

DP-28 - Lawrence V. VanHorn request
CUP approval for BROADWAY 47 PLAZA
at SW corner 47th St. So. & Broadway

Pos 1117
2-6-68

ACTION

~~COMMITTEES~~

M.A.P.C.

Approved H. H. H. H.
8-1-68

B.C.C./B. C. C. O.

Approved 8-20-68
subj. to condition

NOTE:

This file does not have
A PAPER COPY OF THE APPROVED
CUP. SEE MICROFICHE CARD
OR CENTRAL INSPECTION.

Art. Chamber

DP-28 - Lawrence V. Vanhorn request
CUP approval for BROADWAY 47 PLAZA
at SW corner 47th St. 50. & Broadway

POSTED
3-6-69

ACTION

~~COMMITTEE~~

M.A.P.C. Approved 8-9-68
4-4-68

B.C.C./B.C.C.C. Approved 8-20-68
subj. to condition

NOTE:

This file does not have
A paper copy of the approved
CUP. SEE MICROFICHE CARD
OR CENTRAL INSPECTION.

Art Charles



Over 500 Stores in 14 States

5¢ to \$1.00 Stores

J. CRAWFORD BUTTS
LEASING DEPARTMENT



PHONE: JA 8-3141
AREA CODE: 405

3815 N. SANTA FE
OKLAHOMA CITY, OKLA.

DF- 28

1/1-

Filed 3-4-68

Map No. 5441
Sec. 20
Twp. 28
Range 1E

APPLICATION REQUEST:

development.

Commercial

- Applicant Lawrence V. VanHorn
Address P.O. Box 26487, Okla City, Okla 73126 Phone _____
- Agent Robert H. Nelson
Address 816 Union Center Bldg. Phone AM 2-3777
ARCHITECT: Herbert L. Berger - Beacon Bldg.
- General Location Southwest corner of 47th St. South and Broadway
Address _____
- Proposed Use Shopping center and associated uses

AREA DATA

- Acres 25 (approximately 850 ft. by 1223.10 ft.)
- Existing Zoning LC Proposed Zoning LC
- Area ~~###~~ (is not) platted. _____ Addition _____
- Existing R/W _____ ft. _____ ft. _____ ft.
Proposed R/W section line road to major street ft. _____ ft.
intersection ft. R/W being required on ft.
plot. St. _____ St. _____ St.

Being platted as: "EXHIBIT 47 PLAZA"
HISTORY

- SCZ-0218 "R-1" to "LC"
- AREA ANNEXED TO CITY (ORD. NO. 29-732) 2-9-68
- PLAT 5/D 68-14 "Broadway 47 Plaza"
- CUP - DP-28

PROCEDURE DATA

- MAPC Meeting:
Date 4-11-68 8-8-68 Action approved
- Governing Body Bcc
Date 8-20-68 Action approved, subj. to conditions

NOTES:

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 6-22-78

Case No. DP-28 Request: Amendment of Commercial
Community Unit Plan

Location: Southwest corner of 47th Street South and Broadway.

Acres: 21.8 Size: 810' x 1,233'

	Land Use	Zoning
Existing	TG and Y Family Center, Shopping	"IC"
North	Single family, Commercial	"AA" & "LC"
East	Restaurants, K-Mart, Shopping	"LC" & "C"
South	Undeveloped	"AA" (ap- proved for "E")
West	Undeveloped	"AA"

Existing street rights-of-way are adequate. Platted: Yes

History: SCZ-0218 "R-1" to "LC" - MAPC 12-28-67 approve
B Co C 1-10-68 approve
DP-28 MAPC 8-8-68 approve - BCC 8-20-68 approve

Comments:

1. The original Community Unit Plan on this site was approved by the Board of City Commissioners on August 20, 1968. The plan as approved provides for a ten foot landscaped area adjacent to a portion of the north property line and a 35 foot building setback adjacent to the south property line. The required landscaping has never been provided and loading docks, which substantially encroach into the 35 foot building setback have been constructed on the south of the main center. The existing development is in violation of the approved plan and the applicants have submitted proposed amendments to the plan.
2. The revised Development Plan now on file proposes the following general amendments to the Plan:
 - 1) An increase in the number of parcels from two to three.
 - 2) A reduction in the allowable gross floor area from 536,000 square feet to 273,615 square feet.

- 3) A change in the permitted uses on parcel #2 from "Service Station and associated automotive uses" to "restaurant, offices, convenience shopping". The proposed use of a retail sales garden center on the proposed additional parcel #3.
 - 4) An increase in the number of curb cuts to 47th Street South from three to four.
 - 5) Reductions/adjustments to existing building setback lines to reflect changes in parcel configuration.
3. The applicants have enlarged parcel #2 to 400 foot of frontage on 47th Street South from the 270 foot on the approved plan and have provided for a maximum of three buildings on the parcel. With the proposed 35 foot setback and the proposed use of restaurants, the staff is concerned over the strip development of center frontage with fast food restaurants as is occurring on other shopping center sites in the community. What was originally proposed as a well integrated shopping center then becomes strip commercial frontage with a center hidden behind, a visual hodgepodge of conflicting traffic patterns and unrelated developments. Although some outbuildings are compatible with main shopping centers (tire, battery, accessory stores, service stations, etc.), a maximum of two buildings proposed for parcel two would be more compatible with surrounding development.
4. Should the Planning Commission determine that the proposed amendments are appropriate, then the following items are suggested as conditions of approval:
- a) A site grading plan shall be submitted to Maintenance/Flood Control for approval prior to the issuance of further permits on the site.
 - b) Appropriate guarantees shall be submitted for the following items prior to the proposed amendments being forwarded to the Board of City Commissioners:
 - 1) The paving of 48th Street South.
 - 2) The paving of Water Street.
 - 3) Major shopping center approach and acceleration/deceleration lanes on 47th Street South.
 - 4) Major shopping center approach on Broadway.
 - c) General provision number 3 shall be amended to read as follows in the last paragraph:

"Both the westerly entrance (existing on 47th Street South and the entrance on Broadway access from the K-Mart major entrance shall be designed and constructed to major shopping center approach standards."
 - d) Existing access points should be depicted on the face of the C.U.P.

- e) The proposed access point from parcel number three to Broadway should be eliminated and all access to parcel three shall be from the interior of the site. Complete access control should be maintained on Broadway adjacent to parcel three.
 - f) An approved landscape plan as provided in general provision #6 shall be submitted for approval prior to the proposed amendments being forwarded to the Board of City Commissioners.
 - g) General provision #8 shall be amended to reflect the singular "planting strip" as opposed to the plural.
 - h) The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
 - i) The development of this property proceeding in accordance with the development plan as approved by the Planning 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.
 - j) Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
-

WICHITA-SEDGWICK COUNTY

DATE

February 23, 1978


METROPOLITAN AREA PLANNING DEPARTMENT

TO File
FROM Jack H. Galbraith
SUBJECT DP-28 Broadway 47 Plaza Shopping Center

On this date, Jim Henderson and Doug Rogers of Henderson Properties, Inc., along with their attorney, Everett Fettis, met with Don Wood, Sam Mobley, a representative of the Fire Department and me to discuss various violations on the above captioned CUP and how they can accomplish becoming conforming.

Specifically, there are loading docks that extend 23 feet in a required 35-foot setback from 48th Street. Also, the designated planting areas have not been planted and Mobley cautioned them that they should check their parking plans on the east side of the building as he remembered something that crossed his desk that indicated that parking and bumper guards might not be in compliance. They advised that they wanted to build a restaurant on Parcel 2 where only a service station and automotive uses are now permitted.

They propose to submit a vacation application for 5' of the 40' of half street right-of-way for 48th Street. If that is approved, the one loading dock will be 17' from the new street right-of-way line. The Fire Department believes that with 48th opened, they have no objections to the one area having a 17' clearance. The setback is to remain as is except for the areas of encroachment. They also proposed to amend the C.U.P. I provided them with application forms and they advised that they would get back with us. Advised them that they should propose all the changes necessary to the CUP so that they can proceed with the development of the area. Advised them that there would be text change requirements and that the landscaped areas should now require the submission of a plan to include, trees, grass and shrubs.



Jack H. Galbraith
Chief Planner

Cc: Don Wood, Industrial Development
Sam Mobley, Central Inspection

DP-28 #405-947-6801

9/1/77

↓
Dory Rogers from Oklahoma City was in this date and questioned the CUP and whether or not they could construct a "garden center" near 47th Street and west of Parcel 2. Pointed out that such location would not permit a garden center and advised them of the proceedings to amend a CUP. ✓ Furnished them xerox copies of all correspondence related to their several violations, as well as the text of the CUP. Discussed vacation of street on south and gave them necessary applications.

Advised that they would get with us later.

July 18, 1975

Loren Weidner
Legal Department
T.G. & Y. Stores Company
3815 North Santa Fe
P. O. Box 25967
Oklahoma City, Oklahoma 73125

Subject: DP-28 - Broadway 47
Plaza - SW corner of
47th St. So. & Broadway

Dear Mr. Weidner:

As we discussed this date by phone, enclosed are two copies each of applications and instruction sheets for vacating street rights-of-way, subdivision approval and for community unit plan approval. If you choose to vacate 48th Street by the vacation procedure, it is necessary that the abutting property owners sign the application. It is also necessary that application be accompanied by a certified ownership list verifying the owners of abutting properties.

If you choose to vacate 48th Street by replatting the plat of Broadway 47 Plaza, you should contact either a licensed engineer or surveyor and have them prepare a plat in accordance with the instruction sheet for subdivision approval. Although it is not necessary that the abutting property owner to the south sign the application, it is necessary that you furnish us a certificate verifying that ownership so that property owners can be properly notified of such hearings. As you requested, the engineer who prepared the original plat was Kenneth O. Taylor, 1542 South St. Francis, Telephone No. 264-4072.

Regarding amending the community unit plan to change the 35-foot setback from the south, it is necessary to submit an application with five copies of the community unit plan for our review prior to advertising the case for public hearing. Please note the



JIM HENDERSON

Henderson Properties, Inc.

2629 Northwest 21st Expressway
Oklahoma City, Oklahoma 73112 Telephone (405) 947-6801
THE LIFE SPACE COMPANY

2/23/78

Loren Weidner
July 18, 1975
Page Two

instruction sheet requires a filing fee of \$400 and an abstract ownership list for a distance of 750 feet. The submitted plans must reflect all existing buildings and if there are other changes in the community unit plan desired at this time, the plan should be amended and brought up to date. The architect that originally prepared the community unit plan was Herbert Berger, The Law Company, Inc., 313 South Market, Telephone No. 265-8584.

After you review these applications if we can provide additional information or assist those you select to represent you on this matter, please advise.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js
Attachments

June 23, 1975

Mr. Lynn E. Nash
Div. Vice President, Planning
T. G. & Y. Stores Co.
3815 North Santa Fe
P. O. Box 25967
Oklahoma City, Oklahoma 73125

Subject: DP-28 - Request for Administrative Adjustment for the Broadway-47th Plaza Shopping Center - SW corner of 47th St. So. and Broadway

Dear Mr. Nash:

In response to my memorandum to Robert Feldner on June 2, 1975, of which you received a copy, he concurs with the violations of the 35-foot setback, the fire lane, and others mentioned in that memorandum. He advised that these violations should be corrected prior to the issuance of any new building permits on subject property.

As we both view this matter, your options would be to either remove the encroachments that exist in the 35-foot setback from the south property line, or request the vacation of 48th St. So. and amend the community unit plan. The procedure for vacating a public street right-of-way and amending the community unit plan would permit you to relocate the 35-foot setback further to the south and thus permit the existing and proposed loading docks. If you select the latter procedure, I would recommend that you contact Jack Galbraith of our staff for advice on the necessary applications.

Mr. Lynn E. Nash
June 23, 1975
Page Two

Please contact me if I can be of further assistance.

Sincerely,



Robert A. Lakin
Director of Planning

RAL:JHG:js

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE June 17, 1975

TO Robert A. Lakin, Director of Planning

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT DP-28 - Request for Administrative
Adjustment for the Broadway-47th
Plaza Shopping Center - Generally
located at the Southwest corner
47th Street South and Broadway

Your memo of June 2, 1975, indicating violations to the CUP appears to be correct. Although the initial building plans submitted for this project were approved by both Central Inspection and the Fire Department, I am in agreement with your recommendation that no additional building permits be issued, and the requested administrative adjustment not be granted.

After review, the Fire Department indicated that although the existing firelane is in violation, present access to the facility will suffice, until the improvements can be made.

The T G & Y representative, Mr. Nash, should be informed of the violations to be corrected and of his options - removal of the encroachments, requesting vacation of 48th Street South and/or amending the CUP.


Robert B. Feldner
Superintendent of Central Inspection

RBF:mml

cc: R. W. Bruggeman, Director of Public Works
F. E. Hobbs, Fire Chief
R. R. McClintock, Fire Department
Clyde Pellett, Fire Department



June 2, 1975

Robert Feldner, Supt. of Central Inspection

Robert A. Lakin, Director of Planning

DP-28 - Request for Administrative Adjustment
for the Broadway-47th Plaza Shopping Center -
Generally located at the Southwest corner of
47th Street South and Broadway

Attached is a copy of the letter received from Lynn E. Nash, Division Vice President, Planning, for T.G. & Y. Stores, requesting an administrative adjustment to permit the construction of a loading dock in the 35-foot building setback from 48th Street South as shown on the attached survey. In viewing the plans with the official copy of the CUP that was approved in 1968, as well as the site itself, there appears to be several violations to this CUP. I am generally concerned that there are already two enclosed loading docks, as well as one unenclosed dock, that violates the 35-foot setback on the CUP, and one of the enclosed docks extends into the 35-foot setback a distance of 23 feet. These extensions also violate Section 28.04.190.5.c. that states: "There shall be a rear yard, alley, service drive or combination thereof, of not less than 30 feet."

General Provision #6 on the face of the CUP also requires a fire-lane easement with sufficient turning radii at the corners for standard fire apparatus, and such easement shall be provided around all main buildings. This provision further states that prior to final approval of the parking plan, the Fire Chief or his designated representative, shall approve the plan as to the location and design of the firelane. Because of the extension of the loading docks, there is not sufficient space on the south side of the building to meet the required setback or the firelane condition, and there is also no asphalt firelane or any means of circulation on the west side of the building.

In addition to these problems, there are two designated 10-foot planting areas, one on the north and another on the east, neither of which are planted.

Based on these violations of the CUP, I am not in a position to grant the request for an administrative adjustment to construct a new loading dock. I would appreciate your reviewing the previously submitted buildings plans and determining how these loading docks were permitted to be constructed in violation of the conditions of the CUP. I would also suggest that the Fire Department be contacted to see if there is adequate circulation to accommodate fire apparatus in case of fire.

Page 2 - Robert Feldner
June 2, 1975

Until these violations are resolved, either by removal of the existing loading docks or an amendment to the CUP to lessen the setback area, construction of the fire lane on the west side of the building and conformance to required planting areas, I would recommend that no additional building permits be issued.

Please advise me of your findings and suggestions to see that this CUP is brought into conformance.

Robert A. Lakin
Director of Planning

RAL:ber

Attachment

cc: Ray Bruggeman, Director of Public Works
F. E. Hobbs, Fire Chief
R. R. McClintock, Fire Department

June 2, 1975

Mr. Lynn E. Nash
Div. Vice President, Planning
T.G. & Y. Stores Co.
3815 North Santa Fe
P. O. Box 25967
Oklahoma City, Oklahoma 73125

Re: DP-28 - Request for Administrative Adjustment for the Broadway-47th Plaza Shopping Center - Southwest corner of 47th Street South and Broadway

Dear Mr. Nash:

I have received your letter of May 20, 1975, requesting an administrative adjustment of the above-captioned CUP. We have reviewed the submitted survey with a copy of the official CUP, as well as the area in the field.

Attached is a copy of my memo to Robert Feldner of the Central Inspection Office outlining several violations of the CUP. Until such time as he advises how these violations were permitted and means for satisfying required firelane easements, I am not in a position to administratively adjust a further violation of the required 35-foot setback.

We will keep you advised of his findings.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:JHG:ber

Enclosure



T. G. & Y. STORES CO.

GENERAL OFFICE
3815 NORTH SANTA FE • OKLAHOMA CITY, OKLAHOMA 73125
P. O. Box 25967, TELEX #747-229

May 20, 1975

Robert A. Lakin
Director of Planning
Room 401, 4th Floor
City Building Annex, 104 South Main
Wichita, Kansas 67202

RE: T. G. & Y. Store
Family Center #14
47th & South Broadway
Wichita, Kansas

Dear Mr. Lakin:

This is to request administrative adjustment of C.V.P. #28 to permit the construction of a concrete loading dock to project into the 35 foot building setback adjacent to 48th street as shown on the attached prints.

At the present time, there are a number of docks, stairs, trash rooms, incinerators, transformers, etc. behind the building, some extending farther into the setback area than the proposed dock.

Very truly yours,

T. G. & Y. STORES COMPANY
CONSTRUCTION DIVISION

Lynn E. Nash
Div. Vice President, Planning

LEN:jih



October 29, 1971

Mr. Lawrence V. VanHorn
P. O. Box 26487
Oklahoma City, Oklahoma 73126

Dear Mr. VanHorn:

This is to certify that the area known as Broadway 47 Plaza Addition located at the southwest corner of 47th Street South and Broadway in Wichita, Kansas is zoned the "LC" Light Commercial District.

If you have any additional questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ls

August 20, 1968

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

DP-28 - Community Unit Plan for Broadway 47 Plaza

On August 20, 1968, the Board of City Commissioners considered the above-captioned Community Unit Plan. The action of the City Commission was to approve the Development Plan as recommended by the Planning Commission subject to the following conditions:

1. 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.
2. Any major changes in this development plan being submitted to the Planning Commission and City Commission for their consideration.

It is now necessary prior to the issuance of a building permit that the owner plat the land and dedicate necessary street rights-of-way to the South and West. This plat is being processed and should be recorded in the near future.

Attached for your information and files is the approved Community Unit Plan. If you have any questions concerning this matter, please call.

JHG:js

Report from the MAPC to the Board of City Commissioners

Case No. DP-28

Considered by M.A.P.C. 8-8-68

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

Reason for request (as provided by petitioner):

To establish a Commercial Community Unit
Plan Development

Location of property: **Generally located at the southwest corner of 47th
Street South and Broadway**

Legal description of property:

North 900 feet of the east one-half of the northeast quarter
of Section 20, Township 28 South, Range 1 East of the 6th P.M.,
Sedgwick County, Kansas

Petitioner: Lawrence V. Van Horn

Address: P. O. Box 26487, Oklahoma City, Oklahoma 73126

Counsel for petitioner: Robert H. Nelson, Attorney

Protesters (list counsel, if any): None

Surrounding zoning: To the north is "AA" & "LC"; east, south, and west is "R-1"

Land use: Subject property and that to the east is vacant; north is single-
family & commercial; south is oil wells, storage tanks & vacant; west is oil
storage tanks & vacant
Planning Commission recommendation:

JACKSON moved and BRANSON seconded that the Planning Commission
recommend to the Board of City Commissioners that this application
be approved, subject to the following: (See excerpt from Planning
Commission minutes of August 8, 1968 attached for conditions of
approval.)

Vote of Planning Commission Unanimous

-
- ACTION:
1. Approve the recommendation of the Metropolitan Area Planning Commission; or
 2. Deny the application.

EXCERPT FROM PLANNING COMMISSION MINUTES OF AUGUST 8, 1968:

"20. Case No. DP-28 - Lawrence V. VanHorn and Herbert L. Berger request approval of a Commercial Community Unit Plan for the following: North 900 feet of the east one-half of the north-east quarter of Section 20, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located at the southwest corner of 47th Street South and Broadway.

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

Comments

1. Subject property is zoned "LC" and contains a gross land area of 21.8 acres.
2. 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, gross area, maximum building heights, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, building setback lines and screening controls and is in general agreement with the comments made by the staff in the original review with the applicant.
3. Subject property is being platted (S/D 68-14, Broadway 47th Plaza) and provides for additional street rights-of-way on both Broadway and 47th Street South, in addition to half-street rights-of-way on the south and west.

Recommendation

It is the recommendation of the Planning Department 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 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.
2. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.
3. The building setback line dimension under Parcel #1 shall be changed from 70 feet to 35 feet opposite the word "South".
4. Change the proposed general uses under Parcel #2 to read as follows: "Service station and associated automotive supplies".
5. Correct #1 under General Provisions to read that "Sign Control - Signs along Broadway and 47th Street South shall not exceed 30 feet in height unless express consent is granted by the Board of City Commissioners, and shall be placed so as not to project over any public right-of-way. No signs shall be permitted adjacent to the south and west property lines."

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

~~SECTION~~: JACKSON moved and BRANSON seconded that the Planning Commission recommend to the Board of City Commissioners that this application be approved, subject to the following:

1. 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.
 2. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.
 3. The building setback line dimension under Parcel #1 shall be changed from 70 feet to 35 feet opposite the word "South".
 4. Change the proposed general uses under Parcel #2 to read as follows: "Service station and associated automotive supplies".
 5. Correct #1 under General Provisions to read that "Sign Control - Signs along Broadway and 47th Street South shall not exceed 30 feet in height unless express consent is granted by the Board of City Commissioners, and shall be placed so as not to project over any public right-of-way. No signs shall be permitted adjacent to the south and west property lines."
-

August 9, 1968

Mr. Robert H. Nelson
816 Union Center Bldg.
Wichita, Kansas 67202

Subject: DP-28 Broadway 47 Plaza
Community Unit Plan for southwest
corner of 47th St. So. and Broadway

Dear Mr. Nelson:

At its regular meeting on August 8, 1968, the Metropolitan Area Planning Commission considered the above-captioned case. The action of the Planning Commission was to recommend that the Community Unit Plan be approved subject to the five conditions listed in the Planning Department report. Attached for your information is a "marked" copy of the C.U.P. showing the corrections that should be made. It is necessary that ten revised copies of the C.U.P. be submitted to our office by August 14, 1968, so that this matter may be forwarded to the Board of City Commissioners for their regular meeting of August 20, 1968.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:js

cc: Lawrence V. VanHorn
P. O. Box 26487
Oklahoma City, Oklahoma 73126

Herbert L. Berger
Beacon Building
Wichita, Kansas 67202

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: August 8, 1968

Case No. DP-28	Request: Approval of a Development Plan under the CUP provisions of the Zoning Ordinance
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Location: Southwest corner of Broadway and 47th Street South

Acres: 21.8	Size: 900 ft. by 1320 ft.
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Vacant	"LC"
North	Single-family & commercial	"AA" & "BC"
East	Vacant	"R-1"
South	Oil wells, storage tanks & vacant	"R-1"
West	Oil storage tanks & vacant	"R-1"

Being platted as Broadway 47th Street Plaza

History: SCZ-0218 - "R-1" to "LC"
MAPC: 12-28-67 - Approved
BC Co.: 1-10-68 - Approved

Comments

1. Subject property is zoned "LC" and contains a gross land area of 21.8 acres.
2. 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, gross area, maximum building heights, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, building setback lines and screening controls and in general agreement with the comments made by the staff in the original review with the applicant.
3. Subject property is being platted (S/D 68-14, Broadway 47th Plaza) and provides for additional street rights-of-way on both Broadway and 47th Street South, in addition to half-street rights-of-way on the south and west.

Recommendation

It is the recommendation of the Planning Department 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 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.
2. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.
3. The building setback line dimension under Parcel #1 shall be changed from 70 feet to 35 feet opposite the word "South".
4. Change the proposed general uses under Parcel #2 to read as follows: "Service station and associated automotive supplies".
5. Correct #1 under General Provisions to read that "Sign Control - Signs along Broadway and 47th Street South shall not exceed 30 feet in height unless express consent is granted by the Board of City Commissioners, and shall be placed so as not to project over any public right-of-way. No signs shall be permitted adjacent to the south and west property lines."

DP-28 - 42 NOTICES TO ADJOINING PROPERTY OWNERS MAILED 7-25-68 for MAPC 8-8-68

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

NOTICE TO ADJOINING PROPERTY OWNERS

July 25, 1968

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 1:45 p.m. on August 8, 1968, at which time you may appear either in person or by agent or attorney, if you so desire.

DP-28 - North 900 feet of the east one-half of the northeast quarter of Section 20, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located at the southwest corner of 47th Street South and Broadway.

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 25 acre commercial development for BROADWAY 47 PLAZA. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, and access control.

C. Bickley Foster, Secretary

(_____) (Published in the Daily Record on July 16, 1968)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on August 8, 1968, at 1:45 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-28 - North 900 feet of the east one-half of the northeast quarter of Section 20, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located at the southwest corner of 47th Street South and Broadway.

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 25 acre commercial development for BROADWAY 47 PLAZA. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, and access control.

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 12th day of July, 1968.

C. Bickley Foster, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commis-
sion

(SEAL)

May 3, 1968

Mr. Robert H. Nelson
816 Union Center Building
Wichita, Kansas 67202

Subject: DP-28 - BROADWAY 47 PLAZA COMMUNITY UNIT PLAN at the southwest corner of 47th Street South and Broadway

Dear Mr. Nelson:

We have reviewed the original submission of the Development Plan for Broadway 47 Plaza, and find several items which need to be clarified prior to advertising for public hearing and forwarding the Plan to the Planning Commission for its consideration.

The Preliminary Plat (S/D 68-14 - Broadway 47 Plaza) was considered by the Subdivision Committee of the Metropolitan Area Planning Commission on March 7, 1968, and was approved subject to several conditions. The requirement pertaining to street right-of-way, indicated as follows:

1. Indicating 40 feet of street right-of-way adjacent to the west side of the plat for the east-half of Water Street, and indicating the south 40 feet of the plat as street right-of-way providing for the north-half of an east-west street;
2. Indicating street right-of-way for 47th Street South by designating the north line of Lot 1, described as follows: Beginning at the northwest corner of Lot 1, 50 feet south of the north line of Section 30, Township 28 South, Range 1 East; thence in a southeasterly direction on a straight line to a point 125 feet south and 75 feet west of the northeast corner of said Section; and
3. Indicating 50 feet of half-street right-of-way for Broadway, with the exception of increasing it to 75 feet for a distance of 419 feet south from the north line of Section 30, Township 28 South, Range 1 East;

need to be incorporated into the Development Plan and its boundaries adjusted accordingly. We would suggest that definite parcel boundary lines be designated

Mr. Robert H. Nelson
May 3, 1968
Page 2

and, within each parcel, the buildable area be delineated by means of building setback lines from the Community Unit Plan and/or parcel boundaries accordingly.

It is the opinion of the Planning Department that the intent of the CUP provisions of the Zoning Ordinance to promote well-planned and well-organized development of commercial areas is not in keeping with that being proposed by the areas designated as Parcels No. 2 and 3. To allow a variety of small individual uses to strip out along the frontage of the large shopping center complex, in our opinion, is a detriment to the overall development. Therefore, it is our recommendation that Parcel No. 2 be entirely eliminated, with Parcel No. 3 becoming the second designated area for the proposed service station site.

General Provisions

Item 2 under General Provisions shall be changed to indicate 3 curb cuts as being the maximum number permitted on both Broadway and 47th Street South. This is in keeping with the action of the Subdivision Committee on the Preliminary Plat, and the necessary deletions and changes should be shown on the face of the drawing, including the notation of "complete access control" a distance of 100 feet extending west and south from the northeast corner of the Community Unit Plan.

Item 3 should be changed to read as follows: "Drainage will be handled in the manner as approved in the Final Plat of Broadway 47 Plaza Addition (S/D 68-14)."

Items 4 and 5 shall be deleted and, in lieu thereof, the following notation shall be inserted: "Maximum building coverage shall not exceed 30 percent by parcel and in no event shall exceed 30 percent of the total site".

The gross land area and total acreage shall be adjusted to compensate for the increase of street rights-of-way.

Item 8 shall be amended as follows:

- Screening -- (A) A 5 to 8-foot high solid or semi-solid wall of brick, stone, masonry, architectural stone or similar material, shall be constructed along the south and west property lines; such wall to be reduced to 3 feet in height within 35 feet adjacent to Broadway and 47th Street South.
- (B) A planting strip no less than 10 feet in width, consisting of low shrubbery, shall be provided adjacent to the south line of 47th Street South and the west line of Broadway for that area west of a point 600 feet west and south of a point 600 feet south of the northeast corner of Section 20, Township 28 South, Range 1 East, respectively.

Mr. Robert H. Nelson
May 3, 1968
Page 3

The provision for providing a 5 to 8-foot solid or semi-solid wall shall also be reflected on the face of the drawing.

Two additional comments should be indicated under the General Provisions as follows:

- Prior to the issuance of any building permits on Parcel No. 1, the injection well existing on the westerly portion of subject parcel shall be properly screened in a like and compatible manner so as to not become a hazard or detriment to the proposed development.
- The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the Plan or any portion thereof, but said Plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Parcel No. 1

The total area included within this Parcel should be recalculated, based on the increased amount of street right-of-way minus that area set forth in the northeast corner as the second parcel for the service station site. Also, an additional notation should be inserted which would read as follows: "Maximum land coverage by buildings up to 30 percent of net parcel area, or _____ square feet".

The area described by building setback lines shall be held back from Broadway and 47th Street South a distance of 100 feet, and the proper dimensions from the boundaries of the Community Unit Plan, as well as the west and south lines of the service station parcel shall be indicated both on the face of the drawing and within the text.

Parcel No. 2

Delete this parcel as per comments stated above.

Parcel No. 3

Change to read as Parcel No. 2 and adjust the total area according to the increase of street rights-of-way. Then, within the parcel, define the building setback lines from each parcel boundary, the dimensions of which should appear both on the face of the drawing and within the text. As in Parcel No. 1, add the following notation: "Maximum land coverage by buildings up to 30 percent of net parcel area or _____ square feet".

Mr. Robert H. Nelson
May 3, 1968
Page 4

For purposes of clarification, it is suggested that beneath this parcel the following notation be added: "Canopies may extend into, and gasoline pumps may be placed in the 35-foot building setback a distance not to exceed twenty (20) feet".

It will now be necessary that a current abstractor's certificate be submitted containing the legal description of the application area and the names and mailing addresses with zip codes, of all property owners within 750 feet of the application area. Said ownership list, along with fifteen copies of the corrected Development Plan, if submitted to our office by 5:00 p.m., Wednesday, May 15, 1968, would permit staff recommendations to be prepared and copies of the Plan to be forwarded to the Planning Commission for its review prior to the matter being scheduled for public hearing on June 13, 1968.

Enclosed is a marked copy of the Plan for your review and files. Upon your review, you should forward this Plan to your architect so that he may make the necessary corrections.

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

Sincerely,

John D. Gist
Planner III

JDG:bgs

Enclosure

cc: Mr. Lawrence V. VanHorn
P. O. Box 26487
Oklahoma City, Oklahoma 73126

Mr. Herbert L. Berger, Architect
Beacon Building
Wichita, Kansas 67202

Mr. K. O. Taylor
1542 South St. Francis
Wichita, Kansas 67211

KAHRS, NELSON, FANNING & HITE

ATTORNEYS AT LAW

UNION CENTER BUILDING

WICHITA, KANSAS 67202

TELEPHONE
AMHERST 2-3777

AUSTIN M. COWAN (1885-1949)
W. A. KAHRS
ROBERT H. NELSON
H. W. FANNING
RICHARD C. HITE
DARRELL D. KELLOGG
ROGER M. SHERWOOD
RICHARD L. HONEYMAN

February 27, 1968

Mr. Jack Galbraith
Metropolitan Area Planning Commission
City Annex Building
Wichita, Kansas 67202

Dear Mr. Galbraith:

I am enclosing herewith application for community unit plan for the property located at the southwest corner of 47th Street South and Broadway, together with five copies of the proposed community unit plan.

Yours very truly,



Robert H. Nelson
OF KAHRS, NELSON, FANNING & HITE

RHN:cdt

Enclosures

No ownership list submitted.

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 Lawrence V. Van Horn
P. O. Box 26487
Address Oklahoma City, Okla. 73126 Phone _____
- Agent Robert H. Nelson
816 Union Center Building
Address Wichita, Kansas Phone AM 2-3777
- b. Applicant Correspondence also to:
Herbert L. Berger, Architect
Address Beacon Bldg. Phone _____
- Agent _____
Address _____ Phone _____
- 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.)

North 900 feet of the east $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 20, Township 28 south, Range 1 east, of the 6th P.M., Sedgwick County, Kansas

II.B There are 25 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 southwest corner of 47th Street South
and Broadway; or
- b. on the west side of Broadway (Ave.,
Street) south of 47th Street
~~west of~~ _____ (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.

By _____ LAWRENCE W. VAN HORN
Authorized Agent (if any) By Robert H. Nelson
Authorized Agent (if any)
Robert H. Nelson

By _____ Authorized Agent (if any) By _____
Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at
PM ~~AM~~ PM on 3-4-68 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ none (required by ordinance)

John D. Hill Name
Planner II Title

A-46670

Part of B-86-UP

RI-1123

RI-1130

RI-1131

RI-1130-1

RI-1130

RI-1124

RI-1129

RI-1132

RI-1131

RI-1130

RI-1125

RI-1126

RI-1127

RI-1128

RI-1133

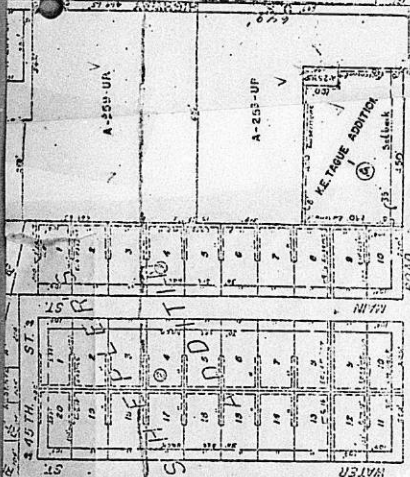
RI-1134

RI-1135-1

RI-1135

NO

ENS
GARDENS



RI-308

RI-309-3

RI-309-2

RI-309

RI-309-1

RAIL ROAD

ROCK ISLAND
HDK STRIP
14-23-251
A-264-UP
PARK

RI-310

MIDLAND

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
)
Sedgwick County,)

The undersigned duly bonded and qualified abstracter 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:


Fidelity
Title
Company,
inc.

All property lying within a radius of 750 ft. of: The North 900 ft of the E $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec 20, Twp 28, Range 1 East.

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

R1-309 E $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec 20, Twp 28, R 1 East. James E. & Margaret Mary Phillips, 5912 Tamarac Lane, Edina, Minn 55424

R1-309; 309-1, -3, 309-2A, 309-3 Gerald R. & Edith Phillippe, ux
Beg 211 ft W of NE cor W $\frac{1}{2}$ NE $\frac{1}{4}$; th 331 W 47th St. South 67217
S 719.46'; W 201.57'; S 1921.02';
W to Rry; NE to N line NE $\frac{1}{4}$; E 187'
to beg., exc R1-309-3A, Sec 20-28-1E.

R1-309-3A Ronald E. & Lina Correne Phillippe
Beg 326' W & 719.46' S of NE cor W $\frac{1}{2}$ NE $\frac{1}{4}$; th 333 W 47th St. South 67217 ux
NE $\frac{1}{4}$; th W 216.595' to Rry; NE to a pt
369.46' S of N line NE $\frac{1}{4}$; E 145'; S 350'
to beg. Sec 20-28-1E.

R1-309-1A Marvin L. & Helen V. Dull, ux
E 412.57' of W $\frac{1}{2}$ NE $\frac{1}{4}$ E of Rry, exc 8341 Tomahawk Rd.
N 1567'. Sec 20-28-1E Overland Park, Ks.



R1-309-2

Beg 30' W of NE cor W $\frac{1}{2}$ NE $\frac{1}{4}$; th S 1113.62'; W 412.57'; N 394.16'; E 201.57'; N 719.46'; E 181' to beg. Sec 20-28-1E. Marvin L. & Helen V. Dull, ux
8341 Tomahawk Rd.
Overland Park, Ks. 66207

R1-309-4

E 412.57' of S 456.38' of N 1567' & E 30' of N 1113.38' of W $\frac{1}{2}$ of NE $\frac{1}{4}$ E of Rry. in Sec 20-28-1E. Marvin L. & Helen V. Dull, ux

R1-310

W $\frac{1}{2}$ of NE $\frac{1}{4}$ W of Rry ROW, Sec 20-28-1E.

Millie E. Friboth
110 N. Glendale 67208

Lots 10, 11, 12, 13 & 14, in Rock Island Industrial Park Addition.

Ken Stowell
6018 Oneida 67208

Lot 1, Elk A, K. E. Tague Addition.

Kenneth E. Tague, Sr. & Floann M. Tague, ux
3208 S. Custer
returned 7-29-68 67217

A-259-UP

E 630' of S $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec 17-28-1E, exc S 649.5' & exc N 200' & exc S 25' of N 225' of E 342'.

John A. & Rosemary George, ux
2944 S. Fern 67210
returned 7-31-68

A-263-UP

Beg 180' W & 230' N of SE cor Sec 17-28-1E; th W 50'; N 100'; E 50'; S 100' to beg.

Kenneth E. Tague, Sr. & Floann M. Tague, ux

A-256-UP

The S 649.5' of E 630' of SE $\frac{1}{4}$ Sec 17-28-1E; exc beg 180' W of SE cor sd Sec 17; th N 330'; W 400'; S 330'; E to beg. R # 2, Latham, Ks.

Norma Faye Shepler

B-87-UP

S 121' of W 360' of SW $\frac{1}{4}$ Sec 16-28-1E.

J. W. & Maryon M. Kammerer, ux
4756 S. Broadway 67216

E-88-UP

E 217.8' of W 577.8' of S 330' of SW $\frac{1}{4}$ Sec 16-28-1E.

Southwestern Bell Telephone Co.
154 N. Broadway 67202

E-96-UP

Beg 577.8' E of SW cor SW $\frac{1}{4}$ Sec 16-28-1E; th E 205.2'; N 300'; W 205.2'; S to beg.

Kansas Developers, Inc.
4727 E. Central 67214

E-86-UP

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 16-28-1E, exc last three above described tracts, exc prt lying N of River-side Drainage.

E. R. Brookings
1732 S. Topeka 67211

E $\frac{1}{2}$ Lot 3, all Lots 2, 4, 5, 6, 7, 11 & Lot 12, exc S 100 ft. in Nolan's Gardens.

James E. & Margaret Mary Phillips
5912 Tamarac Lane, ux

W $\frac{1}{2}$ Lot 3, Nolan's Gardens.

Edina, Minn. 55424
Gerald & Maxine Bruinhorst, ux
5136 S. Broadway 67216

LOT	BLK	ADDITION	OWNER
		SHEPLER'S	
4	1	Lawrence M. & Mildred Bostrom, ux 4631 S. Water	67217
5	1	Administrator of Veterans Affairs 5500 E. Kellogg	67218
6	1	Eloise Morris McMurtry 208 N. Broadway	67202
7	1	Thomas Zane & Rosa Joann Winkler, 4705 S. Water	67217 ux

LOT	BLK	ADDITION	OWNER
		SHEPLER'S	
8	1		✓ Hubert Ruthven Gorrell & Faith Gorrell, jt 4707 S. Water 67217
9	1		✓ Ernest E. & Sarah F. Butts, ux 7419 Clay 67207
10	1		✓ Charles E. & Mary E. Gilbert, ux 4729 S. Water 67217
11	1		✓ Harold W. & Betty I. Bliss ux, 4733 S. Water 67217
12	1		✓ Floyd N. & Maxeen J. Garey, ux 638 N. Baehr 67212
13	1		X Bruce R. & Vera P. Wood, ux, <u>No Address Available</u>
3	2		✓ James Patton Armstrong & Mable Mary Armstrong ux 4623 S. Main 67217
4	2		✓ Benjamin Alfred Gross & Catina Celia Gross ux 4633 S. Main 67217
5	2		X Wilbur S. & Wanda G. Ayers, ux, <u>No Address available</u>
6	2		X Delbert P. & Norma Faye Shepler ux, <u>No Address Available</u>
7	2		✓ Orville T. & Thelma Jackson ux, 4713 S. Main 67217
8	2		✓ Edward O & Ruby I. Parsons, ux, 4704 S. Main 67217
9	2		X Joseph A. & Mabel L. Coon ux, <u>No Address Available</u> .
10	2		✓ Harley D. & Arvilla E. Leitner, ux, 4743 S. Main, 67217
11	2		✓ Glenn A. & Emma Mae Clark, ux, 124 W. 47th St. S. 67217
12	2		X James D. & Doris E. Loy ux <u>No Address Available</u>
13	2		✓ Robert G. & Neva B. Widener ux, 4724 S. Water 67217
14	2		✓ Railroad Bldg & Ln Assn 1st Natl Bnk Bldg 67202

LOT	BLK	ADDITION	OWNER
		SHEPLER'S	
15	2		✓ Adm of Veterans Affairs 550 E. Kellogg 67218
16	2		✓ Walter W. & Corene M. White ux, 1144 S. Broad- way 67211
17	2		✓ Estel L. & Patricia A. Bryan ux, 4634 S. Water 67217
18	2		✓ Harry, Jr. & Mary Lou Withers, ux, 4624 S. Water 67217
3	3		✓ Lowell G. & Maewoodean Schulze, 4624 S. Main 67217
4	3		✓ Donald R. & Gayle E. Dautel, ux, 4634 S. Main 67217
5	3		✓ L.H. & Leah M. Convirs ux 4638 S. Main 67127
6	3		∅ Edward O & Ruby I Parsons ux, 4704 S. Main 67217
7	3		✓ George H., Jr. & Phyllis Gibson ux - No Address Available returned 8-5-68 <i>222 Somerset 04</i>
8	3		✓ D. R. Shogren <u>No Address Available</u>
9	3		✗ Kenneth E. Tague <u>No Address Available</u>
10	3		∅ Adm of Veterans Affairs 5500 E. Kellogg 67218

Dated at Wichita, Kansas this 22nd
day of July, 1968 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

BY Elvis M. Farrell
Sec.. OEM

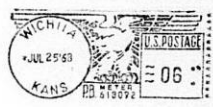
89847

WICHITA—SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

DP-28



- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

Kenneth E. Tague, Sr. and
Floann M. Tague
3208 Custer
Wichita, Kansas 67217

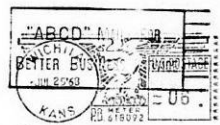


Important! Notice of Hearing Enclosed

WICHITA—SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202



Return to sender
George H. JE and
Phyllis Gibson
2325 Somerset
Wichita, Kansas 67204

DP-28

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown



Important! Notice of Hearing Enclosed

Ink drawn at this address.

WICHITA—SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202



John A. & Rosemary George
2944 S. Fern
Wichita, Kansas 67210

DP 28

wrong address

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown



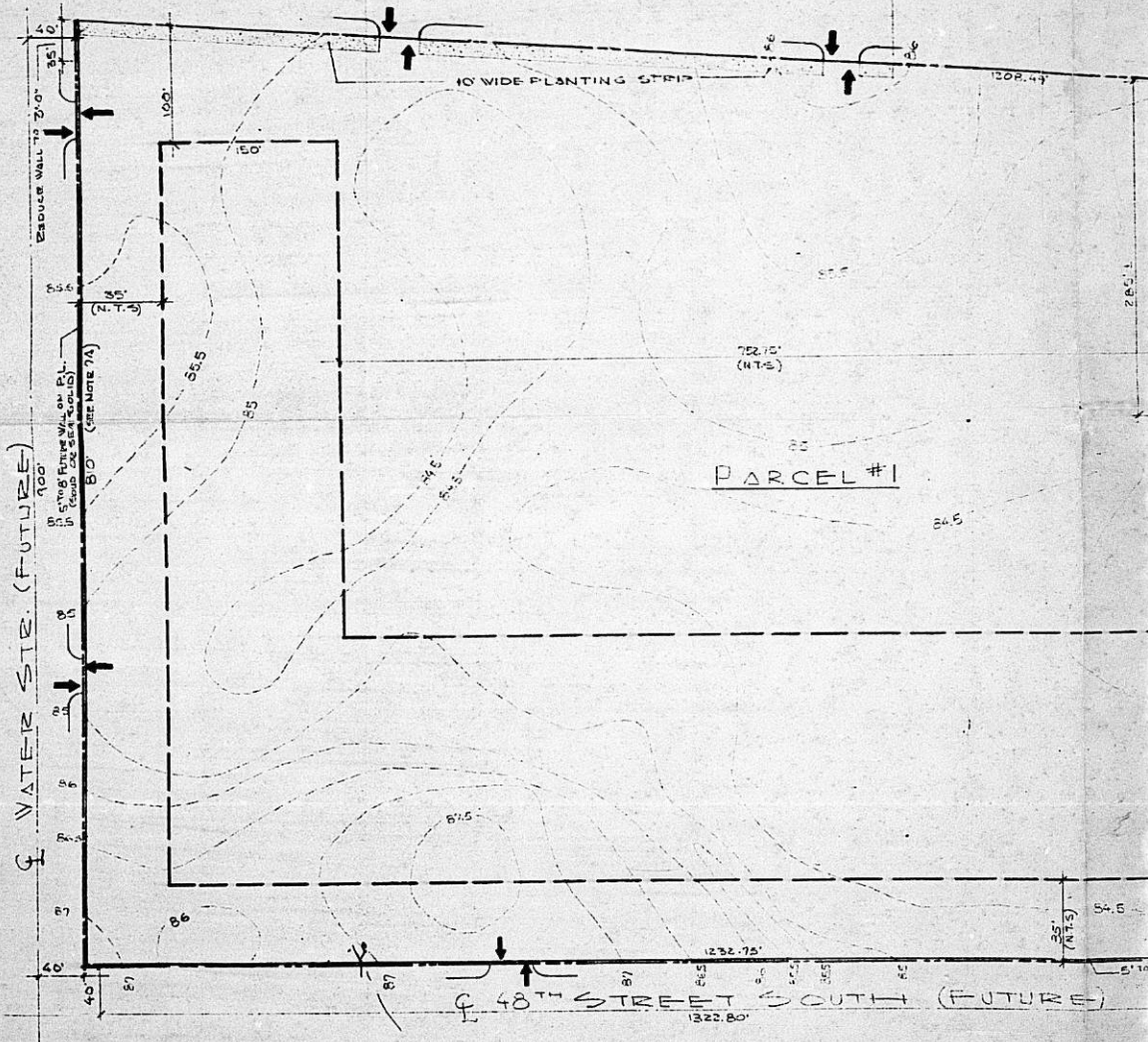
Important! Notice of Hearing Enclosed

WATER STR.

MAIN STR.

42TH STREET

SOUTH
1321.75'



WATER STR. (FUTURE)

PARCEL #1

48TH STREET SOUTH (FUTURE)

PLOT PLAN 1"=600'



GENERAL PROVISIONS

1. Sign control - Signs along Broadway and 47th Street South shall not exceed 34 feet in height and shall be placed so as not to project over any public right-of-way. No signs shall be permitted adjacent to the north and west property lines.
2. Curb cuts - The maximum number of curb cuts along Broadway and 47th Street South shall not exceed 3 openings to each street.
3. Drainage will be handled in the manner as approved in the Final Plat of Broadway 47 Plaza Addition (1978 08-14).
4. Maximum building coverage shall not exceed 30 percent by parcel and in no event shall exceed 40 percent of the total size.
5. Gross land area and total acreage: 551,334 square feet = 21.8 acres.
6. A fire lane, 20 feet in width (with sufficient turning radii) at corners for standard fire apparatus shall be provided around all main structures constructed within Parcel No. 1. Said fire lane shall have a 4-inch crushed rock base and a 2-inch asphalt surface, or a 3 1/2-inch asphalt base with 1 1/2-inch asphalt surface. No parking shall be allowed in such fire lane (however, it may be used for passenger loading and unloading, wheel blocks or other such devices shall be used where needed to separate parking areas from the fire lane). Prior to final approval of the parking plan, the Fire Chief, or his designated representative, shall approve the plan as to the location and design of the fire lane.
7. Screening - (A) A 5 to 6-foot high solid or semi-solid wall of brick, stone, masonry, architectural stone or similar material, shall be constructed along the south and west property lines; such wall to be reduced to 3 feet in height within 35 feet adjacent to Broadway and 47th Street South. This wall to be constructed only as the center developer and buildings are constructed and only if abutting property is utilized for A, AA, B or BB.
(B) A planting strip no less than 10 feet in width, consisting of low shrubbery, shall be provided adjacent to the south line of 47th Street South and the west line of Broadway for that area west of a point 600 feet west and south of a point 600 feet south of the northeast corner of Section 20, Township 28 South, Range 1 East, respectively.
8. Prior to the issuance of any building permits on Parcel No. 1, the injection well existing on the westerly portion of subject parcel shall be properly screened in a like and comparable manner so as to not become a hazard of detriment to the proposed development.
9. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the Plan or any portion thereof, but said Plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

PARCEL #1

- Total Area 583,434 sq. ft. = 20.36 acres.
- Maximum Gross Floor Area 500,000 sq. ft.
- Maximum land coverage by buildings up to 30 percent of net parcel area, or 266,536 sq. ft.
- Building Setback Line from:
 - 47th Street South 100 feet
 - Broadway 100 feet
 - South 35 feet
 - Water Street 35 feet
 - West line of Parcel #2 752.75 feet
 - South Line of Parcel #2 225 feet
 - Maximum Building Height 40 Feet
- Parking Ratio As Required by Zoning Ordinance
- Proposed General Uses Shopping Center (Dept. Stores, Drugs, Variety, Jewelry, Shoes, Clothing, etc.)

PARCEL #2

- Total Area 62,900 sq. ft. = 1.44 acres.
- Maximum Gross Floor Area 36,000 sq. ft.
- Maximum land coverage by buildings up to 30 percent of net parcel area, or 18,870 sq. ft.
- Building Setback Line from:
 - North 35 feet
 - East 35 feet
 - South 35 feet
 - West 35 feet
- Canopies may extend into, and gasoline pumps may be placed in the 35-foot building setback a distance not to exceed twenty (20) feet.
- Maximum Building Height 30 feet
- Parking Ratio As Required by Zoning Ordinance
- Proposed General Uses Service Station and Accessory Automotive Uses

DP-28

APPROVED CUP

Final Development Plan
 MARC 28-68
 BCC 3-20-68

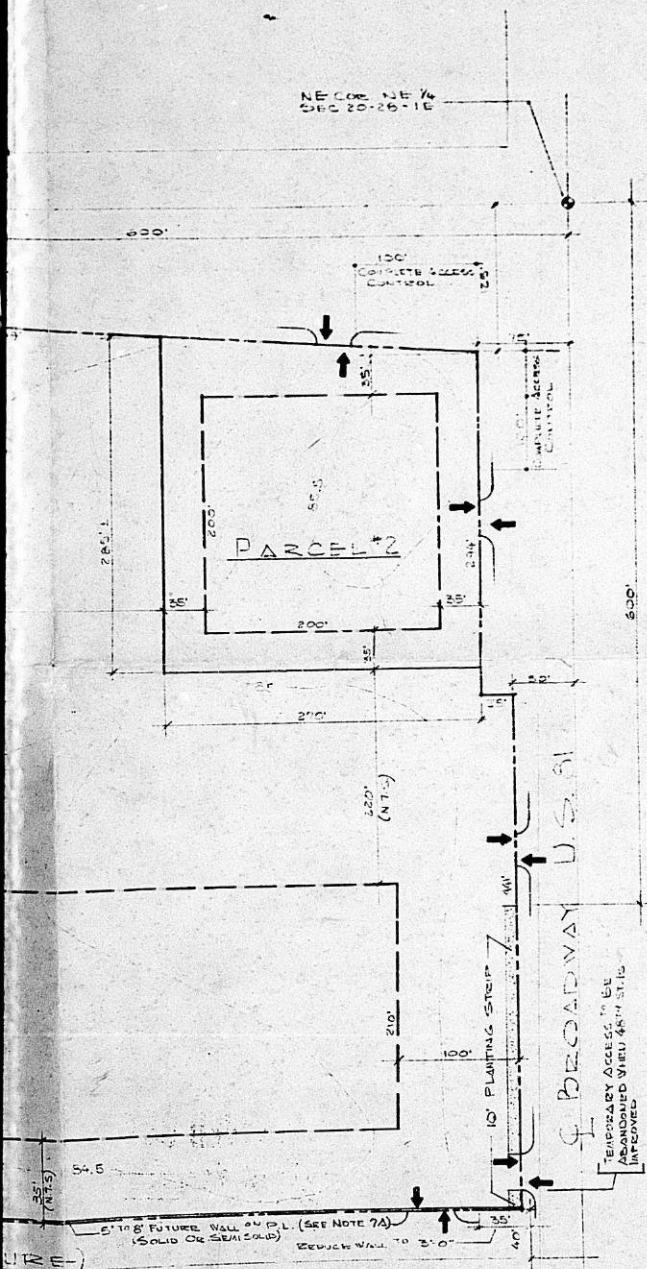
COMMUNITY UNIT PLAN
 BROADWAY 47 PLAZA
 SHOPPING CENTER
 WICHITA KANSAS

HERBERT L. BERGER, ARCHITECT
 2206 EAST DOUGLAS
 WICHITA, KANSAS 67214

REVISIONS	DATE
MARC LETTER 5-5-68	5-21-1968
FOR 7-1 MEETING	7-1-1968
FOR LETTER DP 5-4-68	5-5-1968

DATE: 3-15-1968

FILMED FROM THE BEST AVAILABLE COPY



NE COR. NE 1/4 SEC 20-26-1E

BROADWAY U.S. 51

TEMPORARY ACCESS TO BE ABANDONED WHEN 47TH ST. IMPROVED

5'-0" FUTURE WALL ON P.L. (SEE NOTE 7A) (SOLID OR SEMI-SOLID) REDUCE WALL TO 3'-0"