuart N. & Doris R. Maybin, et al 1432 W. 20th St.
109, 110, 111, 112	"	"	D. F. & Helen R. McLaughlin, et al 1428 W. 20th St.
113 & 114	"	"	C. W. & Leona J. Cunningham, et al 1155 Foster
115 & 116	"	"	Walter K. & Irma K. Keeler, et al 2124 Garland
117 & 118	"	"	Mary Ann Beckler 2123 Hood
119, 120, 121, 122	"	"	Elizabeth Trevesky, et al Harlan E. Trevesky, et al 2121 Hood
123, 124, 125, 126	"	"	W. T. Farnham 701 E. 2nd St.

Dated at Wichita, Kansas this 1st day of June 1966 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

*John T. Farnham*  
 \_\_\_\_\_  
 1000

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

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