

DP-64 - 200 BOULEVARD -  
RESIDENTIAL COMMUNITY UNIT PLAN  
North side of 13th Street North  
between Zoo Blvd. and I-235.

POSTED  
3-4-74  
[Signature]

ACTION

DATE

COMMITTEE

M.A.P.C.

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

Approved 3-28-74

Approved 4-16-74



May 12, 1975

Mr. Roger Bender  
Design Concepts, P.A.  
151 North Broadway  
Wichita, Kansas 67202

Subject: Administrative Adjustment  
to the Zoo Boulevard Residential  
Community Unit Plan (DP-64)

Dear Mr. Bender:

In reply to your letter of May 6, 1975, we have reviewed your request for an administrative interpretation that deletion of the requirement per General Provision #10 (that each unit will have a two car garage) is not a substantial deviation from the intent of the original approved community unit plan.

In reviewing your request with Robert Feldner, Superintendent of Central Inspection, we note that your revised plan proposes 119 dwelling units where 150 units were originally approved as well as an increase in the common parking spaces from 58 to 87. Inasmuch as you are now proposing four parking spaces for each three-bedroom unit, two parking spaces for each two-bedroom unit, plus the 87 additional common spaces, we feel that the integrity of the Plan to maintain adequate parking is met even though the two-car garage requirement is deleted. Our signatures below, therefore, reflect the increase in off-street parking and the deletion of the two-car garage requirement, as well as the date of approval.

Mr. Roger Bender  
May 12, 1975  
Page Two

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

Sincerely,

Robert A. Lakin  
Director of Planning

Approved by \_\_\_\_\_  
Robert A. Lakin, Director of Planning

Approved by \_\_\_\_\_  
Robert Feldner, Superintendent of Central Inspection

RAL:JHG:js

cc: Thurman Smith  
1247 North Gordon  
Wichita, Kansas 67203

Paul Dugan, Attorney  
2707 West Douglas  
Wichita, Kansas 67213

Robert Feldner, Superintendent of Central Inspection

**DESIGN CONCEPTS, P.A.**  
ARCHITECTURE ◻ PLANNING ◻ INTERIORS

6 May 75

Mr. Robert Lakin  
Director of Planning  
City Building  
104 S. Main  
Wichita, Kansas

RE: Northwest Harbor / Zoo Blvd. CUP  
Thurman Smith, Owner



Dear Mr. Lakin:

In reviewing the General Provisions for the above referenced project, we have noticed a statement in Item #10 that does not conform to our final design. The statement that "each unit will also have two-car garages" was an anticipated design solution, and only that. At the time of the zoning submittal on this project, we had only schematic designs laid out on the units. There were still many other factors that were to influence the final design of the units, such as: cost, further market research, more indepth studies of site design, landscaping and aesthetics. Consequently, we have ended up with 60% of the units being three-bedroom units with two-car garages. The remaining 40% are two-bedroom units with one-car garages.


At the time these changes were being made, we decreased the number of total units from the initial 133 to 119 and increased the number of common parking spaces available on the site from 58 to 87. The total number of off-street parking (actually there is no parking on the street itself) is 463 parking spaces. This is figured by allowing 4 spaces for each three-bedroom unit, 2 spaces for each two-bedroom unit, plus the 87 additional common spaces. With our 119 units, that is almost 4 parking spaces per car, which we feel would more than meet any of the requirements the city or your respective departments might feel are necessary.

So, due to what we feel was a premature and restrictive design error on our part, we are requesting an Administrative decision from your respective departments to eliminate that particular statement in Item #10 of the General Provisions.

Enclosed please find three copies of our most recent and probably final site layout for your use.

If you have any questions or would care to discuss it in more detail, please do not hesitate to inquire. We would appreciate your affirmative action on this matter.

Cordially,

  
Roger D. Bender  
Architect

RDB:ch

Enclosure

cc: Robert Feldner  
Jack Galbraith

December 10, 1974

Robert Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

DP-64 - Residential Community Unit Plan - North side of 13th Street between Zoo Blvd. and I-235 Bypass

This is to advise you that the above captioned residential C.U.P. was considered and approved by the Board of City Commissioners on April 16, 1974 subject to the following conditions:

- A. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
- B. 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 residential development and be binding upon the present owners, their successors and assigns, unless amended.
- C. 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.
- D. Any major changes of this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Regarding Condition A above, the City Commission considered the associated plat of Westwood Lake Estates on December 10, 1974 and their action was to approve the plat subject to the conditions as recommended by the Planning Commission. It is expected that in the next few weeks subject plat will be recorded with the Register of Deeds and the ordinance effectuating the zone change (Case No. Z-1602 - "AA" to "R-5") will be published. However, until the ordinance is published, no building permit should be issued on subject property.

Robert Feldner  
December 10, 1974  
Page Two

Attached for your information and files is a copy of the approved community unit plan. If you have any questions concerning this matter, please call.

JHG:js  
Attachment



EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 28, 1974:

- 14a. Case No. 2-1602 - Thurman Smith requests change from "AA" to "R-5" for: (See excerpt of minutes of February 14, 1974 for legal description), and change from "AA" to "R-6" (orally amended to request "R-5") for: (See excerpt of minutes of February 14, 1974 for legal description). Generally located on the north side of 13th Street North between Zoo Boulevard and I-235.
- 14b. Case DP-64 - Thurman W. Smith requests approval of a Residential Community Unit Plan for the following described property: All that part of the southwest quarter of Section 11-27-1W, lying south and east of Interstate 235 right of way, except an area beginning at a point 900 feet west of the southeast corner of the southwest quarter of Section 11-27-1W; thence north parallel with the east line of said southwest quarter, 360 feet; thence west parallel with the south line of said southwest quarter, 87 feet; thence with an angle to the right of 42°50' a distance of 228 feet more or less to the southeasterly right of way line of Interstate 235; thence southwesterly along said right of way, 702 feet more or less to the south line of said southwest quarter; thence east 730.2 feet more or less to beginning, Sedgwick County, Kansas. Generally located on the north side of 13th Street North between Zoo Blvd. and I-235.

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

Comments

1. On February 14, 1974, a request for a change of zoning from "AA" single-family to "R-5" and "R-6" General Residence for the area contained in these applications was considered by the Planning Commission. Action of the Commission was to defer the zone change request so that the applicant could have an opportunity to submit an associated residential CUP.
2. As permitted under the Residential CUP provisions of the zoning ordinance, the applicant has submitted a preliminary residential development plan for review and recommendation by the Planning Commission. In order for the Planning Commission to recommend approval of a residential CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
  - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
  - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.
  - c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "LC" district can be established through the regular channels.
  - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
3. The plan proposes a "cluster" type development of multiple-family dwellings having from 4 to 8 condominiums and town-house units per structure, with the only points of ingress and egress being on 13th Street from a private street system. The proposed density of the development, a maximum of 150

dwelling units on approximately 20 net acres, exceeds that permitted in the "AA" Single-family zoning district and, therefore, the applicant is requesting a change of zoning in order to increase the density from 7.2 to 7.5 dwelling units per acre. Inasmuch as the proposed density is within that allowable in the "R-5" General Residence District (12.4 dwelling units per acre), the Commission may wish to consider approval of the entire application area for the "R-5" classification.

4. Should the Planning Commission determine that a change of zoning is appropriate and find that the four conditions listed in comment #2 have been satisfied, the following are recommended conditions of approval:
  - a. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
  - b. 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 residential development and be binding upon the present owners, their successors and assigns, unless amended.
  - c. 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.
  - d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

PAUL DUGAN, attorney for the applicant, orally amended the zone change request to "R-5" instead of "R-6", and said that there were several people from the area who might care to speak on the matter, although he had discussed the plans with them earlier, and he would respond or answer questions.

LUTHER SCHIERKOLK, 4815 West 13th Street, said he was not exactly opposed to the plan and had learned more of what is planned from Mr. Dugan earlier, but that there is a feeling in the neighborhood concerning the possibility of a change in the plans occurring later, and he asked if there could be some assurance that what is proposed now will be developed.

DUGAN said that the plan has been thoroughly considered over the last 8 months and that an architect and engineer have been employed. He assured Mr. Schierkolk that the regulations of a CUP must be followed unless a change is approved by the Planning Commission and City Commission.

LAKIN said a CUP establishes the general location of buildings, but that some of the other activities, such as recreational facilities, are not required particularly. DUGAN said the plan does provide for a planting screen along 13th Street which is not a requirement, but will be installed.

GALBRAITH brought up the fact that there appeared to be one curb cut from 13th street not particularly related to the housing units and suggested that when a plat is considered, the Subdivision Committee may want to eliminate one of the curb cuts.

CRAIG MANN, architect, said the purpose of the parking area referred to is to provide parking for visitors without their having to drive into the interior of the development. He pointed out that a pathway is to be provided leading from this parking area.

RISING suggested that some guidelines be developed for the number of curb cuts so that an architect or developer would have such information and not have to change the plans.

DUGAN said in this case it isn't of that much importance, and commented that the curb cut being considered might provide a haven for unauthorized persons to park within the development.

No one spoke in opposition to these applications.

MOTION: That the Planning Commission recommend to the City Commission that Z-1602 as amended to request "R-5" zoning be approved; and that the development plan meets the four conditions in the regulations and that DP-64 be approved, subject to the following conditions:

- A. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
- B. 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 residential development and be binding upon the present owners, their successors and assigns, unless amended.
- C. 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.
- D. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Kamen moved, Gragert seconded and it carried unanimously. (Blakey and Hill absent.)

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April 1, 1974

Mr. Paul V. Dugan, Attorney  
2707 West Douglas  
Wichita, Kansas 67213

Re: Z-1602 - "AA" to "R-5" and  
"R-6" (amended to request  
only "R-5) and DP-64 Resi-  
dential Community Unit Plan -  
North side of 13th Street be-  
tween Zoo Boulevard and I-235  
Bypass

Dear Mr. Dugan:

At the regular meeting of the Metropolitan Area Planning Commission on March 28, 1974, the above-captioned cases were considered. It was the action of the Commission to recommend approval of the zone case and CUP, subject to the following conditions

- a. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
- b. 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 residential development and be binding upon the present owners, their successors and assigns, unless amended.
- c. 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.
- d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Page 2 - Mr. Paul V. Dugan  
April 1, 1974

Please submit eight copies of the Community Unit Plan to our office by April 10, 1974, so that these cases may be forwarded to the City Commission for consideration on April 16, 1974, the City Commission meeting to start at 9:00 a.m. in Room 201 City Building, 204 South Main.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:ber

cc: Thaman Smith, 1247 North Gordon 67203  
K. O. Taylor, 1542 South St. Francis 67211  
Roger Bender, Architect, 151 North Broadway 67202  
Luther Paul Schierkolk, 4815 West 13th Street 67212  
City Manager's Office

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: March 28, 1974

Case No. Z-1602  
DP-64

Request: "AA" to "R-5" & "R-6"  
Approval of Residential  
Community Unit Plan

Location: North side of 13th Street between  
Zoo Boulevard and I-235 bypass

Reason: None given.

Acres: 14.94 "R-5"  
5.75 "R-6"

Size: Irregular shape

	Land Use	Zoning
Existing	Undeveloped	"AA"
North	Interstate I-235 right-of-way	"AA"
East	Nursing home	"B"
South	Single-family	"AA"
West	Undeveloped	"AA"
Existing R/W - 13th St. (half)	30 ft.	Platted: No
Proposed R/W - 13th St. (half)	35 ft.	Sidewalk: No

Comments

1. On February 14, 1974, a request for a change of zoning from "AA" Single-family to "R-5" and "R-6" General Residence for the area contained in these applications was considered by the Planning Commission. Action of the Commission was to defer the zone change request so that the applicant could have an opportunity to submit an associated residential CUP.
2. As permitted under the Residential CUP provisions of the zoning ordinance, the applicant has submitted a preliminary residential development plan for review and recommendation by the Planning Commission. In order for the Planning Commission to recommend approval of a residential CUP, it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
  - a. That the value of the buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
  - b. That such plan is consistent with the intent and purpose of this Chapter (28.04.190.A) to promote public health, safety, morals and general welfare.

- c. That the buildings shall be used only for residential purposes and the usual accessory uses, such as automobile parking areas, garages and community activities, including churches; and provided that an "IC" district can be established through the regular channels.
  - d. That the average lot area per family contained in this site, exclusive of the area occupied by streets, shall be not less than the lot area per family required by the district in which the development is located.
3. The plan proposes a "cluster" type development of multiple-family dwellings having from 4 to 8 condominiums and town-house units per structure, with the only points of ingress and egress being on 13th Street from a private street system. The proposed density of the development, a maximum of 150 dwelling units on approximately 20 net acres, exceeds that permitted in the "R-5" Single-family zoning district and, therefore, the applicant is requesting a change of zoning in order to increase the density from 7.2 to 7.5 dwelling units per acre. Inasmuch as the proposed density is within that allowable in the "R-5" General Residence District (12.4 dwelling units per acre), the Commission may wish to consider approval of the entire application area for the "R-5" classification.
4. Should the Planning Commission determine that a change of zoning is appropriate and find that the four conditions listed in comment #2 have been satisfied, the following are recommended conditions of approval:
- a. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
  - b. 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 residential development and be binding upon the present owners, their successors and assigns, unless amended.
  - c. 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.
  - d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
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DP-64 - 61 NOTICES TO ADJOINING PROPERTY OWNERS MAILED 3-14-74 for MAPC 3-28-74.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY BUILDING ANNEX, 104 South Main  
WICHITA, KANSAS 67202

March 14, 1974

NOTICE TO ADJOINING PROPERTY OWNERS:

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 beginning at 1:30 p.m., on March 28, 1974, at which time you may appear either in person or by agent or attorney, if you so desire.

DP-64

All that part of the southwest quarter of Section 11-27-1W, lying south and east of Interstate 235 right of way, except an area beginning at a point 900 feet west of the southeast corner of the southwest quarter of Section 11-27-1W; thence north parallel with the east line of said southwest quarter, 360 feet; thence west parallel with the south line of said southwest quarter, 87 feet; thence with an angle to the right of  $42^{\circ}50'$  a distance of 228 feet more or less to the southeasterly right of way line of Interstate 235; thence southwesterly along said right of way, 702 feet more or less to the south line of said southwest quarter; thence east 730.2 feet more or less to beginning, Sedgwick County, Kansas. Generally located on the north side of 13th Street North between Zoo Blvd. and I-235.

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

This Residential Community Unit Plan on file proposes an approximate 20.0 acre townhouse and garden apartment development, the density of which shall not exceed 7.5 dwelling units per net acre or a total of 150 dwelling units for the entire site. In addition to indicating the proposed building locations, condominiums

Notice to Adjoining Property Owners  
March 14, 1974  
Page Two

and townhouses, the Development Plan indicates information on maximum building coverage, maximum building heights, setbacks for structures, proposed usable open space, means of ingress and egress in and through the area, interior circulation and proposed parking ratio.

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

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, Robert A. Lakin, 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.

Robert A. Lakin  
Secretary

March 13, 1974

Mr. Paul F. Dugan  
Attorney-at-Law  
2707 West Douglas  
Wichita, Kansas 67213

Re: DP-64 - Residential CUP  
on the north side of 13th  
St. between Zoo Blvd. & I-235

Dear Mr. Dugan:

We have reviewed the Residential Preliminary Development Plan for the proposed tract containing approximately 20 acres located on the north side of 13th Street between Zoo Boulevard and I-235 and the following are our comments as well as other departments of the City concerning this project.

As you are aware, this site is subject to severe drainage problems which must be resolved prior to the development of the property as proposed. The Flood Control Division advises that drainage from the entire site should be routed to the interior lake which will need to be designed to accommodate the design storm and provide an overflow onto I-235 right-of-way.

It should be pointed out that handball courts are considered permanent structures and cannot extend into the building setback areas and, therefore, the handball courts indicated on the plan will need to be moved to the west.

In addition to these comments, the following additions or changes should be indicated on the plan:

Mr. Paul F. Dugan  
March 13, 1974  
Page Two

1. General Provision #4 shall be amended to read as follows: "Drainage from the entire site will be routed to the interior lake which will be designed to accommodate the design storm and provide an overflow onto I-235 right-of-way."
2. General Provision #5 shall be amended to read as follows: All streets and circulation as shown on the plan are to be private. The private street system shall be hard surfaced and twenty (20) feet minimum in width for minor circulation and twenty-four (24) feet minimum in width for major circulation. Said private street system shall be constructed to a minimum of a 3½ inch asphalt base with 1½ inch asphalt surface. Prior to final approval of the circulation system, the fire chief, or his designated representative, shall approve the plan as to the location and design."
3. General Provision #8 shall be amended to read as follows: A Homes Association Agreement providing for the maintenance of common areas, parking areas, community facilities, drainage system, private streets and driveways, shall be filed with the final plat."
4. General Provision #11 shall be amended to read as follows: "Signs or monuments designating the name of the development shall be permitted at the entrances to the proposed development on 13th Street if they follow in accordance with the provisions of Section 28.04.070 A 12 of the code of the City of Wichita."
5. Add a General Provision #12 as follows: "The maximum number of curb cuts to 13th Street shall not exceed four (4)."

It should be pointed out that the landscape screening proposed adjacent to 13th Street is not a requirement of the CUP regulation. However, the proposed screening certainly would provide privacy to

Mr. Paul F. Dugan  
March 13, 1974  
Page Three

your development and a visual separation from the single family homes to the south. Inasmuch as this is proposed by the developer, the following additional statement should be added to #9 under general provisions:

A landscape plan for the south 10-foot planting area along 13th Street, indicating the location, type and specifications of planting materials, shall be submitted to the Planning Department for approval prior to the issuance of any building permit.

These are most of the comments we have at this time. It is necessary that we receive 12 revised copies with the changes indicated above by Monday, March 18, 1974, in order for this item to appear on the Planning Commission agenda for March 28, 1974. A copy of the CUP with our notations is being forwarded to Roger Bender, Architect.

If you have any questions concerning our comments, or desire to discuss these matters with us, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:GLS:js

cc: Thurman Smith  
1247 North Gordon  
Wichita, Kansas 67203

Jess M. Shade  
9001 West Central 67212

Roger Bender, Architect  
151 North Broadway 67202

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

February 25, 1974

TO Dick Linn, City Engineer  
Paul Graves, Traffic Engineer  
FROM M. S. Mitchell, Maintenance/Flood Control Office  
Jack H. Galbraith, Chief Planner  
SUBJECT Zoo Boulevard Residential Community Unit Plan

Attached is a copy of a residential community unit plan that has been submitted for the area between 13th St. and I-235 By-Pass. This residential community unit plan is associated with a zone change request to "R-5", however, the density proposed is just slightly greater than that permitted in "AA" Single Family. Would you please review this community unit plan and provide us with your comments by March 8, 1974.

JHG:js  
Attachment

Item 4 of CUP General Provisions should be amended to read "Drainage from the entire site will ~~not~~ be routed to the interior lake which will be designed to accommodate the design storm and provide an overflow onto I-235 right-of-way"

GP # 8 should include DRAINAGE SYSTEM.

M. Mitchell



Received

FEB 25 1974

THE CITY OF WICHITA

OFFICE OF CITY TRAFFIC ENGINEER

DATE March 1, 1974



TO Jack H. Galbraith, Chief Planner

FROM William G. McKinley, Assistant Traffic Engineer

SUBJECT Zoo Boulevard Residential  
Community Unit Plan

Reference is made to your memo dated February 25, 1974 regarding the above referenced subject matter.

Per your request, we have reviewed this plan and have no comments to submit.

*William G. McKinley*  
William G. McKinley  
Assistant Traffic Engineer

wgm/gl  
cc:R. W. Bruggeman



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 Thurman W Smith  
Address 1247 N Gordon 03 Phone 9436153  
Agent JESS M. SHADE 12  
Address 9001 West Central Phone 2224244
- b. Applicant \_\_\_\_\_  
Address \_\_\_\_\_ 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 AA 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.)

SEE ATTACHED SHEET.

II.B There are 20.7 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 \_\_\_\_\_ corner of \_\_\_\_\_  
and \_\_\_\_\_; or
- b. on the North side of 13th Street (Ave.,  
Street) between Zoo Blvd. (Ave., Street) and  
I-235 (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.

Shirley A. Smith

By Shirley A. Smith Authorized Agent (if any) By \_\_\_\_\_ 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  
11:30 AM (AM, PM) on Feb 25, 1974 (Day, Month,  
Year). It has been checked and found to be complete and accom-  
panied by required documents and the appropriate fee of  
\$ 400.00.

Curtis L. Heyby Name  
Junior Planner Title

February 25, 1974

Dick Linn, City Engineer  
Paul Graves, Traffic Engineer  
M. S. Mitchell, Maintenance/Flood Control Office  
Jack H. Galbraith, Chief Planner

**Zoo Boulevard Residential Community Unit Plan**

Attached is a copy of a residential community unit plan that has been submitted for the area between 13th St. and I-235 By-Pass. This residential community unit plan is associated with a zone change request to "R-5", however, the density proposed is just slightly greater than that permitted in "AA" Single Family. Would you please review this community unit plan and provide us with your comments by March 8, 1974.

JHG:js  
Attachment

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
1	1	Part of Replat of Lot 1 & Part of Lots 2 & 32, R. A. Morris Tracts and Lot 5, R. A. Morris Gardens	✓ Wayne R. Keller and Glenna C. Keller 3801 West 13th 67203
2	1	Same	✓ Leo A. Wilhelm and Josephine 1315 Baker 67212
S 25'	3	1	Same
N 45'	3	1	Same
			✓ Ralph E. Risley and Patricia 1323 Baker 67212

Beginning at the SE/corner of Lot 4; thence West 140 ft more or less to the NW corner of Lot 3 in Block 1; thence North along the West line of said lot 3 extended, 33 feet; thence East parallel with the South line of said Lot 4, 34.9 feet to a point 105 feet West of the East line of said Lot 4; thence North 20 feet; thence East 105 feet; thence South 53 feet to beginning; all in Replat of Lot 1 and Part of Lots 2 and 32 R. A. Morris Tracts and Lot 5 R. A. Morris Gardens, Wichita, Ks.

Lot 4	1	except above desc. tract	Same	✓ Anna C. Zinser 1329 Baker 67212
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Part of Lot 5, Block 1, Replat of Lot 1 and Part of Lots 2 and 32, R. A. Morris Tracts and Lot 5, R. A. Morris Gardens, Wichita, Kansas, described as beginning at the Northeast corner of said Lot 5; thence South along the front line of said Lot 5, 77 feet; thence West parallel with the North line of said Lot 5, 87 feet; thence with a deflection to the right of 18°30' a distance of 8 feet to a point 95 feet West and 74.4 feet South of the Northeast corner of said Lot 5; thence North parallel with front line of said Lot 5, 30.4 feet; thence West parallel with the North line of said Lot 5, 10 feet; thence North parallel with the front line of said Lot 5, 44 feet; thence East 105 feet to beginning

Lot 5 except above desc. tract	Blk. 1	Part of Replat of Lot 1 and Part of Lots 2 & 32, R. A. Morris Tract and Lot 5, R. A. Morris Gardens	✓ Anna C. Zinser 1329 Baker 67212
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Lot	Block	Addition	Property Owner
6	1	Part of Replat of Lot 1 & Part of Lots 2 & 32, R. A. Morris Tracts & Lot 5, R. A. Morris Gardens	James D. Minnis & Maxine 726 Joann 67212
4	2	Same	Anna C. Zinser 1329 Baker 67212
5	2	Same	Same
6	2	Same	Same
7	2	Same	Same
8	2	Same	Same
9	2	Same	Same
10	2	Same	Estate of H. F. Hudson, dec. Address Unknown
11	2	Same	Same
12	2	Same	Same
13	2	Same	Same
14	1	Same	Clarence L. Holloway 9422 West Central 67212
15	1	Same	Anna C. Zinser 1329 Baker 67212
16	1	Same	Same
17	1	Same	Same
18	1	Same	Same
19	1	Same	Same
20	1	Same	Same
21	1	Same	Estate of H. F. Hudson, dec. Address Unknown
22	1	Same	Same

Lot	Block	Addition	Property Owner
N $\frac{1}{2}$ 17 exc S 75'		R. A. Morris Gardens	✓ Robert T. Leach and Shirley 1257 Baker 67212
16		Same	✓ Harry S. Ausherman & Anna 715 Fairway Avenue 67212
S 75' of N 225' W 200' lot 6		Same	✓ John H. Wilson 4011 West 19th Street 67212
W 200' exc N 225' lot 6		Same	✓ Mrs. Glenn Wiley 1302 Baker 67212
N 75' W 200' lot 6		Same	✓ Ted A. Goodwin and Betty 1320 Baker 67212
W 75' of N 150' lot 4		Same	✓ Terrance Clyde Childs Sharon K. Childs 4647 West 13th 67212
E 72' of W 218' of N 150' lot 4		Same	✓ Vera M. Mozingo 4635 West 13th 67212
E 75' W 146 ' N 150' lot 4		Same	✓ Chester P. Gentet and Marjorie E. Gentet 4641 West 13th 67212
S 71' of W 218' lot 4		Same	✓ Don I. Huenergardt and Nancy L. Huenergardt 1330 Baker 67212
N 71.5' S 142.5' W 218' lot 4		Same	✓ Gordon A. Wainscott and Maxine D. Wainscott 1318 N. Sheridan 67212
5	A	Replat of Part of R. A. Morris Gardens	✓ Glenn D. Cox and Glenna 4523 W. 13th 67212
8	A	Same	X William C. Routon Jr. and Merri C. Routon Address Unknown
9	A	Same	✓ Garry Lee Dietsch and Barbara June Dietsch 4636 Whitehall 67212
10	A	Same	Same
11	A	Same	X George Honska & Edna Address Unknown
13	A	Same	✓ Glenn D. Cox & Glenna June 4523 West 13th 67212

Lot	Block	Addition	Property Owner
6	A	Replat of Part of R. A. Morris Gardens	X George Honska & Edna M. Address Unknown
7	A	Same	Same
12	A	Same	Same
8	B	Same	✓ Francis L. McKinley 730 N. Bebe 67212
9	B	Same	Same
10	B	Same	✓ Howard C. Nance & Ruie A. 1620 N. Waco 67203
11	B	Same	✓ Jack H. McDonald and Corinne G. McDonald 1730 37th St. Court 67204
12	B	Same	✓ Richard L. Massey and Alvena 4609 Whitehall 67212
13	B	Same	X Archie H. Nance Address Unknown
14	B	Same	✓ Lloyd Henry Miller and Sherian Miller 4624 West 12th St. 67212
Beginning at the Most Westerly corner of Lot 3, Block 2, Womer's West Lynn Third Addition; thence bearing N 36°01'22" E along the Westerly line of said Lot 3 a distance of 40 feet; thence bearing S 5°46'22" W a distance of 45.65 feet to a point in the Southerly line of said Lot 3; thence bearing N 53°58'38" W along the Southerly line of said Lot 3 a distance of 22.22 feet to the point of beginning			✓ City of Wichita 204 South Main 67202
3 exc above	2	Womer's West Lynn 3rd Addition	✓ West Lynn Inc. 434 Ohio 67211
1	3	Same	○ West Lynn Inc. 434 Ohio 67211
2	3	Same	✓ William L. Schroeder and Frances C. Schroeder 1721 West Lynn 67212
3	3	Same	✓ Donald L. Ege & Kathleen 1715 West Lynn 67212
4	3	Same	✓ Allen Rappaport and Marion G. Rappaport 1707 West Lynn 67212
5	3	Same	✓ Orrin R. Hill & June L. 1701 West Lynn 67212

Lot	Block	Addition	Property Owner
1	1	Womer's West Lynn Third Addition	Womers West Lynn Inc. 434 Ohio 67211
2	1	Same	Same

Beginning at the most Westerly corner of Lot 3, Block 2, Womer's West Lynn Third Addition; thence NWly bearing N 53°58'38" W along the extension of the Southerly line of said Lot 3 a distance of 24.49 feet to the intersection of said line with the Southerly row line of I235; thence bearing S 38°15'22" W along said Interstate Highway row a distance of 387.08 feet to the Easterly row line of the MOPAC Railroad; thence bearing S 39°40'23" E along the Easterly row line of said Railroad a distance of 251.68 feet; thence bearing N 31°32'41" E a distance of 160.64 feet; thence bearing N 5°46'22" E a distance of 335.01 feet to a point in the Southerly line of said Lot 3, thence bearing N 53°58'38" W along the Southerly line of said Lot 3 a distance of 22.22 feet to the pob.

City of Wichita  
204 South Main 67202

Beginning at the SW corner of Lot 7, Block 2, West Lynn, Inc. West Lynn Fourth Addition to Wichita, thence 434 Ohio 67211 SWly on the Southerly line of said Lot 7, extended SWly 325 feet, to a point of beginning; thence Southeasterly at right angles to the previous course, 510 feet; thence SWly to a point on the East row line of the MOPAC R.R. said point being 155 feet North of the South line of said SE $\frac{1}{2}$  and measured at right angles to said South line of said SE $\frac{1}{2}$ ; thence NWly along said railroad row line to the South row line of I 235; thence NELY along said Highway row line to a point, said point being the intersection of the South line of said Highway and a line 325 feet SWly from and parallel to the West line of Block 2 in said West Lynn Fourth Addition; thence Southeasterly to pob. except that portion deeded to the City of Wichita

Beginning at the Southeast corner of Lot 3, R. A. Morris Tracts, thence North 200 feet, West 107 feet, South 200 feet, East to pob

Jack R. Amburgey and  
Patricia A. Amburgey  
4409 West 10th 67212

S $\frac{1}{2}$  West 132 feet R. A. Morris Tracts Same  
lot 3

S $\frac{1}{2}$  W 66 ft. Same Same  
E 173 ft lot 3

Tract	Property Owner
East 107 feet of Lot 3, R. A. Morris Tracts, except the North 330 feet and except the South 200 feet	Mrs. Q. I. Cramer Address Unknown <i>1331 Smith 67212</i>
North 150 feet of the West 100 feet, lot 4, R. A. Morris Tracts	✓ Melville J. Sites 5109 West 13th St. 67212
Lot 4, except the West 100 feet of N 150 ft. R. A. Morris Tracts	✓ Ellen Elizabeth Sites 5109 West 13 th St. 67212
E Half of lot 5, R. A. Morris Tracts	X Cora E. Buswell Address Unknown
West Half of Lot 5, R. A. Morris Tracts	✓ Glenn Rosler and Lue Vena 5217 West 13th 67212
East 155 feet of the North 281 feet of lot 6, except A 77197, R. A. Morris Tracts	✓ Mabel E. Hopkins 5223 West 13th 67212
South 132 feet of the North 198 feet of Lot 21, R. A. Morrris Tracts	✓ Loyd E. Majors & Lena 1215 Smith Street 67212
North 66 feet of lot 21, R. A. Morris Tracts	✓ Jack R. Amburgey and Patricia A. Amburgey 4409 West 10th 67212
North 75 feet of the South Half of West 239 feet of Lot 2, R. A. Morris Tracts	✓ Earl Mathes Address Unknown
	✓ Walter Palmer 410 West 29th Street 67204
The North 74 feet of the South 240 feet of the West 239 feet of Lot 2, R. A. Morris Tracts	✓ Bennie P. Lee & Louella 1155 Curtis 67212
The North 90 feet of the South 165 feet of the West 239 feet of Lot 2, R. A. Morris Tracts	✓ Leo W. Wengler and Mona 1314 Smith St. 67212
The South 75 feet of the West 239 feet of Lot 2, R. A. Morris Tracts	✓ Allan C. Harrison and Muriel 2178 S. Crestway 67210
West 105 feet of N Half of Lot 32, R. A. Morris Tracts, except the South 30 feet	✓ Dorothy L. Raymond 5041 Jade 67210
The East 105 feet of the West 210 feet of Lot 2, R. A. Morris Tracts	✓ First Federal Savings and Loan Association 123 South Market 67202

Lot	Block	Addition	Property Owner
1		Synod Addition	✓Wichita Presbyterian Manor Inc. 4700 West 13th Wichita, Ks. 67212
7	1	Replat of Lot 1 and Parts of Lots 2 & 32, R. A. Morris Tracts and Lot 5, R. A. Morris Gardens	✓James D. Minnis and V. Maxine Minnis 762 Joann City 67212
8	1	Same	✓Keith McFall & Rhoda 4801 West 13th Wichita, Ks. 67212
9	1	Same	✓Luther Paul Schierkolk Mary Ellen Schierkolk 4815 West 13th 67212
10	1	Same	✓David A. Gahman & Connie 2309 Crawford 67217
11	1	Same	✓Clarence L. Holloway 9422 West Central Wichita, Ks. 67212
12	1	Same	✓Donald K. Jacobs and Sandra Kay Jacobs 1360 N. Anna Wichita, Ks. 67212
13	1	Same	✓Lyle C. Zinser & Anna C. 1329 Baker 67212
1	2	Same	✓Rome O. Freeman and Clydene L. Freeman 151 S. Westfield Wichita, Ks. 67209
2	2	Same	✓Lyle C. Zinser & Anna C. 1329 Baker 67212
3	2	Same	Same
1		Replat of Part of Lot 2 R. A. Morris Tracts	✓Herman F. Engel and Lavina L. Engel 973 Reca 67212
4		Same	Same
5		Same	Same
6		Same	Same
7		Same	Same

Lot	Block	Addition	Property Owner
2		Replat of Part of Lot 2, R. A. Morris Tracts	✓ Don K. Blackwell and Nola BeLn Blackwell 4935 West 13th Wichita, Ks. 67212
3		Same	Same
E 107' N 330' lot 3		R. A. Morris Tracts	✓ Richard E. Hale and Phyllis J. Hale 5001 West 13th Wichita, Ks. 67212
W 66' E 173' N 630' lot 3		Same	✓ Daisy Painter & Cleo 5021 West 13th Street Wichita, Ks. 67212
N $\frac{1}{2}$ W 132' lot 3		Same	✓ Clarence E. Walters 5315 N. Broadway Wichita, Ks. 67219
lot 4 exc W 100' N 150'		Same	✓ Ellen Elizabeth Sites 5109 West 13th Wichita, Ks. 67212

Beginning at a point 900 feet West of the Southeast Corner of the Southwest Quarter of Section 11-27-1W, thence North parallel with the East line of said SW  $\frac{1}{4}$  360 feet; thence West parallel with the South line of said SW  $\frac{1}{4}$  87 feet; thence with an angle to the right of 42°50' a distance of 228 feet more or less to the Southeasterly row line of I-235; thence Southwesterly along said row, 702 feet more or less to the South line of said Southwest Quarter; thence East 730.2 feet more or less to beg.

All that part of the Southwest Quarter of Section 11-27-1W lying South and East of the row of I-235 except above described tract

✓ Westwood Development Co.  
c/o Herb Sparks Inc.  
4007 West 18th St.  
Wichita, Ks. 67212

The Security Abstract and Title Company, Inc.,  
hereby certifies the foregoing to be a true and correct list of  
property owners of:

*use  
for legal*

~~A 750-foot radius of:~~ All that part of the Southwest  
Quarter of Section 11-27-1W, lying South and East of  
Interstate 235 right of way, except an area Beginning  
at a point 900 feet West of the Southeast corner of the  
Southwest Quarter of Section 11-27-1W; thence North parallel  
with the East line of said Southwest Quarter, 360 feet;  
thence West parallel with the South line of said Southwest  
Quarter, 87 feet; thence with an angle to the right of  
42°50' a distance of 228 feet more or less to the South-  
easterly right of way line of Interstate 235; thence  
Southwesterly along said right of way, 702 feet more or less  
to the South line of said Southwest Quarter; thence East  
730.2 feet more or less to beginning, Sedgwick County, Kansas

as shown by the records on file in the Office of the Register of  
Deeds of Sedgwick County, Kansas, on the 21st day of February,  
1974 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

*John Payson*  
*Asst* Vice President

Order No. 210779  
wh

FORM 273-021

**PAYMENT NOTICE**

City of Wichita

**PAY AT TREASURER'S OFFICE - FIRST FLOOR**

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>Landscaping</i>	<i>14.00</i>

Name *Smith Landscaping*

Address *1234 S. Main St.*

Type *Contract* Due Date *12-31-74*

Comments:

Date *12-27-74* By *C. F. Newby*

\*

This DP File  
Has a Large Drawing  
On 35mm Microfilm.  
Roll #1

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