

DP-19 - Approval of "LC" Community  
Unit Plan at the southeast corner of  
Central and Tyler Road by Catholic  
Diocese & Robert L. Hawkins

# ACTION

COMMITTEE	DATE
M.A.P.C. <i>Approved</i> <i>subject to conditions</i>	<i>9-15-66</i>
B.C.C. <del>1000</del> <i>Approved and</i> <i>recommended</i>	<i>10-4-66</i>

*Closed 10-5-66*

Map No. 4947  
Sec. 21  
Twp. 27S  
Range 1W

DATA SHEET  
COMMUNITY UNIT PLAN

DF-19  
Z-  
Filed 8-5-66

APPLICATION REQUEST: Approval of proposed planned Commercial development.

1. Applicant Robert L. Hawkins and Catholic Diocese of Wichita  
Address Rt. 9, Springfield, Missouri Phone TU 11462
2. Agent ~~Robert L. Hawkins~~  
L. N. Lambertz and J. Francis Hesse  
Address 1608 East Central Phone AM 4-8537
3. General Location Southeast corner of Central and Tyler Road  
Address \_\_\_\_\_
4. Proposed Use "LC" Community Unit Plan - Shopping Center

AREA DATA

1. Acres 8.26 ( 600 ft. by 600 ft.)
2. Existing Zoning "LC" Proposed Zoning "LC"
3. Area ~~to be~~ (is not) platted. R. L. Hawkins Addition
4. Existing R/W 30 half ft. 30 half ft. \_\_\_\_\_ ft.  
Central St. Tyler Road St. \_\_\_\_\_ St.  
Proposed R/W 75 & 50 half ft. 75 & 50 half ft. \_\_\_\_\_ ft.  
Central St. Tyler Road St. \_\_\_\_\_ St.

HISTORY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROCEDURE DATA

1. MAPC Meeting:  
Date 9-15-66 Action Approve subject to conditions
2. Governing Body - BCC  
Date 10-5-66 Action Approved as recommended

NOTES: Associated Plat S106683 West Center Add.

State Surety Company  
(402) 477-3991  
DP-19  
JAMES ANDREWS  
STATE REPRESENTATIVE  
P.O. BOX 80208  
LINCOLN, NEBRASKA 68501

May 19, 1980

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-19 - West Center Commercial C.U.P. Generally located at the southeast corner of Central and Tyler. Request for Administrative Adjustment.


Attached is a copy of a letter from R.A. Bumgardner, representing the First National Bank, requesting an administrative adjustment of the building setback lines on a portion of Parcel 1 of the above captioned C.U.P. The west setback would be reduced from 130 feet to 125 feet and the west 40 feet of the north setback would be reduced from 100 feet to 95 feet. The existing setback lines were established by the First Place West Addition plat. At that time (memo dated April 3, 1974) we administratively adjusted the setback lines that were originally established by the C.U.P. The Subdivision Committee of MAPC has approved a vacation request (V-1016) of the setback lines subject to our granting the requested administrative adjustment.

After reviewing the request, and based on the action of the Subdivision Committee, it is my opinion that this request is not a substantial deviation of the provisions of the West Center Commercial C.U.P. One problem that has appeared is the effect of granting a number of administrative adjustments for setbacks and landscaping. Our file copy of the C.U.P. is becoming quite confusing to read because of the various adjustments and should be cleaned up. This is the fifth request for an administrative adjustment on this C.U.P. In addition, new copies of the C.U.P. would show the amount of building coverage and floor area being utilized by the individual owners of the establishments in Parcel 1. I do not feel that we need new copies at this time but should require an updated plan if another administrative adjustment is requested.

Upon your review of this memorandum, your signature of approval will indicate that you concur that this request is not a substantial deviation from intent and purpose of the West Center Commercial C.U.P. provisions and that revised plans will be required with the next request for an administrative adjustment on this C.U.P.

  
Robert A. Lakin, Director of Planning

Page Two  
Robert B. Feldner  
May 19, 1980

  
Robert B. Feldner, Superintendent  
of Central Inspection

RAL:ADC:el  
Attachment  
cc: R. A. Bumgardner, First National Bank  
Box 1, Wichita, Kansas 67201

Louise Olivarez, Senior Planner - Current Plans

First National Bank Wichita

Box One  
Wichita, Kansas 67201  
Phone 316 263 5711

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## FIRST NATIONAL BANK

May 12, 1980

Mr. Robert A. Lakin  
Director of Planning  
10th Floor - City Hall  
455 N. Main  
Wichita, Kansas 67202

**RECEIVED**

MAY 13 1980

METROPOLITAN PLANNING  
ROUTE  20

Re: First Place West, an addition to  
Wichita, Kansas (S/D 73-139);  
and,  
West Center Community Unit Plan (DP-19)

Dear Mr. Lakin:

We are the owner of First Place West, generally located at the Southwest Corner of Central and Robin Road. This is the site of our West Bank facilities, and is a portion of Parcel No. 1 of the West Center Community Unit Plan. In the replatting of our property as First Place West, building setbacks on the C.U.P. were administratively adjusted consistent with those established on the approved replat, all resulting from a 35 foot dedication of street right-of-way for Robin Road.

Architectural plans are completed for an addition onto the West Bank, which have been submitted to Central Inspection for review and issuance of a building permit. The construction of our proposed addition involves a five (5) feet encroachment into the north and west building setbacks which are 100 feet and 130 feet, respectively. Accordingly, we have filed a Request For Vacation application to MAPD, which has been assigned case no. V-1026, and which is scheduled for consideration by the Sub-division Committee this Thursday, May 15. Submitted with our application were copies of a portion of our architectural plans, and an ownership list of all properties and property owners within the C.U.P.

It is our belief that the 5 feet variation, or a net 95 and 125 feet building setbacks, is not a substantial deviation from the approved plat and C.U.P.; and, will still maintain larger setbacks than the adjoining property to the east and west. It is by this letter that we make a companion request of the Director of Planning, and Superintendent

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FIRST NATIONAL BANK

Mr. Lakin  
May 12, 1980  
Page 2

of Central Inspection, for your favorable consideration and finding that the setback changes described in V-1026 are minor deviations not constituting a major change of the C.U.P.

Sincerely,

  
R. A. Bumgardner  
Vice President

RAB:jg

cc: Mr. Jack H. Galbraith  
Chief Planner

Mr. Robert Feldner  
Superintendent of Central Inspection

Building Design Associates

PDS, Inc.

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February 27, 1979

Mr. Oscar Martinez  
Littell, Inc.  
9007 W. Central  
Wichita, Kansas 67212

Re: DP-19 - Request for Waiver  
of Landscaping

Dear Mr. Martinez:

We are in receipt of and have reviewed your request for a waiver of the landscaping requirements along the east side of Parcel 1 of the West Center Shopping Center Community Unit Plan (DP-19). We are aware that the property adjoining your Parcel No. 1 on the east has been approved for a change in zoning from the "AA" Single Family district to the "BB" Office district and the "LC" Light Commercial district. When this change of zoning officially occurs, the community unit plan provisions of the City Zoning Ordinance which require screening and landscaping from adjoining residential properties would no longer apply.

The adjoining zoning change request has been approved subject to the property being platted within one year of the date of approval. A plat entitled TY-CEN Addition has been filed encompassing subject property. The plat was approved in preliminary form by the Subdivision Committee of the Metropolitan Area Planning Commission during their meeting of February 22, 1979. The property owners are now free to prepare a final plat and submit the same for acceptance to the Subdivision Committee, Planning Commission and Board of Wichita City Commissioners. After the plat has been approved, accepted and recorded, an ordinance effectuating the zoning change will be published. A waiver of the landscaping requirements cannot be granted until after the publication of the ordinance effectuating the zoning change from "AA" Single Family to "BB" Office and "LC" Light Commercial.

Page Two  
Mr. Oscar Martinez  
February 27, 1979

We do not know how much time the property owners may take to prepare and submit a final plat. We estimate that it should take no more than 60 to 90 days to accomplish final platting, however, the developer could choose not to complete the plat that soon.

If you need to secure an occupancy permit prior to the time the final plat is completed and the zoning is changed, we suggest that you post a financial guarantee with the Office of the Superintendent of Central Inspection for the required landscaping. The guarantee could be a performance bond similar to the one suggested to you previously for the required 5 ft. to 8 ft. screening wall to the south. The bond would be released at such time as the adjoining zoning changes to non-residential categories become effective.

If you have any questions concerning this matter, please contact our office or the office of the Superintendent of Central Inspection.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:RLY:e1

cc: Robert B. Feldner, Superintendent of Central Inspection



LITTELL INC.  
9007 W. CENTRAL  
WICHITA, KANSAS 67212  
February 15, 1979

Wichita-Sedgwick County  
Metropolitan Area Planning Dept.  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Attn: Mr. Jack H. Galbraith  
Chief Planner

Gentlemen:

We are respectfully requesting a waiver of landscape requirements for our property on Parcel 1, DF-19, West Center Community Unit Plan. Our rationale for the above request follows:

1. There is an extensive landscape plan in front or north of our property with grass, pine trees, sycamores, etc. Some of those trees are inside our property line. These same trees, when grown will tend to hide our building from motorist driving through central avenue.
2. A commercial and office development has already been approved east and south of the proposed landscape strip.
3. The future of Robin Road at the present time is in doubt, as the developers of Ty-Cen addition are proposing to make it a dead end street. (We plan, however, to vigorously oppose this action.)

To summarize, we believe our building is well hidden from the public's view, with ample landscaping in front of it and we would benefit from a better exposure to potential customers without the landscaping proposed.

Yours truly,

*Oscar Martinez*  
Oscar Martinez

September 8, 1978

Mr. Oscar Martinez  
Littel, Inc.  
9007 West Central  
Wichita, Kansas 67212

Re: Landscape Plan on a portion  
of Parcel 1, DP-19, West  
Center Community Unit Plan

Dear Mr. Martinez:

We are in receipt of and have reviewed your amended landscape plan for your portion of Parcel 1, DP-19, West Center Community Unit Plan. Originally 1½" diameter golden raintrees were proposed, however, following our conversations with your landscape architect, the revised plan was submitted depicting 2½" diameter Shademaster Honeylocust.

On the basis of our review, we find that the selection of plant materials and their proposed locations are acceptable. Your landscape plan is, therefore, approved. We will advise the Office of Central Inspection by copy of this letter of the approval of your landscape plan.

As we noted in our letter to you of June 16, 1978, it is the policy of the Wichita Board of City Commissioners to require the installation of materials prior to the issuance of occupancy permits for improvements of the site. If, by reason of weather, season or other unforeseen circumstance the landscaping cannot be accomplished prior to the desired occupancy of facilities, a financial guarantee for the landscaping may be submitted to the office of Central Inspection to secure an occupancy permit.

In addition, the performance bond guaranteeing the estimated construction cost of a five to eight foot masonry wall on the south property line should be posted with the Superintendent of Central Inspection. We are now in receipt of a Commercial Community Unit Plan on the property to the south and should

Page Two  
Mr. Oscar Martinez  
September 8, 1978

that plan be approved and platted, this wall requirement will be released. However, that may take several months to accomplish and for you to get an occupancy permit in the interim, the performance bond is required.

Should you have questions regarding this matter, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:MM:el

Enclosure - 3 Plans to Feldner only.

cc: Robert Feldner, Superintendent of Central Inspection  
Bill Yung, 1355 N. Waco, Wichita, Ks. 67203

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561

*File*

*Copy sent  
to Feldner  
R*

June 16, 1978

Mr. Oscar Martinez  
Littell, Inc.  
9007 West Central  
Wichita, Kansas 67212

Re: Request for administrative  
adjustment of C.U.P. provisions.  
DP-19 West Center C.U.P. -  
Southeast corner of Central and  
Tyler

Dear Mr. Martinez:

We have reviewed your proposed site and circulation plans on the Higgins Andeel Addition (a portion of parcel 1, DP-19, West Center Community Unit Plan) as well as your request for an administrative adjustment on the required screening conditions on the south and east of the C.U.P.

In reviewing the requirement of a 5'-8' wall on the east side of the C.U.P., we have noted that since the time of approval of the original plan, a street has now been platted along the eastern edge. Although the C.U.P. regulations of the zoning ordinance do require such a wall when the commercial plan directly abuts the "AA" Single Family District, when the two districts are separated by a public street the requirement is changed to provision of a 10 foot planting strip in lieu of the wall. Therefore, we are in agreement that a wall is no longer required on the east as long as the 10 foot planting strip is provided.

As for the required wall to the south, as we discussed previously, we have been contacted by the owners of the "AA" Single Family tract to the south regarding the filing of a zone change to the "LC" Light Commercial District and a Commercial Community Unit Plan. If they do indeed receive approval of such plans, then the wall requirement will be mitigated. However, some guarantee will be necessary to provide for all construction should that area to the south be developed for residential purposes.

As evidenced by our signatures below, we are in agreement that the modification of the screening requirements of DP-19 do not repre-

WICHITA - SEDGWICK COUNTY

Page Two  
June 16, 1978  
Mr. Oscar Martinez  
Re: DP-19

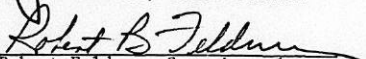
sent a substantial deviation of the approved plan. This interpretation is made subject to the following conditions:

1) A landscape plan, prepared by a landscape architect, depicting the location, type, and specifications of the materials proposed for the ten foot planting strip along your east property line shall be submitted to the Planning Department for approval prior to the issuance of building permits. The landscape plan shall also address the issue of provision of water to the landscape materials (either by depiction of hydrant location or by underground sprinkler system.) It is the policy of the Board of City Commissioners that required landscaping be installed prior to issuance of occupancy permits on the property. If, for reasons of weather or other unforeseen circumstances, the landscaping and screening cannot be completed prior to the time an occupancy permit is desired, a financial guarantee for the installation of the same may be posted with the office of the Superintendent of Central Inspection of the City of Wichita.

2) A performance bond shall be posted with the Superintendent of Central Inspection guaranteeing the estimated construction cost of a five to eight foot masonry wall on the south property line. Said bond shall be valid for a period of two years and shall be released should the property to the south be approved for a non-residential zoning district. Said bond shall be executed and the wall constructed at such time as the property to the south develops residentially or at the end of the two year period if the property to the south remains undeveloped or zoned residentially. Said bond shall cover the present estimated cost of wall construction adjusted for inflation over a two year period.

Should you have questions regarding this matter, please call.

APPROVED:   
Jack Galbraith, Chief Planner

APPROVED:   
Robert Feldner, Superintendent  
of Central Inspection

Enclosure - 2 copies sample performance bond  
JG:MM:bbc

cc: R. A. Baumgardner, Vice President  
First National Bank  
105 N. Main, Wichita, Kansas 67202  
Dr. R. V. Hatstrup  
610 N. Tyler Rd., Wichita, Kansas 67212  
Mr. Eldon A. Terral  
9112 Bekemeyer, Wichita, Kansas 67212

LITTELL INC.  
9007 W. CENTRAL  
WICHITA, KANSAS 67212  
June 14, 1978

Mr. Robert Feldner  
Superintendent of Central Inspections  
The City of Wichita  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Feldner:

My wife and I own Littell, Inc., an arts and craft, wallpaper, gifts and paint store located at 9007 West Central, in the Westlink Center. The 26th of last month we bought a property known as Higgins Andeel Addition, a part of DF-19 West Center CUP, for the purpose of building a retail facility and relocating the store. Although no disclosure was made by the seller of the property or by the title insurance company, we have learned of general provision #4 which calls for a 5'-8' screening along the south and east of the West Center CUP.

We are respectfully requesting that general provision #4 be amended to allow us to substitute the screening requirement along the east of our property with a 10' planting strip and that the screening on the south side of our property be postponed until residential construction starts there.

Our reasons for the above requested changes are as follows:

1. Directly east of our property there is now a street called Robin Road.
2. The area directly to the south of our property is a planned business development subject to city approval.
3. Owners of other land developments in the same West Center CUP were not required to have a screening fence prior to building.
4. A move of Littell's Crafts to the new location will mean larger, more convenient facilities for our customers and the total development of the land will be an asset to the neighborhood and the city of Wichita.

Yours truly,

*Oscar Martinez*  
Oscar Martinez

**LITTELL INC.**  
9007 W. CENTRAL  
WICHITA, KANSAS 67212  
June 14, 1978

Mr. Robert A. Lakin  
Director of Planning  
The City of Wichita  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

My wife and I own Littell, Inc., an arts and craft, wallpaper, gifts and paint store located at 9007 West Central, in the Westlink Center. The 20th of last month we bought a property known as Higgins Andeel Addition, a part of DP-19 West Center CUP, for the purpose of building a retail facility and relocating the store. Although no disclosure was made by the seller of the property or by the title insurance company, we have learned of general provision #4 which calls for a 5' -8' screening along the south and east of the West Center CUP.

We are respectfully requesting that general provision #4 be amended to allow us to substitute the screening requirement along the east of our property with a 10' planting strip and that the screening on the south side of our property be postponed until residential construction starts there.

Our reasons for the above requested changes are as follows:

1. Directly east of our property there is now a street called Robin Road.
2. The area directly to the south of our property is a planned business development subject to city approval.
3. Owners of other land developments in the same West Center CUP were not required to have a screening fence prior to building.
4. A move of Littell's Crafts to the new location will mean larger, more convenient facilities for our customers and the total development of the land will be an asset to the neighborhood and the city of Wichita.

Yours truly,

*Oscar Martinez*  
Oscar Martinez

THE CITY OF WICHITA

*Shirley E-20*



DEPARTMENT OF PUBLIC WORKS  
CENTRAL INSPECTION DIVISION  
CITY HALL — SEVENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

January 11, 1978

*Advised Sam Zedley on 1/10/78  
that I thought Zedley was only the  
owner on the undeveloped portion.*

Lindy Andeel, President  
Kansas Developers, Inc.  
5900 E. Central, Suite 201  
Wichita, Kansas 67208

Dear Sir:

Re: DP-19 West Center CUP

It has been brought to my attention that subject development is in violation of the general provisions (Note #4) of the approved site plan.

This letter shall serve as a notice to bring the site into compliance within ninety days by constructing the 5 foot to 8 foot screening wall along the east and south property lines as required by the approved Community Unit Plan.

Failure to abate this violation will result in legal action, loss of occupancy permits for leasees and prevents any further expansion of the area. It further jeopardizes your ability to obtain consideration from city departments on other developments.

A building permit will be required for a fence 6 foot in height and shall be obtained from this department.

If there are any questions regarding this matter, please call the undersigned.

Sincerely,

*Sam L. Mobley*

Sam L. Mobley  
Building Code Administrator

cc: Jack Galbraith, Planning Department



SUPERINTENDENT OF CENTRAL INSPECTION ... 208-4460  
BUILDING CODE ENGINEER ... 208-4463  
PLAN EXAMINATION ... 208-4477

HOUSING ... 208-4481  
ZONING ... 208-4479  
SIGNS ... 208-4476

BUILDING & CONSTRUCTION ... 208-4461  
PLUMBING & MECHANICAL ... 208-4470  
ELECTRICAL & ELEVATOR ... 208-4471

October 13, 1975

Robert Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DF-19 - Request for Administrative Adjustment on the southeast corner of Parcel 1 on West Center CUP


We have reviewed the letter from Lindy Andeel who is the owner of a portion of Parcel 1 on the above-captioned CUP, requesting an adjustment to permit the north-south building setback line to be moved westerly 35 feet. One of the conditions of approval of the CUP 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.

It should be pointed out that the property in question is being replatted as Higgins-Andeel Addition. The plat is dedicating 35 feet of half-street right-of-way on the east, therefore justifying the moving of the previously approved 35-foot setback to the west an equal distance. This same setback adjustment was approved for the area to the north that was platted as First Place West Addition in 1974.

Our concurrence to this request is therefore subject to the recording of the plat with the Register of Deeds.

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.

APPROVED:   
Robert A. Lakin  
Director of Planning

APPROVED:   
Robert Feldner, Superintendent  
of Central Inspection

RAL:JHG:ber  
cc: Lindy Andeel, President, Kansas Developers, Inc.  
5900 East Central, Suite 201 67208

October 13, 1975

Mr. Keith E. Parker  
Parker Krehbiel Associates  
1021-1 East Waterman  
Wichita, Kansas 67211

Re: DP-19 - Request for Administrative Adjustment on West Center CUP - Parcel 2

Dear Mr. Parker:


Since our letter to you on October 7, 1975, advising that we do not have the authority to make an administrative adjustment to reduce the indicated 35-foot setback from the south and east parcel lines for Parcel 2 to 24 feet, we have received your letter of October 7, 1975, requesting that we consider adjusting the setback to 30 feet. As we previously advised, Section 28.04.190.5.c. requires the following:

There shall be a rear yard, alley, service drive or combination thereof of not less than 30 feet.

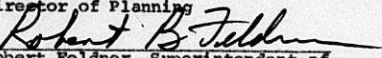
Inasmuch as the CUP regulations establish the minimum setback of 30 feet, and as long as the Central Inspection Office and the Fire Department are satisfied that the service drive under the canopy next to the drive up windows provides satisfactory circulation, our concurrence to this request is therefore subject to no part of the proposed structure extending into the 30-foot setback from the east and south parcel lines, except the air-conditioning condensers as shown on the plat.

Therefore, our signatures of approval will indicate that we 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.

APPROVED:

  
Robert A. Lakin  
Director of Planning

APPROVED:

  
Robert Feldner, Superintendent of  
Central Inspection

RAL:JHG:ber

cc: Robert Feldner, Superintendent of  
Central Inspection

**KANSAS DEVELOPERS, INC.**

MURRAY 3-7511

~~XXXXXXX~~ 5900 E. Central  
Suite 201

WICHITA, KANSAS 67208

October 9, 1975

Wichita-Sedgwick County  
Metropolitan Area Planning Commission  
City Building Annex  
104 S. Main  
Wichita, Kansas 67202

Attention: Mr. Curtis L. Newby

Re: S/D 74-35 - Final Plat of  
Higgins - Andeel Addition

Dear Mr. Newby:

The undersigned, being the owner of the land, and applicant in the platting process for the above referenced, hereby requests administrative amendment of the building setback on the community unit plan to coincide with the proposed setback shown on this plat.

This request is pursuant to Item F of your letter dated April 8, 1974.

If you should have any questions concerning this matter, please feel free to call us.

Sincerely,

KANSAS DEVELOPERS, INC.

  
Lindy Andeel  
President

LA:mp





**parker krehbiel associates**

architects planners commercial consultants

October 7, 1975

Mr. Robert A. Lakin  
Director  
Metropolitan Area Planning Commission  
City Building Annex  
104 South Main Street  
Wichita, Kansas 67202

Re: Proposed Mid Kansas Federal Savings and Loan  
West Branch Facility  
Southeast Corner of West Central and Tyler Road  
Wichita, Kansas

Dear Mr. Lakin:

Pursuant to my conversation with Mr. Jack Galbraith of your department, we have revised the site configuration for the above referenced project. It is our opinion, in accordance with your decision, that we can live with a 30 foot building setback along the easterly and southerly property lines. We have forwarded a copy of the revised layout under separate cover. It is our opinion that we have satisfied the fire department for circulation requirements around this small building and this revised building setback would accommodate any other fire hose traffic required. We feel this minor revision is generally in compliance with the setback requirements.

With this in mind, we respectfully request that you provide an administrative adjustment to the setback line from 35 to 30 feet.

Sincerely yours,

PARKER KREHBIEL ASSOCIATES

  
Keith E. Parker, A.I.A.

KEP:ep



(316) 263 6251 1021-1 east waterman wichita, kansas 67211

October 7, 1975

Keith E. Parker  
Parker Krehbiel Associates  
1021-1 East Waterman  
Wichita, Kansas 67211

Re: DP-19 Request for Administrative  
Adjustment on West Center C.U.P.

Dear Mr. Parker:

As I advised by phone yesterday, I discussed your letter of September 30, 1975, with Bob Lakin. Specifically, we reviewed your attached plans and your request that he and Mr. Feldner Administratively adjust the east and south 35 foot setbacks on Parcel 2 to 24 feet. Section 28.04.190.5.C requires the following:

There shall be a rear yard, alley, service drive  
or combination thereof of not less than 30 feet.

Inasmuch as the C.U.P. regulations establish this minimum setback of 30 feet, it has been Lakin's and Feldner's position that they do not have the authority to make an administrative adjustment to reduce this minimum requirement. They would have the authority to reduce the approved 35 foot setback on the C.U.P. to the 30 foot as required by the ordinance.

If you determine that you cannot develop subject property and maintain the required setbacks, then it is necessary that you submit an application to amend the C.U.P. If you decide to amend the C.U.P., there may or may not be those in opposition who own portions

Keith E. Parker  
October 7, 1975  
DF-19 - Page Two

of Parcel 1. As long as there is circulation provided and the fire department is agreeable, I am of the opinion that we would be in support of the 24 foot setbacks.

If you choose to amend the C.U.P., please contact me if you have questions on filing the application.

Sincerely,

Jack H. Galbraith  
Chief Planner

JEG:el

cc: Robert Feldner, Supt. Central Inspection Division



parker krehbiel associates

architects planners commercial consultants

September 30, 1975

Mr. Robert A. Lakin  
Director  
Metropolitan Area Planning Commission  
City Building Annex  
104 South Main Street  
Wichita, Kansas 67202

Re: Proposed Mid Kansas Federal Savings and Loan  
West Branch Facility  
Southeast Corner of West Central and Tyler Road  
Wichita, Kansas

Dear Mr. Lakin:

Per our recent conversation, we are requesting an administrative adjustment to the easterly and southerly setback requirements on the above referenced project. The final plat of this property does not note the setback requirements and after our staff requested clarification from the engineer they were directed to go with normal setback requirements for light commercial piece since there were none platted. In checking with your department we were advised that 35 foot setbacks were in affect.

We have reviewed circulation requirements of this small building (2200 square feet) with Chief McClintock of the Fire Department and he advised that there would be no circulation or access problem with this structure as shown on our existing site plan. The small building to be used as a savings and loan branch office will have complete paved circulation all around the building and provide two means of ingress and egress from the site. Chief McClintock advised that the paved circulation way providing all weather surface for his fire people was fine. Access at all property lines to lay fire hose presented no problem for his department as the site plan exists.

The building itself sets 24 feet from the southerly property line and 24 feet from the easterly line. This distance would be the closest point from any property line to the building structure. A low screen fence is provided in

(316) 263 6251 1021-1 east waterman wichita, kansas 67211

September 30, 1975  
Mr. Robert A. Lakin  
Page 2

the extreme southeast corner of the property to provide aesthetic treatment for transformer and air conditioner condenser bases. The building sets back from the center line of Central 135 feet and from the center line of Tyler Road 134 feet. This is done to provide planting area to soften and screen the building as well as provide ample parking for this type business. We feel that the aesthetics and site orientation of this building are the primary concerns of the community and that by and large we are in compliance with the intent of the ordinance with the building as designed. We therefore respectfully request an administrative change be granted, that the required setback for this building be amended from 35 to the 24 foot building line.

Sincerely yours,

PARKER KREHBIEL ASSOCIATES



Keith E. Parker, A.I.A.

KEP:ep

Enclosure (Sheet SA1)

cc: Mr. Robert Feldner  
Superintendent of Central Inspection

April 3, 1974

Robert Feldner, Superintendent of Central Inspection  
Jack H. Galbraith, Chief Planner

DP-19 - Request for Administrative Adjustment  
on West Center Community Unit Plan.

We have reviewed the letter and attached drawing from R. A. Bumgardner, First National Bank in Wichita, requesting an adjustment to permit the north-south building setback lines to be moved westerly 35 feet; and to establish a 30 foot building setback line from the south property line of their ownership. One of the conditions of 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.

It should be pointed out that the property in question has been replatted as First Place West Addition and subject plat was approved by the Board of City Commissioners at yesterday's City Commission meeting. The plat as approved dedicates 35 feet of half street right-of-way on the east therefore justifying the moving of the previously approved 35 foot setback to the west an equal distance in order to have the same amount of buildable area. It should also be noted that the plat proposes a 30 foot setback from the south and consequently such setback should also be indicated on the C.U.P.


Our concurrence to this request is therefore subject to the recording of the plat with the Register of Deeds.

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.

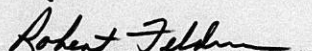
JHG:xme  
Attachment

Mr. Robert Feldner  
April 3, 1974  
Page 2

APPROVED:

  
Jack H. Galbraith, Chief Planner

APPROVED:

  
Robert Feldner, Superintendent  
of Central Inspection

cc: R. A. Bumgardner, Vice President  
First National Bank in Wichita  
105 North Main  
Wichita, Kansas 67202

John D. Gist  
Oblinger & Smith Corporation  
625 First National Bank Building  
Wichita, Kansas 67202

April 3, 1974

Mr. Jerry Don Andrews  
Anrews-Wood Construction/Realty Co.  
Box 12087  
Wichita, Kansas 67212

Re: DP-19 - Request for an  
Administrative Adjustment  
on West Center Community  
Unit Plan

Dear Mr. Andrews:

As you are aware and as we have previously discussed, we have been in the process of reviewing a replat of a portion of the above-captioned CUP which lies to the east of Parcel 2 in which you have an interest. This parcel is located at the southeast corner of Central and Tyler Road and was approved on the CUP in 1966. Specifically, subject parcel has a designated 30-foot setback from both the east and south line and your request is that the setbacks be administratively adjusted to the platted 8-foot easement line. Section 28.04.190.5.c. requires the following:

There shall be a rear yard, alley, service drive or combination thereof of not less than 30 feet.

Inasmuch as the CUP regulations establish this minimum setback of 30 feet, it is our opinion that we do not have the authority to make an administrative adjustment to reduce this minimum requirement. It should also be pointed out that we received written opposition to any adjustment to the setback from the property owner to the south.

If you determine that you cannot develop subject property and maintain the required setbacks, then it is necessary that you submit an application to amend the CUP.

Page 2 - Mr. Jerry Don Andrews  
April 3, 1974

If you have any questions on this matter or determine that you  
desire to amend the CUP, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:ber

cc: Robert Feldner, Supt. of  
Central Inspection Division

**FARROW, STONE & BLUBAUGH**  
CERTIFIED PUBLIC ACCOUNTANTS

1908 VICKERS - KESBY BUILDING  
WICHITA, KANSAS 67202  
(316) 264-7548

J. DOUGLAS STONE, C.P.A.  
ROGER D. FARROW, C.P.A.  
ROBERT L. BLUBAUGH, C.P.A.  
CHESTER F. FARROW, C.P.A., CONSULTANT

OFFICES  
WICHITA, KANSAS  
ENID, OKLAHOMA  
CLAREMORE, OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA  
MEMBERS OF  
AMERICAN INSTITUTE OF  
CERTIFIED PUBLIC ACCOUNTANTS

March 20, 1974

Mr. Jack H. Galbraith  
Chief Planner  
Metropolitan Area Planning Dept.  
City Building Annex  
104 S. Main  
Wichita, KS 67202

Re: DT-19-West Center C.U.P.  
generally located at the  
southeast corner of Central  
and Tyler Road

Dear Mr. Galbraith:

I represent Mr. Robert L. Hawkins of Springfield, Missouri, who is the owner of property located in the above real estate tract. Generally, his property is at the southwest corner of the West Center C.U.P. property. It includes what was formerly an I.G.A. grocery store, but is now occupied by the Discount Carpet Center. Your letter addressed to Mr. Vern Lambertz of March 11, 1974, informs us that Mr. Jerry Don Andrews, or Andrews-Wood, Inc., has requested an adjustment in the 35-foot setback on the east and south lines of parcel 2 (lot 2) down to the 8-foot utility easement line.

You ask us to comment on Mr. Andrews' request.

Our comment is as follows: Certainly, when Mr. Andrews bought the property, he was aware of the C.U.P. setback requirements. Mr. Hawkins, at his own time and expense in 1966, went through the various procedures to get the C.U.P. approved. It is his memory, at this time, that great emphasis was made on the required setback lines on each parcel of the C.U.P. Mr. Hawkins' property runs up to Andrews' property on the south. If the 35-foot setback lines were adjusted to 8-feet, grave damage could be done to Mr. Hawkins' tenant, in that the traffic circulation on the south of Andrews' property would be over on Mr. Hawkins' property, and in effect, hurting Mr. Hawkins' tenant, The Fleming Company.

It is Mr. Hawkins' definite feeling that there should be no relaxation of the setback requirements. The C.U.P. was entered into by all concerned for the orderly development and effective development of the property, and that there is no reason, at this time, to adjust the setback requirements. He desires to forcefully

Mr. Jack H. Galbraith  
March 20, 1974  
Page 2

protest any relaxation of these requirements.

Thank you for your consideration in this matter.

Sincerely yours,

*J. D. Stone*

JDS:bf



**ANDREWS - WOOD  
CONSTRUCTION/REALTY CO.**

DEVELOPERS ■ CUSTOM BUILDERS ■ REALTY

February 14, 1974

Wichita-Sedgwick County  
Metropolitan Area Planning Commission  
City Building Annex, 104 South Main  
Wichita, Kansas 67202

Attention: Mr. Robert Lakin

Dear Bob:

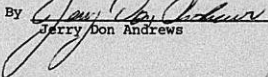
We would like to formally request an administrative adjustment on the CUP of West Center Addition to Sedgwick County in regard to parcel #2.

The requested change item is in regard to a 35' set back required along the southern and eastern boundaries of said parcel. We feel these set backs should be reduced to the same set backs as shown on the recorded plat.

We also feel the traffic flow would not be hindered by providing platted set backs since other buildings are already in excess of 100' or are governed by adjoining CUP's.

Sincerely,

ANDREWS-WOOD, INC.

By   
Jerry Don Andrews

jda:bgz

cc: Mr. Bob Feldner



Box 12087 ■ Wichita, Kansas 67212 ■ 316-722-6582

March 12, 1974

Mr. F. A. Bungardner  
Vice President of the  
First National Bank  
105 North Main  
Wichita, Kansas 67202

Re: S/D 73-139 - First Place West  
DP-19 West Center Community  
Unit Plan

Dear Mr. Bungardner:

Yesterday I had an opportunity to review your letter of March 6, 1974, with Ray Bruggeman, Director of Public Works. Inasmuch as your letter is quite specific that Items 2, 3 and 4 will be accomplished, and inasmuch as the governing body makes these final decisions, I thought I should advise you of my understanding on these matters.

In regard to Items 2 and 3, that you be granted a minor street privilege and that the annual fee will be waived, Mr. Bruggeman advised that he and Mr. Graves had previously met and discussed the procedure to accomplish a minor street privilege with you. The first step is to submit a letter requesting the minor street privilege accompanied by plans showing how the right-of-way is proposed to be used. The letter should also request that the annual fee be waived, and I believe it is necessary to also submit some type of insurance to protect the City. Upon receipt of the letter of request, and providing that the plans are acceptable, Mr. Bruggeman advised that he will be in a position to favorably support your request for the use of the right-of-way and the waiver of the fee.

Mr. R. A. Bungardner  
March 12, 1974  
Page Two

Regarding Item 4, I can only advise that if it is later determined that subject location is not the appropriate place for a north-south street, and providing that all abutting property owners are agreeable to vacation, we will support the application to vacate the street right-of-way. Please be advised, however, that this would only be the Planning Department recommendation and that we cannot assure you what the recommendation would be of the Planning Commission or the final action that the City Commission would take.

Please be advised that, at this time, I do not see any problems in the statements as listed in your letter, however, these decisions will finally be determined by the Board of City Commissioners. If you have any questions regarding my remarks, please call our Office.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:js

cc: Mr. Ralph Wulz,  
City Manager

Mr. F. W. Bruggeman  
Director of Public Works

Mr. Paul Graves  
Traffic Engineer



WICHITA, KANSAS FIRST NATIONAL BANK IN WICHITA

March 6, 1974



Mr. Jack H. Galbraith  
Chief Planner  
Metropolitan Area Planning Commission  
104 S. Main  
Wichita, Kansas 67202

Re: S/D 73-139 - Plat of First  
Place West  
and  
DP-19 - West Center Community  
Unit Plan

Dear Mr. Galbraith:

As you are aware, in MAPC's letter to Moehring and Associates of February 8, 1974, one of the conditions of approval of the above referenced plat was:

"The 35-foot contingent street dedication as appears on the east line of this final plat shall be changed to reflect a 35-foot outright street dedication."

The First National Bank in Wichita desired a contingent street dedication as opposed to an outright dedication as set out in the Bank's letter to you dated January 28, 1974. However, since the Subdivision Committee could not bring itself to approve such a plan, an alternate approach has become necessary. It is now the Bank's understanding with the City of Wichita and the appropriate Departments and Commissions that the following procedure will be followed:

1. The Bank will make a 35-foot outright street dedication along the east side of the plat.
2. The Bank will apply for and be granted a minor street privilege over said 35-foot street, which privilege will allow the Bank to use the dedicated street in conjunction with the Bank's west banking facility. The contemplated use would include, among other things, paving all or a portion of said 35-foot half street, making necessary curb cuts and connecting drives, and possibly landscaping a portion of said street.

Mr. Jack H. Galbraith  
March 6, 1974  
Page 2

3. The City will waive the annual fee for the minor street privilege. ?

4. If, at some future point in time, it appears that the dedicated street is not going to be opened, the Bank or the then owners of the land adjoining the street on the west will be allowed to vacate the street. ?

The purpose of this letter is to make certain that the Bank and the City have a clear understanding of the procedure which is now to be followed.

Very truly yours,

R. A. Bumgardner  
Vice President

RAB:ec

cc: Mr. R. W. Bruggeman  
Director of Public Works

Mr. Paul B. Graves  
Traffic Engineer

Mr. Bob Lakin  
Planning Director

Mr. Ralph Wulz  
City Manager

PROPERTY OWNERS WITHIN THE "WEST CENTER COMMUNITY UNIT PLAN, DP-19"

JANUARY 1974

*Type original to: [unclear]*

1. ~~The First National Bank in Wichita  
Attn: R. A. Bumgardner  
105 North Main  
Wichita, Kansas 67202~~

2. Robert Hawkins  
Box 458 R.R. 3  
Springfield, Missouri 65804

Agent:  
Vern L. Lambertz  
812 North Waco  
Wichita, Kansas 03

3. Kansas Developers, Inc.; and  
William P. Higgins  
5900 East Central  
Wichita, Kansas 04

Agent:  
William P. Higgins, Attorney  
313 First National Bank Building  
Wichita, Kansas 67202

4. Eldon A. Terrel  
9112 Bekemeyer  
Wichita, Kansas 67212

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

March 4, 1974

**TO** Jack Galbraith, Chief Planner  
**FROM** Robert A. Lakin, Director of Planning *RL*  
**SUBJECT** DP-19 - West Center CUP - Southeast  
corner of Central and Tyler Road

Under the provisions of K.S.A. 1972 Supp. 75-4301 et seq. and in order to eliminate any possible conflict of interest in the above proceedings, it should be known that I do bank with the First National Bank of Wichita and have an automobile bank loan with said bank. And further that said bank is one of the applicants requesting administrative determinations in the above CUP. In order to avoid any possible charges of conflict of interest, I withdraw from any further consideration or proceedings in this case, and hereby direct you to make such determinations as are otherwise designated by the City ordinances to be within my prerogative as Director of Planning insofar as it applies to the zoning, Community Unit Plan or subdivisions and lot splits on the parcels of land comprising this CUP.

RAL:ber

cc: John Dekker, Director of Law  
H. R. Kuhn, Assistant City Attorney

Curt

file:  
21873-139  
First Place West  
Add.

February 19, 1974

Mr. William P. Higgins  
Suite 313 First National Bank Building  
Wichita, Kansas 67202

Re: DP-19, West Center CUP  
Southeast corner of Cen-  
tral and Tyler Road

Dear Mr. Higgins:

In response to your letter of February 14 inquiring as to the platting of the bank's property being platted as First Place West Addition, this is to advise you that the Planning Commission, at the regular meeting on February 14, considered the plat. After considerable discussion as to whether or not to require an outright half-street dedication on the east side of the bank's property, or a contingent dedication, it was the unanimous vote of the Planning Commission to require an outright street dedication. Although there was some degree of uncertainty as to whether or not a north-south street should be required at this location, the fact that there now exists your isolated ownership that is not adjacent to a public street, in my opinion, was the deciding factor in the street requirement.

At such time as you submit a plat on your ownership, I would expect that the continuation of this street will be required and building setbacks adjusted accordingly. I believe these are the problems to be expected when portions of platted areas are sold off that are not adjacent to public streets.

Attached for your information is a copy of the letter to Mr. John Gist that sets out the action of the Planning Commission. If you have any questions on this matter, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:ber  
Enclosure

LAW OFFICES  
OF  
**WILLIAM P. HIGGINS**

SUITE 313  
FIRST NATIONAL BANK BUILDING  
WICHITA, KANSAS 67202  
316/263-6148

February 14, 1974

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

Re: DP-19, West Center C.U.P.  
Generally located at the southeast  
corner of Central and Tyler Road

Dear Mr. Galbraith:

We have no objections to the bank's amendment to the C.U.P. or plat as long as sufficient streets are provided to our property so that we will have no difficulty in obtaining a plat and the building permit at the time we should apply for the same, by reason of the argument of no public access.

We, however, must object should the bank's activities cause us, at the time of platting, to be required to dedicate street right-of-way and additional thirty-five foot set-back from the street right-of-way, since this would have the effect of rendering totally useless our property for light commercial uses. The bank, of course, has advised that we have an easement of ingress and egress between them and ourselves, running with the property, which they are required to construct and maintain. We feel very safe with the ingress and egress provided by this easement, since we know a bank will properly construct and maintain the street in conjunction with the easement granted. Our only fear is problems that might arise by miscellaneous policies developed in the platting procedure, which could affect our ability to obtain a building permit, regardless of what procedure followed, and could further affect the net useable land which we own for purposes of development.



Mr. Jack H. Galbraith  
February 14, 1974  
Page Two

We would appreciate acknowledgment of receipt of this letter and advice as to hearing date when steps should be taken to present our position.

Thanking you in advance for your attention in this matter, I remain

Yours truly,

*William P. Higgins*  
WILLIAM P. HIGGINS

WPH/jsp

February 1, 1974

Mr. Vern L. Lambertz  
812 North Waco  
Wichita, Kansas 67203

Re: DP-19, West Center C.U.P.  
Generally located at the  
southeast corner of Central  
and Tyler Road.

Dear Mr. Lambertz:

This is to advise you that we have received a request for an administrative adjustment on the building setbacks originally approved on the West Center C.U.P. which was approved in 1966. Specifically, Mr. R. A. Bumgardner, Vice President for the First National Bank in Wichita has requested that we administrative adjust the building setback to the west by a distance of 35 feet and to the north of their south property line a distance of 30 feet. The proposed adjustment is on plans in our office which we will be happy to review at your convenience. We would appreciate any comments you might have on this matter.

Also, we have received a revised final plat on the property owned by the Bank known as First Place West Addition. This plat is scheduled for the Subdivision Committee meeting of February 7, 1974, at 1:00 p.m., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas.

If you have any questions on either the proposed setback adjustment or the revised final plat, please call either Curtis Newby or me.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:rme

Letters also sent to:

February 1, 1974

Letters also sent to: The First National Bank in Wichita  
Attn: R. A. Bumgardner  
105 North Main  
Wichita, Kansas 67202

Robert Hawkins  
Box 458, R.R. #3  
Springfield, Missouri 65804

Kansas Developers, Inc.  
5900 East Central  
Wichita, Kansas 67208

William P. Higgins, Attorney  
313 First National Bank Building  
Wichita, Kansas 67202

Eldon A. Terrel  
9112 Bekemeyer  
Wichita, Kansas 67212



WICHITA, KANSAS FIRST NATIONAL BANK IN WICHITA

January 28, 1974

Mr. Jack H. Galbraith, Chief Planner  
Metropolitan Area Planning Department  
City Building Annex  
104 South Main  
Wichita, KS 67202

RE: S/D 73-139 - Final Plat of First Place West  
and  
DP-19 - West Center Community Unit Plan

Dear Mr. Galbraith:

You are aware of our recently acquired ownership, generally located at the southeast corner of Central Avenue and Tyler Road. This property is in the process of being replatted known as First Place West, your file number S/D 73-139. Further, the property is a portion of Parcel No. 1 of the approved West Center Community Unit Plan, DP-19.

At its regular meeting on December 13, 1973, the Planning Commission approved our replat as recommended by the Subdivision Committee, the conditions of approval being set forth in correspondence from your office dated December 10 and December 14, 1973. The First National Bank in Wichita is agreeable to all of these conditions, except for "A" and "C" of the letter dated December 10 from Curtis L. Newby. Based on meetings among ourselves and our representatives with the Planning Department, the City Engineer, the Assistant City Traffic Engineer, and property owners and/or their representatives of all other properties included in DP-19, it is our desire, and we hereby request, that the final plat of First Place West be returned to the Subdivision Committee for reconsideration at their regularly scheduled meeting on Thursday, February 7, 1974.

In regard to condition "C" relative to a 35-foot half street dedication along the east side of our plat, it is our hope that we be permitted to provide for said 35 feet in the form of a "contingent dedication." The contingency requested is that the right-of-way become effective at such time as the City of Wichita needs the right-of-way for a north-south street at that location. From the meetings referred to above, it is felt that if the right-of-way is permitted to be contingently dedicated it will allow the bank to make their proposed improvements, protect the City and adjacent properties if a street is ever needed to be constructed at that location, and in the interim will not penalize our property if in fact a street is never needed or other rights-of-way from other adjacent properties are never obtained or provided.

Mr. Jack H. Galbraith  
January 28, 1974  
Page 2

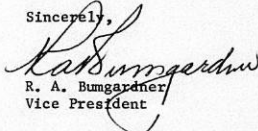
Condition "A" required that the building setbacks be indicated on the final plat to coincide with the setbacks on the approved C.U.P., DP-19. Because condition "D" requires that a 35-foot building setback be indicated from the possible new street along the east side of the plat, it is our request that we be permitted to adjust our westerly setback a corresponding distance of 35 feet to the west so as to maintain the same east-west buildable dimension as provided for on the approved C.U.P.

In our opinion, the request for a 35-foot setback adjustment to the west is a result of conditions on our final plat; and further, that such a 35-foot adjustment is not a substantial deviation of the approved C.U.P. It is for these reasons that the First National Bank in Wichita hereby further requests that the Director of Planning and the Superintendent of Central Inspection review the matter of setback adjustment, and for their favorable consideration and finding that same is permitted as a minor deviation, not constituting a major change of the C.U.P. In support of this setback adjustment on the C.U.P., the Bank is agreeable to showing the new setbacks on our final plat of First Place West, including a 30-foot setback from our south property line to insure a 30-foot rear yard or service area required on commercial C.U.P.'s.

Twenty-nine (29) copies of our final plat are being submitted for scheduling before the Subdivision Committee on February 7. We are enclosing a drawing to assist in your review of our request for setback adjustments to the C.U.P. This drawing shows the existing setback requirements, our acquired ownership, and new setbacks requested as applied to our property. In addition, please find attached a listing of the other property owners within the confines of the C.U.P., DP-19.

We thank you for your attention to this matter, and if you have any questions please do not hesitate to call.

Sincerely,

  
R. A. Bumgardner  
Vice President

RAB:csc

Enclosures

cc: Mr. Robert Feldner  
Superintendent of Central Inspection  
City Building Annex  
104 South Main

Mr. Dick Linn, City Engineer

Mr. Bill McKinley, Asst. City Traffic Engineer

Oblinger-Smith Corporation  
Attn: John D. Gist

October 5, 1966

Glen E. Lytle, Superintendent of Central Inspection

Jack H. Galbraith, Senior Planner

DP-19 - Commercial Community Unit Plan for West Center Shopping Center at the southeast corner of Central and Tyler Road

At its regular meeting on October 4, 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:

1. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and Board of City Commissioners, 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.
2. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

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

Attachment

Report from the MACP to the Board of City Commissioners

Case No. DP-19

Considered by M.A.P.C. 9-15-66

Request for: Approval of Commercial Community Unit Plan

Reason for request (as provided by petitioner):

Not Applicable

Location of property: Southeast corner of Central and Tyler Road

Legal description of property:

The north 600 feet of the west 600 feet of the NW $\frac{1}{4}$  of Section 21, Township 27 South, Range 1 West of the 6th P.M.

Petitioner: Robert L. Hawkins  
Address: Route 9, Springfield, Missouri

Counsel for petitioner: L. N. Lambertz, Agent

Protesters (list counsel, if any): None

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

Land use: Subject property and that to the east and south is vacant; north is vacant, service station, and liquor store; west is Westlink Shopping Center and a service station.

Planning Commission recommendation:  
TROUT moved and GOEBEL seconded that the Planning Commission recommend to the City Commission that this application be approved, subject to the following:

1. The applicant indicating the name of the proposed development on the development plan.
2. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission and Board of City Commissioners, 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.
3. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

Vote of Planning Commission Unanimous

ACTION: 1. Approve the application as recommended by 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:

EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 15, 1966:

- "14. Case No. DP-19 - Robert L. Hawkins, et al. request approval of a Commercial Community Unit Plan for the North 600 feet of the west 600 feet of the NW $\frac{1}{4}$  of Section 21, Township 27 South, Range 1 West of the 6th P.M. Generally located at the southeast corner of Central and Tyler Road.

GALBRAITH pointed out the area on the map and reviewed the following staff report:

Comments

1. Subject property has over 6 acres of "LC" zoning under one ownership or control and, therefore, as required by ordinance, a development plan has been submitted for approval under the CUP provisions of the zoning ordinance. The development plan, as submitted, indicates the required information pertaining to the gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.
2. The plan as submitted meets all the requirements as set out in the CUP provisions of the ordinance and indicates all the information required. It is the opinion of the staff that the plan is satisfactory and is in conformance with the purpose and intent of the ordinance to promote well-organized and well-planned shopping centers.
3. The applicant should give some consideration to the name of the shopping center and this name should appear on the development plan.
4. The associated plat (S/D 66-83 - West Center Addition), has been approved by the Planning Commission, and indicates the required dedications, easements, etc.

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 accordance with the intent of Section 28.04.190, of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. The applicant indicating the name of the proposed development on the development plan.
2. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission and Board of City Commissioners, 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.
3. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

No one appeared to speak either in support of or in opposition to this application.

**MOTION:** TROUT moved, GOEBEL seconded and it carried unanimously that the Planning Commission recommend to the City Commission that this application be approved, subject to the following:

1. The applicant indicating the name of the proposed development on the development plan.
  2. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission and Board of City Commissioners, 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.
  3. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration."
-

September 16, 1966

Mr. Don C. Moehring  
314 Brown Building  
Wichita, Kansas

Subject: DP-19 - Commercial Community Unit Plan  
for the southeast corner of Central and Tyler  
Road

Dear Mr. Moehring:

At its regular meeting on September 15, 1966, the Metropolitan Area Planning Commission considered the above-captioned development plan. The action of the Planning Commission was to recommend that this application be approved subject to:

1. The applicant indicating the name of the proposed development on the development plan.
2. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission and Board of City Commissioners, 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.
3. Any major changes in this development plan being resubmitted to the Planning Commission and the City Commission for their consideration.

It will now be necessary for you to submit ten revised copies, naming the development, to the Planning Department by 5:00 p.m., Wednesday, September 21, 1966, so that this plan may be forwarded to the City Commission for its consideration on ~~September 22~~, 1966.

*October 4*

September 16, 1966

It is also necessary that you meet all requirements of the Planning Commission regarding the approval of the Final Plat of West Center Addition. The only condition appearing to not have been met is the requirement concerning sidewalks. This condition must also be complied with by next Wednesday, September 21, for this item to be forwarded to the Board of City Commissioners for their consideration on September 27, 1966.

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

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:bgs

cc: Robert L. Hawkins  
Rt. 9  
Springfield, Missouri

Catholic Diocese of Wichita  
424 North Broadway  
Wichita, Kansas

Vern Lamberts  
1608 East Central  
Wichita, Kansas

J. Francis Hesse  
500 Farmers & Bankers Bldg.  
Wichita, Kansas

MICHIGAN-FREDRICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

DATE: September 15, 1966

Case No. DP-19	Request: Approval of a Commercial Development Plan under the CUP provisions of the ordinance
Location: Southeast corner of Central and Tyler Road	
Acres: 6.61	Size: 600 ft. by 600 ft.

	Land Use	Zoning
Existing	Vacant	"LC"
North	Vacant, service station, liquor store	"LC"
East	Vacant	"AA"
South	Vacant	"AA"
West	Westlink Shopping Center, service station	"LC"

Unplatted <u>X</u>	
Existing R/W - Central - half 30 ft.	
Proposed R/W - Central - half 50 and 75 ft.	
Existing R/W - Tyler Road - half 30 ft.	
Proposed R/W - Tyler Road - half 50 and 75 ft.	History: N/A

Comments:

1. Subject property has over 6 acres of "LC" zoning under one ownership or control and, therefore, as required by ordinance, a development plan has been submitted for approval under the CUP provisions of the zoning ordinance. The development plan, as submitted, indicates the required information pertaining to the gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.
2. The plan as submitted meets all the requirements as set out in the CUP provisions of the ordinance and indicates all the information required. It is the opinion of the staff that the plan is satisfactory and is in conformance with the purpose and intent of the ordinance to promote well-organized and well-planned shopping centers.
3. The applicant should give some consideration to the name of the shopping center and this name should appear on the development plan.
4. The associated plat (S/D 66-83 - West Center Addition), has been approved by the Planning Commission, and indicates the required dedications, easements, etc.

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 accordance with the intent of Section 28.04.190, of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. The applicant indicating the name of the proposed development on the development plan.
2. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission and Board of City Commissioners, 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.
3. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

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

DATE: September 15, 1966

Case No. DP-19	Request: Approval of a Commercial Development Plan under the CUP provisions of the ordinance
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Location: Southeast corner of Central and Tyler Road

Acres: 6.61	Size: 600 ft. by 600 ft.
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	Land Use	Zoning
Existing	Vacant	
North	Vacant, service station, liquor store	"LC"
East	Vacant	"LC"
South	Vacant	"AA"
West	Westlink Shopping Center, service station	"AA"
		"LC"

Unplatted <u>X</u>		
Existing R/W - Central - half 30 ft.		
Proposed R/W - Central - half 50 and 75 ft.		
Existing R/W - Tyler Road - half 30 ft.		
Proposed R/W - Tyler Road - half 50 and 75 ft.		
		History: N/A

Comments

1. Subject property has over 6 acres of "LC" zoning under one ownership or control and, therefore, as required by ordinance, a development plan has been submitted for approval under the CUP provisions of the zoning ordinance. The development plan, as submitted, indicates the required information pertaining to the gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.
2. The plan as submitted meets all the requirements as set out in the CUP provisions of the ordinance and indicates all the information required. It is the opinion of the staff that the plan is satisfactory and is in conformance with the purpose and intent of the ordinance to promote well-organized and well-planned shopping centers.
3. The applicant should give some consideration to the name of the shopping center and this name should appear on the development plan.
4. The associated plat (S/D 66-83 - West Center Addition), has been approved by the Planning Commission, and indicates the required dedications, easements, etc.

Page 2 - Case No. DP-19  
September 15, 1966

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 accordance with the intent of Section 28.04.190, of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. The applicant indicating the name of the proposed development on the development plan.
2. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission and Board of City Commissioners, 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.
3. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

CASE NO. DP-19 - 18 NOTICES MAILED SEPTEMBER 1, 1966, FOR SEPTEMBER 15, 1966

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

NOTICE TO ADJOINING PROPERTY OWNERS

SEP 1 - 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 SEP 1 5 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 - The north 600 feet of the west 600 feet of the NW $\frac{1}{4}$  of Section 21, Township 27 South, Range 1 West of the 6th P.M. in the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Central and Tyler Road.

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 an 8.26 acre commercial development for a 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.

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 August 23, 1966)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on September 15, 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-19 - The north 600 feet of the west 600 feet of the NW $\frac{1}{4}$  of Section 21, Township 27 South, Range 1 West of the 6th P.M. in the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Central and Tyler Road.

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 an 8.26 acre commercial development for a 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 18th day of August, 1966.

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

(SEAL)

(1-T)

August 10, 1966

Mr. Don C. Moshring  
314 Brown Building  
Wichita, Kansas

Subject: DP-19 - Community Unit Plan for Shopping  
Center at the southeast corner of Tyler Road and  
Central

Dear Mr. Moshring:

We have reviewed the Preliminary Development Plan which you submitted on behalf of the applicants, Robert L. Hawkins and Catholic Diocese of Wichita, in conformance with the Community Unit Plan provisions of the City Zoning Ordinance for the property zoned "LC" at the southeast corner of Tyler Road and Central. For the most part, the purpose and intent of the Community Unit Plan regulations is to encourage well-planned and well-organized development of commercial areas. The character of commercial developments are to be appropriate with the surrounding neighborhood and adequate safeguards are to be provided so that adjacent residential properties will be protected. Following are the comments expressed by the Planning Staff in their review of the Preliminary Development Plan.

The required information under Parcel No. 1 and Parcel No. 2 is not complete and we would recommend that the following changes be made on the face of the plan:

Parcel No. 1

1. Total Area (Net) - omit the word proposed.
2. (As indicated.)
3. Maximum Land Coverage by Building up to 30% of net parcel area, or 77,250 sq. ft.

August 10, 1966

4. Building Setback from Central - 100 feet  
Building Setback from east Parcel line - 35 feet  
Building Setback from south Parcel line - 35 feet  
Building Setback from Tyler Road - 100 feet.
5. Maximum Building Height - 35 feet
6. Parking Ratio as Required under "LC" zoning.
7. Proposed Uses - be more specific, i.e., shopping center, department store, variety stores, supermarket, other similar uses permitted in "LC".

Parcel No. 2

1. Total Area (Net) - omit the word proposed.
2. As indicated.
3. Maximum Land Coverage by Building up to 30% of net parcel area, or 9,187.5 sq. ft.
4. Building Setback from Central - 35 feet  
Building Setback from east Parcel line - 35 feet  
Building Setback from south Parcel line - 35 feet  
Building Setback from Tyler Road - 35 feet.
5. Maximum Building Height - 35 feet.
6. Parking Ratio as Required under "LC" zoning.
7. Proposed Uses - service station or small drive-in type facilities.

General Provisions

1. Sign Control - advertising signs shall be permitted along Central and Tyler Road. No sign shall exceed 30 feet in height and shall not be placed so as to project over any public right-of-way. No signs shall be permitted adjacent to the east and south property lines.
2. Maximum Building Coverage shall not exceed 30% by parcel, and in no event shall exceed 30% of the total site.

August 10, 1966

3. Total Net Land Area - 288,125 sq. ft. or 6.61 acres.
4. Screening - A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural stone, or similar material shall be constructed adjacent to the east and south property lines.
5. Curb Cuts - The maximum number of curb cuts along Central Avenue shall not exceed three, and the maximum number along Tyler Road shall also not exceed 3.

We would recommend that the applicant give some consideration as to the name of the shopping complex and this name should appear on the Development Plan.

The most significant problem as reviewed by the staff is the indication of only a 60-foot setback from Central and Tyler Road for the principle shopping center development. It should be pointed out that 100-foot building setback lines were required for the Community Unit Plans to the north and west of subject property. To be compatible with adjacent development, it is the opinion of the staff that the 100-foot building setback line should be indicated from both Tyler Road and Central.

Enclosed for your information and files is the marked copy of the Development Plan with the staff's recommended changes. It will be necessary that you submit twelve copies of the corrected Development Plan to our office no later than 5:00 p.m., September 2, 1966, so that copies of the Plan may be forwarded to the Planning Commission for their review prior to the Planning Commission meeting on September 15, 1966.

Please contact our office if you have any questions concerning this matter.

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:bgs  
Enclosure

cc: Robert L. Hawkins  
Rt. 9  
Springfield, Missouri  
  
Catholic Diocese  
c/o P. O. Box 2134

L. N. Lamberts  
1608 East Central

J. Francis Hesse  
500 Farmers & Bankers

49-17  
21  
215  
1W  
N- LC  
S- AA  
E- AA  
W- LC

APPLICATION FOR COMMUNITY UNIT PLAN  
(PLANNED RESIDENTIAL OF 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 ROBERT L. HAWKINS  
Address Route 9, Springfield, Missouri Phone TUxedo 11462  
By Agent L. N. Lambertz  
Address 1608 E. Central, Wichita, Kansas Phone AM 4-8537
- b. Applicant CATHOLIC DIOCESE OF WICHITA  
Address c/o Box 2134, Wichita, Kansas Phone AM 2-8444  
By Agent J. Francis Hesse  
Address 500 Farmers & Bankers, Wichita, Ks Phone AM 2-8444
- c. Applicant \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Agent \_\_\_\_\_  
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 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.)

The North 600' of the West 600' of the NW 1/4 of Section 21, Township 27 South, Range 1 West of the 6th P.M.

- II.B There are 8.26 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) not known.

The general location is (use appropriate section)

- a. at the Southeast corner of Central Avenue  
and Tyler Road; 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.

ROBERT L. HAWKINS

CATHOLIC DIOCESE OF WICHITA

By [Signature]  
Authorized Agent (if any)

By [Signature]  
Authorized Agent (if any)

By \_\_\_\_\_  
Authorized Agent (if any)

By \_\_\_\_\_  
Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at  
\_\_\_\_\_ (AM, PM) on \_\_\_\_\_ (Day, Month,  
Year). It has been checked and found to be complete and accom-  
panied by required documents and the appropriate fee of  
\$ \_\_\_\_\_.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

CERTIFICATE OF OWNERSHIP

Callahan Guarantes Title Co., Inc., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the office of the Register of Deeds, Sedgwick County, Kansas, of:

The North 600 feet of the West 600 feet of the  
Northwest Quarter of Section 21, Township 27 South,  
Range 1 West of the 6th P.M., Sedgwick County, Kansas;

and the property within a 500 foot radius thereof.

Description	Owner
The Northwest Quarter of 21-27-1West, except the North 1040' of the East 1322.09' & except the South 1000' of the West 1000' of the Northwest Quarter.	✓ Catholic Diocese of Wichita <i>424 N. Broadway</i>
The South 500' of the West 1100' of the Southwest Quarter of 16-27-1West	✓ Edward T. Neville 127 S. Fern
The East 30 acres of the Southeast Quarter of the Southeast Quarter of Section 17-27-1West.	✓ Sedgwick County, Kansas. <i>320 County Courthouse</i>
Beginning 972.45' S of NE/cor of NE $\frac{1}{4}$ of Section 20-27-1West; thence West 230'; thence South 94.7'; thence East 230'; thence North to beginning, except East 40' for road	✓ W. R. Overeem & Jean E. 535 N. Tyler Road
Beginning 1161.85' South of Northeast corner of NE $\frac{1}{4}$ 20-27-1West; thence West 230'; thence South 82'; thence East 230'; thence North to beginning, except East 40' for road.	✓ Woodrow W. Wise & Constance K. <i>529 N. Tyler Road</i>
Beginning 1067.15' South of Northeast corner of NE $\frac{1}{4}$ 20-27-1West; thence West 230'; thence South 94.7'; thence East 230'; thence North to beginning, except East 40' for road.	✓ Edward L. Staab & Peggy R. 531 N. Tyler Road.
Beg 200' S & 40' W of NE/c of NE $\frac{1}{4}$ 20-27-1W, thence S parallel to East line NE $\frac{1}{4}$ 428.6' to pt 30' N of S/line of N/2 of N/2 of NE $\frac{1}{4}$ ; th W parallel to S line said N/2 N/2 NE $\frac{1}{4}$ , 710.08' to point of curvature of curve, thence SWly on curve to left having a radius of 421.36' & deflecting angle of 28°40', 210.82' to point of tangency of said curve, thence SWly on tangency of said curve 198.54'; th Northwesterly at right angle 451.48' to point of curvature of curve, thence NEly on curve to right having radius of 373.71' and deflecting angle of 28°45', 187.52' to point of tangency of said curve, thence North on tangency of said curve 151.10' more or less to point 50' South of North line said NE $\frac{1}{4}$ ; thence East 1193.5' to point 200' West of East line of NE $\frac{1}{4}$ , thence South 150'; thence East 160' to beginning. Beginning 30' North & 230' West of SE/corner of N/2 N/2 NE $\frac{1}{4}$ Sec. 20; th W 520.08' to point of curvature of curve, thence SWly on curve to left having radius of 421.36' & deflecting angle of 28°40', 210.82' to point of tangency of said curve; thence SWly on tangency of said curve, 198.54'; thence Southeasterly at right angle 650.4' to point of curvature of curve, thence Southeasterly & Easterly on curve to left having radius 126.7' & deflecting angle 61°37', 136.37', 136.25' to point of tangency of said curve; thence East parallel to South line said Northeast Quarter to point 230' West of East line said NE $\frac{1}{4}$ ; thence North 781.8' more or less to beginning.	✓ Westlink Shopping Center, Inc. <i>8707-8755 W. Central</i>

Description	Owner
Beginning 877.75' South of Northeast corner of NE/4 20-27-1West; thence West 230'; thence South 94.7'; thence East 230'; thence North to beginning, except East 40' for road.	✓ Elgin T. Rainer & Alberta Inez 541 N. Tyler Road
Beginning 783.05' South of Northeast corner of Section 20-27-1West; thence West 230'; thence South 94.7'; thence East 230'; thence North to beginning, except the East 40' for road.	✓ Gilbert F. Fox & Rosann C. 545 N. Tyler Road
Beginning 658.35' South of Northeast corner of Northeast Quarter Section 20-27-1West; thence West 230'; thence South 124.7'; thence East 230'; thence North to beginning, except East 40' for road.	✓ Skelly Oil Company Box 1650 Tulsa, Oklahoma ✓ <i>Skelly Service</i> <i>547 N. Tyler Road</i>
The North 200' of the East 200' of the NE/4 20-27-1West.	✓ F M S M Corp. c/o Socony Mobile Oil Co. 925 Grand Ave., Kansas City, Missouri ✓ <i>Mobile Service Station</i> <i>8701 W. Central</i>

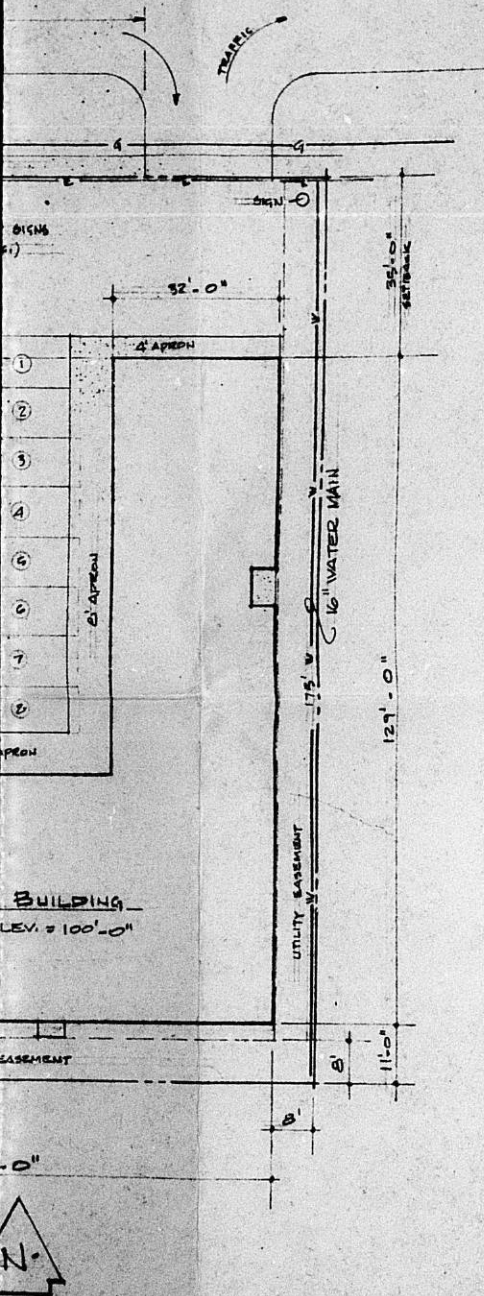
WITNESS our Hand and Seal at Wichita, Kansas, this 3rd day of August, 1966, at 7:00 o'clock A. M.

CALLAHAN GUARANTEE TITLE CO., INC.

By *John Callahan*  
Vice President *JB*

No. 9950





A SHOPPING CENTER

FOR

VEL-TEL I

WICHITA ————— KANSAS

CONTRACTOR - ANDREWS/WOOD CONSTRUCTION CO. INC.  
WICHITA - KANSAS

LEGAL DESCRIPTION -  
LOT 2, BLOCK "A"  
WEST CENTER ADDITION TO  
WICHITA, SEDG. CO. KANSAS

*Request for an Adjunctural  
to 30' setbacks  
See memo dated 4/3/74 JHS*