

DP-73- COMOTARA C. U. P. - AMENDED
FILE #5 - East side of Woodlawn,
in an area between 21st & 29th
streets North.

ACTION

POSTED
3/5/82
[Signature]

DATE

COMMITTEE

M.A.P.C. *appeared early to committee* 4-8-82

B.C.C./B-60. C. *Spoke on* 5-4-82
thanked

Map No. 5950A, B, & D
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

AMENDED FILE #5
DP - 73
Filed 2-24-82

Associated Case: _____

APPLICATION REQUEST: Approval of proposed Amendment to
COMOTARA
(Residential)(Commercial) Community Unit Plan.

1. Applicant Hartman Homes, Inc.
Address 6200 E. Central 67208 Phone 685-8731
2. Agent Land Office, Inc., 6416 E. Central, 67206 686-5753 &
Address Bill G. Yung Design, 8225 E. 35th North, 67226 Phone 683-5567
3. General Location: East side of Woodlawn, in an area between 21st and
29th Streets North.
4. Proposed Use: _____

AREA DATA:

1. Acres: 19.1 (_____ ft. by _____ ft.)
2. Existing Zoning "AA" Proposed Zoning _____
3. Area (is) (is not) platted, _____ Addition

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date	Action
<u>4-8-82</u>	<u>approve subject conditions</u>

2. Governing Body

Date	Action
<u>6-4-82</u>	<u>Approved as Recommended</u>

NOTES:

CASE FILE

WESTINGHOUSE
LOS ANGELES, CHICAGO, DALLAS, PHOENIX, PHOENIX, PHOENIX
MCKINNEY, TX, LOCUST GROVE, GA
U.S.A.

Spread
No. 2153C

Map No. 5950A, B, & D
Sec. _____
Twp. _____
Range _____

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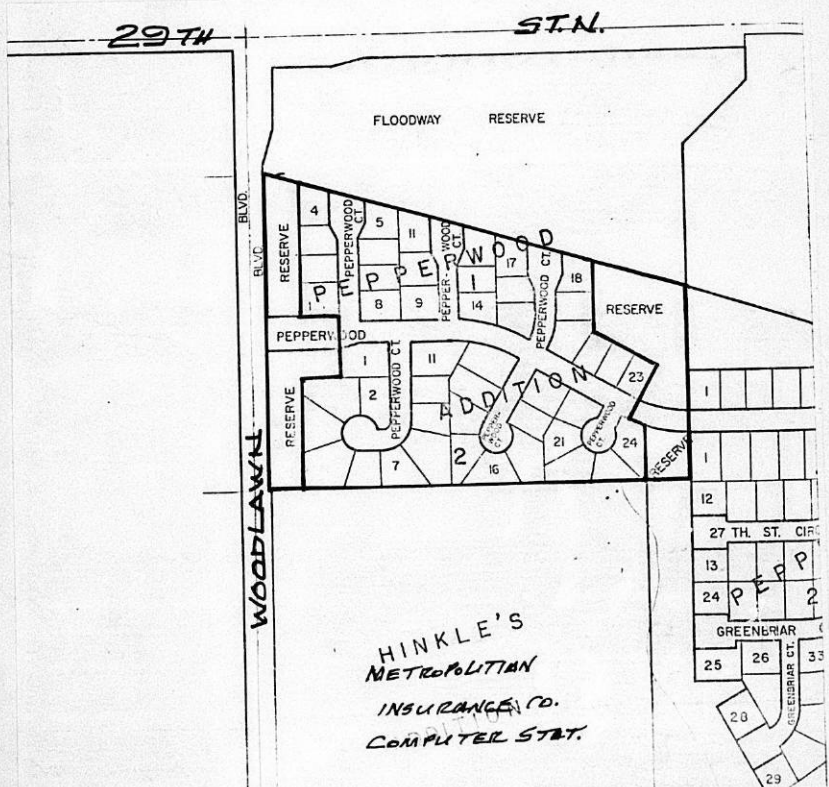
AREA DATA:

1. Acres: 19.1 (925 (112222/AC) ft. by 1240 ft.)
2. Existing Zoning: "AA"
3. Land Use: East _____ South _____
West IND North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____

DP-73



PICTURE SHEET

December 21, 1983

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-73 - Comotara Residential C.U.P.
Request for Administrative Adjustment
to Parcels 1 and 15.

Attached is a copy of a letter from Larry Reynolds requesting an administrative adjustment to the above referenced C.U.P. Specifically, Mr. Reynolds is requesting that a platted lot, that was mistakenly included in Parcel 1, be placed into Parcel 15. This would allow Mr. Reynolds to construct a duplex on his lot.

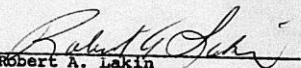
While I see no major problem with approving Mr. Reynolds' request, I am concerned about how the existing berm will be handled. Since the berm is also located on the Swim Club's property, I feel that the best situation would be, as Mr. Reynolds suggested, to design a duplex to take advantage of the existing berm.

After reviewing Mr. Reynolds' letter and the C.U.P. files, I do not feel that it would be a substantial deviation from the intent and purposes of the C.U.P. provisions to permit a duplex on Lot 3, Block 3, Sycamore Village Addition. In my opinion, that lot was inadvertently included in Parcel 1. My approval is conditioned upon a detailed site plan being submitted to this office prior to the issuance of a building permit.

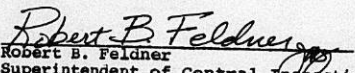
Your signature of approval will indicate that you concur that Mr. Reynolds' request is not a substantial deviation from the intent and purpose of the C.U.P. provisions. Your signature will also indicate that you concur in the approval of Mr. Reynolds' request subject to the submission of a detailed site plan prior to the issuance of a building permit.

Page Two
Robert B. Feldner
DP-73
December 21, 1983

By copy of this memorandum, we will notify Mr. Reynolds, the Swim Club and others, of our joint action approving the construction of a duplex on Lot 3, Block 3, Sycamore Village Addition. If you have any questions please call.


Robert A. Lakin
Director of Planning

APPROVED:


Robert B. Feldner
Superintendent of Central Inspection

RAL:ADC:el

Attachment

cc: Larry Reynolds, 125 N. Emporia, #111, Wichita 67202
Bill G. Yung, 8225 E. 35th St. North, Wichita 67226
Comotara Swim and Tennis Club, Inc., 7201 Bainbridge,
Wichita, 67226
Bob Fox, Landmark Communities, 3500 N. Rock Road, #100
Wichita, 67226

14 DECEMBER 1983

RECEIVED

DEC 15 1983

METROPOLITAN PLANNING

ROUTE

MR. ROBERT A. LAKIN
DIRECTOR OF PLANNING
METROPOLITAN AREA PLANNING DEPARTMENT
10TH FLOOR - CITY HALL
WICHITA, KANSAS 67202

RE: ADMINISTRATIVE AMENDMENT TO COMTARA COMMUNITY UNIT PLAN

DEAR MR. LAKIN:

ATTACHED TO THIS LETTER ARE TWO MAP EXHIBITS REGARDING THE ABOVE REFERENCED PROJECT WHICH ILLUSTRATE THE CONDITIONS WE ARE REQUESTING TO BE CHANGED.

THE PLAT SHOWS THE EXISTENCE OF LOT 3, BLOCK 3 AS A DUPLEX LOT. THE C.U.P. SHOWS THIS LOT TO BE NON-EXISTANT AND THAT THE SAME PROPERTY IS PART OF THE ADJACENT TENNIS AND SWIM CLUB. I AM IN POSSESSION OF THE DEED FOR THIS LOT AND WAS UNAWARE THAT THE C.U.P. HAD BEEN AMENDED, REMOVING THIS PROPERTY AS A BUILDABLE LOT FOR A DUPLEX. WHEN I PURCHASED THIS LOT, THE C.U.P. AND FINAL PLAT AGREED AND ONLY AFTER THAT SALE, WAS THE C.U.P. INADVERTENTLY AMENDED.

AS I UNDERSTOOD THE PROBLEM, WHEN I PURCHASED THE LOT, WE FOUND THAT THE DUPLEX UNITS I WAS BUILDING AT THAT TIME WOULD NOT FIT ON THE LOT DUE TO THE LOCATION OF THE EXISTING BERM SEPARATING THIS LOT FROM THE SWIM CLUB. WHEN THE BERM WAS CONSTRUCTED, IT WAS BUILT OVER THE REAR LOT OF THE PROPERTY I HAD PURCHASED. DUE TO SEVERAL CONVERSATIONS THAT TOOK PLACE, THE C.U.P. WAS AMENDED TO ELIMINATE THIS LOT AND INCLUDE IT WITH THE SWIM CLUB PROPERTY. THIS WAS DONE WITHOUT REGARD THAT I OWNED THE PROPERTY AND DID NOT WISH FOR THE AMENDMENT TO TAKE PLACE. WITHOUT TRYING TO PLACE BLAME FOR THE ERROR, I AM REQUESTING THAT THIS PROBLEM BE RESOLVED BY RETURNING IT TO THE ORIGINAL CONDITION.

I AM AWARE THAT I HAVE TWO OPTIONS AVAILABLE FOR THE DEVELOPMENT OF THIS LOT. ONE IS TO REGRADE THE LOT WITH THE SWIM CLUBS COOPERATION OR MORE REALISTICALLY TO DESIGN A DUPLEX DWELLING WHICH WILL TAKE ADVANTAGE OF THE EXISTING BERM. IN EITHER CASE I WILL BE HAPPY TO SUBMIT A DETAILED SITE PLAN FOR YOUR APPROVAL PRIOR TO REQUESTING A BUILDING PERMIT. I UNDERSTAND THIS TO BE A CONDITION OF THE C.U.P. AT PRESENT AND IS OF PARTICULAR IMPORTANCE SINCE THE LOT HAS AN UNUSUAL TOPOGRAPHIC CONDITION.

CONT.

LARRY L. REYNOLDS ARCHITECT
125 N. EMPORIA #111
CHIC 441 - MAIN 224 - WICHITA, KANSAS 67202 - TELEPHONE (316) 267-7145


MR. ROBERT A. LAKIN
14 DECEMBER 1983
PAGE TWO

PLEASE ACCEPT THIS LETTER AS A FORMAL REQUEST FOR AN ADMINISTRATIVE
AMENDMENT TO CORRECT THIS PROBLEM AND IF YOU SHOULD HAVE ANY
QUESTIONS, PLEASE FEEL FREE TO CALL EITHER MYSELF OR BILL G. YUNG.

THANK YOU,



LARRY L. REYNOLDS

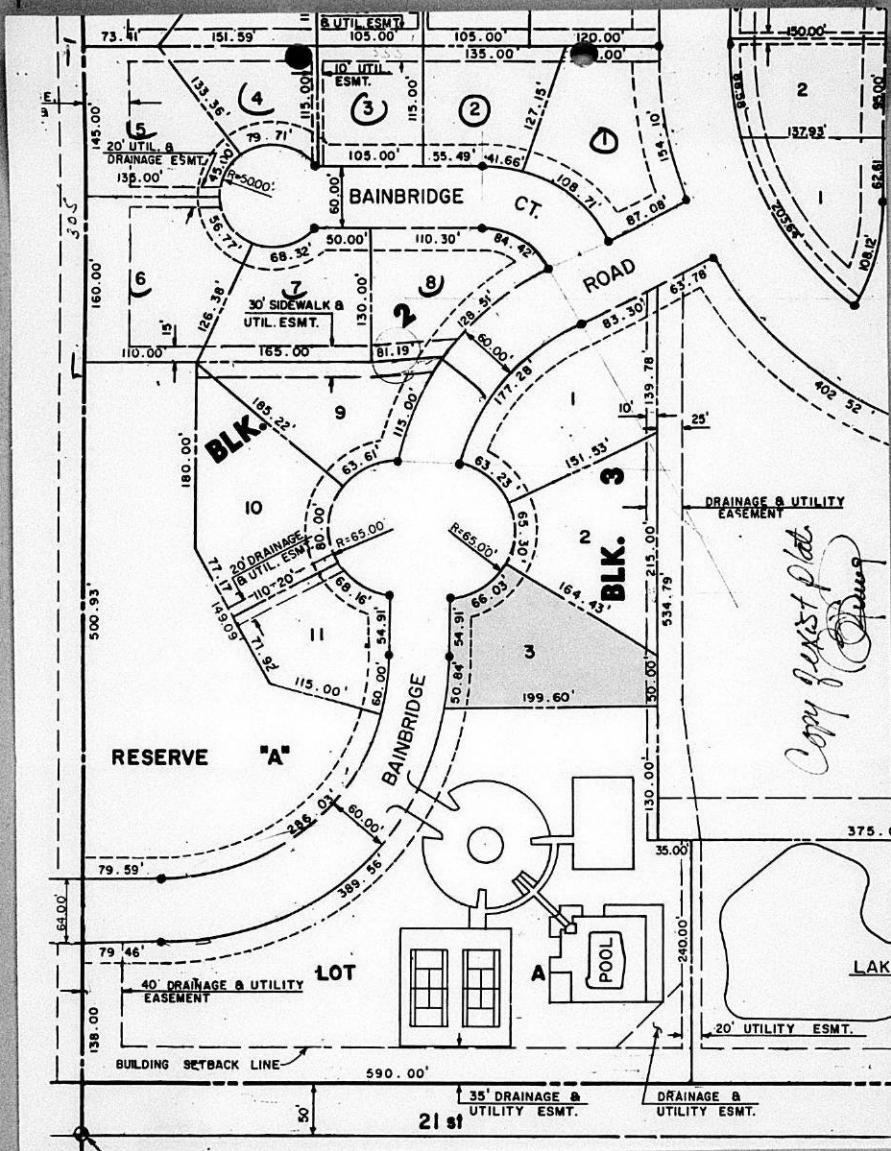


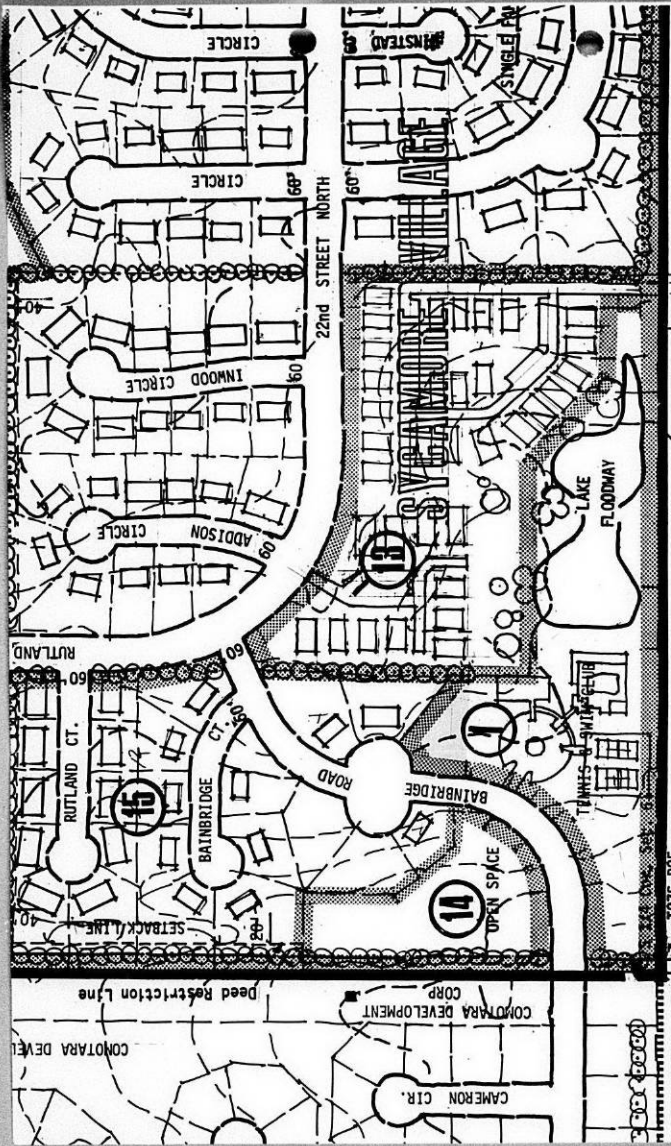
REYNOLDS ARCHITECT

LLR:PH

CC: MR. BILL YUNG

125 N. EMPORIA #111
LARRY L. REYNOLDS SUITE 421 - RMPH 221 WICHITA, KANSAS 67202 TELEPHONE (316) 267-7145





150' R/W
 1250'
 COMPLETE ACCESS CONTROL
 ACCESS CONTROL EXCEPT ONE OPENING
 COMPLETE ACCESS CONTROL
 COPY of Exist. map
 [Signature]

LARRY L. REYNOLDS
125 N. EMPORIA #111
WICHITA, KANSAS 67202



MR. ROBERT A. LAKIN
DIRECTOR OF PLANNING
METROPOLITAN AREA PLANNING DEPARTMENT
10TH FLOOR - CITY HALL
455 N. MAIN
WICHITA, KANSAS 67202

August 8, 1983


Mr. Kenneth P. Stewart
Boyer, Donaldson & Stewart
1st National Bank Bldg.
105 North Main
Wichita, Ks. 67202

Re: DP-73 - Comotara Residential C.U.P.

Dear Mr. Stewart:

Attached is a copy of the C.U.P. that includes the two tracts of land you refer to as Tract 2 U.M.R.C. and Tract 3 U.M.R.C. As near as I can tell Parcels 4 and 5 of this C.U.P. correspond to Tract 2 U.M.R.C. and Parcel 16 corresponds to Tract 3 U.M.R.C. The permitted uses are listed in the Parcel Descriptions. Parcel 4 was approved for "B" Multiple-family zoning on April 15, 1980, subject to platting. Therefore, prior to the initiation of any improvements on Parcels 4, 5 and 16, they will have to be platted. Although this C.U.P. has been superceded the information relating to Parcels 4, 5 and 16 has not changed.

If you have any questions, please call.


Arthur D. Chambers, AICP
Senior Planner

ADC:sad

Attachment

EXHIBIT "A"

That certain real property identified and described as Parcel 5, being a part of

"Tract 2 U.M.R.C." and "Tract 3 U.M.R.C." (attached)

of Comotara Project and Adjacent Properties Land Use Master Plan, ~~as filed with the Register of Deeds, Sedgwick County,~~

~~Kansas, in _____ at _____ Page _____ on _____~~

said Parcel 5 comprising approximately 16.78 Acres more or less, subject to a more accurate description to be determined by survey.

Art Chambers
Metropolitan Area Planning Department

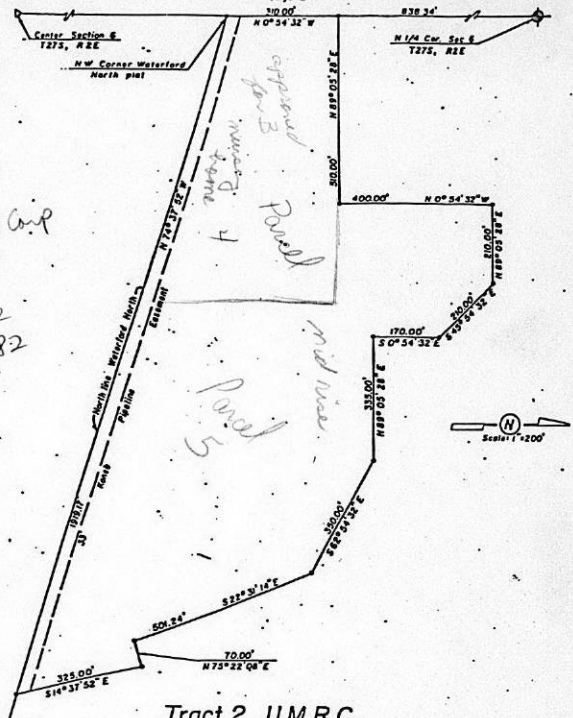
Dear Art:

Are Tract 2 U.M.R.C and Tract 3 U.M.R.C. (attached) the correct descriptions in the Comotara Project and Adjacent Properties Land Use Master Plan?

KPS

DP-73
Comotara Devel. Corp
MARC 4-8-82
BCC 5-4-82

264-7321



Tract 2 U.M.R.C.

Beginning at the northwest corner of Waterford North, an addition to Michie, Sedgwick County, Kansas, said point of beginning being on the west line of the northeast quarter of Section 6, Township 27 south, Range 2 east of the 6th P.M.; thence northerly along said west line bearing N 0° 54' 32" W, 310.00 feet; thence N 89° 05' 28" E, 510.00 feet; thence N 0° 54' 32" W, 400.00 feet; thence N 89° 05' 28" E, 210.00 feet; thence S 45° 54' 32" E, 210.00 feet; thence S 0° 54' 32" E, 170.00 feet; thence N 89° 05' 28" E, 335.00 feet; thence S 62° 54' 32" E, 350.00 feet; thence S 22° 31' 14" E, 501.24 feet; thence N 75° 22' 08" E, 70.00 feet; thence S 14° 37' 52" E, 325.00 feet to the northerly line of Waterford North; thence westerly along said northerly line bearing N 74° 31' 32" W, 1919.17 feet to the point of beginning; containing 24.743 acres, more or less.

May 6, 1983

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-73 - Comotara Residential C.U.P.
Zero Lot Line Houses in Parcel 3a

It has recently come to my attention that six zero lot line houses have been constructed on Lots 9 through 13, Pepperwood Village Addition. The lots are located on Pepperwood Court (6438-6458) in Parcel 3a of the above referenced C.U.P.

General Provision Number 15, states that, "a layout plan shall be submitted for approval by the Director of Planning . . . indicating configurations and setbacks" for zero lot line development in Parcel 3a. However, we did not have the opportunity to review a site plan for the six existing houses. In view of the "newness" of zero lot line development in Wichita, I feel that additional review should be given to zero lot line houses in order to insure that problems with setbacks, easements, overhangs, etc., are identified and resolved prior to construction. Our review of site plans for the balance of the lots in this addition identified the need for an overhang easement as well as gutters, to prevent roof drainage from flowing onto the adjacent lot.

It is not apparent, after reviewing plot plans for three of the existing houses, if there are any problems with overhangs, foundations, decks, drainage, etc. In order for the six existing houses to be in compliance with the C.U.P. provisions, site plans need to be submitted to this office for review and approval. The site plans should show actual dimensions of the lot, easements, building location, coverage, overhangs, etc.

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

Robert A. Lakin
Director of Planning

RAL:ADC:el

58860 - 6450 E. Pepperwood Ct.

2 story 1016#

58861 - 6458 E. Pepperwood Ct.

1 sty. 1100#

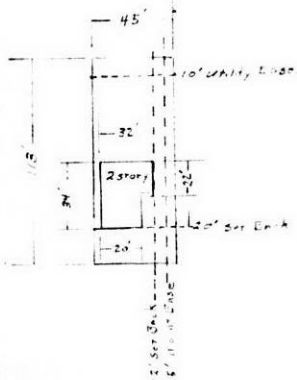
58862 - 6454 E. Pepperwood Ct.

1 sty. 1100#

G.L. D62013

RESIDENTIAL PLOT PLAN

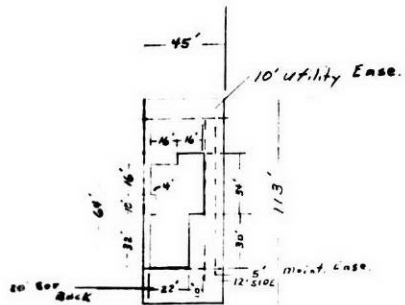
COMPAR: 1/15/57 FRONT NO.: 11
LOT: 11 OF Popponesset Village DWRG. NO. 11



I certify that the above plat complies with applicable zoning ordinances and subdivision ordinances and restrictions.

Signed: _____
Applicant

RESIDENTIAL LOT PLAN
 FRONT NO. 1
 12 1999 1 Proposed Village ZONING



I certify that the above plat complies with applicable zoning setbacks and
 subdivision covenants and restrictions.

Signed: *[Signature]*
 Applicant

May 14, 1982

2 CUP

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

DP-73 - Comotara Residential C.U.P.

The Board of City Commissioners on May 4, 1982, considered the above captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. The plan shall be changed to show four off-street parking spaces per dwelling unit in Parcel 3a.
- b. Platting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- c. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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 shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- e. 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.

Please note that prior to the issuance of any building permits, and in accordance with condition "b" above, the property must be platted.

Attached for your information and files are two approved copies of the C.U.P. Also attached for your files are two copies of the C.U.P. approved by the City Commission on March 23, 1982 and superseded by the amendment approved on May 4. If you have any questions concerning this matter, please contact our office.

Jack H. Galbraith
Chief Planner

JHG:ADC:el
Attachments

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSREQUEST FOR APPROVAL OF AMENDMENT TO
RESIDENTIAL COMMUNITY UNIT PLAN

CASE NO. DP-73

CONSIDERED BY MAPC: 4-8-82

REQUEST FOR: Approval of amendment of a portion of
Parcel 3 of the Comotara Residential C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow the construction of zero-lot line and single-family housing."

GENERAL LOCATION: East side of Woodlawn, approximately 1/4 mile
south of 29th Street North.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
April 8, 1982).

APPLICANT: Hartman Homes, Inc., 6200 E. Central.

AGENT FOR APPLICANT: Bill G. Yung Design, 8225 E. 35th St. North.

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, East and West, "AA"; South, "BB".

LAND USE: Existing, East and West, Undeveloped; North, Floodway
Reserve; South, Office Building.CPO RECOMMENDATION: CPO Council Area "I" voted 7-0 to recommend
approval of the application.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown
in the excerpt from Planning Commission minutes of April 8, 1982.
Bayouth moved, Goebel seconded and it carried unanimously. Jones,
Lofton and Martens were absent.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planning Commission and approve the Community Unit Plan subject to the
recommended conditions; or

2. Return the application to the Metropolitan Area Planning
Commission for its reconsideration. The City Commission states the
following reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 8, 1982

7. Case No. DP-73 - Hartman Homes, Inc. request approval of a portion of Residential Community Unit Plan for All of Pepperwood Addition to Wichita, Sedgwick County, Kansas, except the floodway reserve. Generally located on the east side of Woodlawn, approximately 1/4 mile south of 29th Street North.

CHAMBERS pointed out land use, zoning, and showed slides of the general area. He reviewed the following staff report:

COMMENTS:

1. As permitted by Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the western portion of Parcel 3 in the Comotara Residential C.U.P. Parcels 3a and 3b would be created on the east side of Woodlawn approximately 1/4 mile south of 29th Street North. In order for the Planning Commission to recommend approval of an amendment to a residential C.U.P., it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 1. That the values of buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 2. That such plan is consistent with the intent and purpose of this chapter to promote public health, safety, morals and general welfare.
 3. 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.
 4. That the average lot area per family contained in the site, exclusive of the area occupied by streets, shall be not less than the lot area per family required for the district in which the development is located.
2. The proposed amendment would create Parcels 3a and 3b from the western portion of Parcel 3. On the existing C.U.P., detached single-family housing was the only permitted use in Parcel 3. The proposed amendment would permit zero lot line houses in Parcel 3a and detached, single-family housing in Parcel 3b. The density for Parcels 3a and 3b has been increased from 3.95 du/acre to 4.9 du/acre and the total number of dwelling units for the C.U.P. would increase from 1,688 to 1,714.
3. Staff is generally supportive of the proposed changes. The C.U.P. was originally approved for 1,654 dwelling units and the last amendment had a maximum of 1,688 dwelling units. The amendment is being sought so that the applicant can reduce lot sizes and construct more houses in the same area.
4. Should the Planning Commission determine that the proposed changes are appropriate, the following are recommended conditions of approval:

- a. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
- c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- d. 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.

CHAMBERS said that staff was supportive of the changes. He said that one other condition of approval should be added to show four off-street parking spaces per dwelling unit in Parcel 3a. CPO Council Area "I" recommended approval by a vote of 7-0.

There was no one present in opposition to the application.

BILL YUNG, representing the applicant, stated that they were supportive of the additional condition.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the residential character of the neighborhood; the single family zoning to the east; the floodway to the north; the suitability of the subject site for development with zero-lot line housing; and the recommendation of approval by staff: I move that we recommend to the governing body that this application be approved subject to the following conditions:

- A. The plan shall be changed to show four off-street parking spaces per dwelling unit in Parcel 3a.
- B. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- C. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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 shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

- E. 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.

Bayouth moved, Goebel seconded and it carried unanimously. Jones, Lofton and Martens were absent.

April 9, 1982

Bill G. Yung Design
8225 East 35th Street North
Wichita, Kansas 67236

Re: DP-73 - Amendment to Comotara
Residential C.U.P. - located on
the east side of Woodlawn, in an
area between 21st & 29th Streets No.

Dear Mr. Yung:

At its regular meeting on April 8, 1982, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. The plan shall be changed to show four off-street parking spaces per dwelling unit in Parcel 3a.
- b. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- c. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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 shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

- e. 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.

It is necessary that we receive 10 revised copies by April 22, 1982 so that subject case can be scheduled for consideration by the City Commissioners at their regular meeting on May 4, 1982. This meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

Arthur D. Chambers, AICP
Senior Planner

ADC:sad

cc: Hartman Homes, Inc., 6200 E. Central, Wichita 67208
Land Office, Inc., 6416 East Central, Wichita 67206

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE April 7, 1982



TO Jack Galbraith, Chief Planner, Current Plans

FROM Dean Kruithof, Administrative Aide III

SUBJECT DP-73, East of Woodlawn, 1/4
Mile South of 29th Street

At its April 6th meeting, CPO Neighborhood Council Area "I" considered the captioned amendment to the Comotara Residential Community Unit Plan. Phil Snodgrass was present representing the applicant. No area residents attended the meeting concerning the case.

The Council voted 7-0 to recommend approval of the requested amendment to divide Parcel 3 into two parcels (3a and 3b) with zero lot line homes on Parcel 3a and single family homes on Parcel 3b.

Please provide copies of this memorandum to members of the MAPC and City Commission when this case is considered by them. Thank you.

Dean Kruithof
Dean Kruithof
Administrative Aide III

DK:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAFC HEARING DATE: 4-08-82

Case No. DP-73 Request: Approval of an amendment to a portion of Parcel 3 of the Comotara Residential C.U.P.

Location: East side of Woodlawn, approximately 1/4 mile south of 29th Street North.

Reason: To allow the construction of zero-lot line and single-family housing.

Acres: Parcels 3a and 3b: 19.1 Size: 925' x 1240' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA" (C.U.P.)
North	Floodway Reserve	"AA"
East	Undeveloped	"AA" (C.U.P.)
South	Office Bldg.	"BB"
West	Undeveloped	"AA"

Existing street right-of-way is adequate.

Platted: Pepperwood Addition

History: The last amendment was approved by the BCC on 3-23-82

COMMENTS:

1. As permitted by Section 26.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the western portion of Parcel 3 in the Comotara Residential C.U.P. Parcels 3a and 3b would be created on the east side of Woodlawn approximately 1/4 mile south of 29th Street North. In order for the Planning Commission to recommend approval of an amendment to a residential C.U.P., it must find specific evidence and facts showing that the proposed development plan meets the following conditions:
 1. That the values of buildings and the character of the property adjoining the area included in such plan will not be adversely affected.
 2. That such plan is consistent with the intent and purpose of this chapter to promote public health, safety, morals and general welfare.
 3. 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.
 4. That the average lot area per family contained in the site, exclusive of the area occupied by streets, shall be not less than the lot area per family required for the district in which the development is located.
2. The proposed amendment would create Parcels 3a and 3b from the western portion of Parcel 3. On the existing C.U.P., detached single-family housing was the only permitted use in Parcel 3. The proposed amendment would permit zero lot

- line houses in Parcel 3a and detached, single-family housing in Parcel 3b. The density for Parcels 3a and 3b has been increased from 3.95 du/acre to 4.9 du/acre and the total number of dwelling units for the C.U.P. would increase from 1,688 to 1,714.
3. Staff is generally supportive of the proposed changes. The C.U.P. was originally approved for 1,654 dwelling units and the last amendment had a maximum of 1,688 dwelling units. The amendment is being sought so that the applicant can reduce lot sizes and construct more houses in the same area.
 4. Should the Planning Commission determine that the proposed changes are appropriate, the following are recommended conditions of approval:
 - a. Replatting of subject property within one year from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
 - b. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
 - c. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
 - d. 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.

DP-73 - 20 "Notice to Adjoining Property Owners" mailed 3-25-82 for the
MAPC meeting of 4-8-82.

1 Including map to CPO Office
1 " " " " "NEIGHBORS"

—
22 TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 672021688

March 25, 1982

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 8, 1982, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for amendment of a portion of Parcel 3 (located on the east side of Woodlawn, approximately 1/4 mile south of 29th Street North) to the COMOTARA RESIDENTIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-73

All of Pepperwood Addition to Wichita, Sedgwick County, Kansas, except the floodway reserve. Generally located on the east side of Woodlawn, approximately 1/4 mile south of 29th Street North.

The Development Plan of this area, originally approved on July 11, 1978 and last amended on February 25, 1982, has been resubmitted as required 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, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes to create Parcels 3a and 3b from the western portion of Parcel 3. The permitted uses would change from single family detached housing units to zero lot line houses for Parcel 3a and single family detached housing for Parcel 3b. The overall density of the C.U.P. and maximum number of dwelling units permitted will not change. Information regarding future development is shown on the plan.

The hearing of the proposed amendments to 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.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 266-4516.

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary

February 26, 1982

Robert B. Feldner, Superintendent of Central Inspection
Arthur D. Chambers, Senior Planner

Amendment to Parcel 3 of DP-73 - Comotara Residential C.U.P.

I have attached a copy of a proposed amendment to Parcel 3 of the above referenced C.U.P. The changes only involve the creation of Parcels 3a and 3b. We would appreciate receiving any comments you might have by Friday, March 5, 1982. If you have any questions please call.

Arthur D. Chambers
Senior Planner

ADC:e1
Attachment

*Amended file #5
DP 73
Map 5950ABAD
MPC April 8*

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.

Comotara

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

- a. Applicant Hartman Homes, Inc.
Address 6200 E. Central, Wichita, KS 67208 Phone 316-685-8731
Agent Land Office, Inc.
Bill G. Yung Design
Address 6416 E. Central, Wichita, KS 67206 Phone 316-686-5753
8225 E. 35th North, Wichita, KS 67226 Phone 316-683-5567
- 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 A-A and legally described as Lot(s)

1-23 & 1-24, Block(s) 1 & 2,
Pepperwood Addition Addition.

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

*Prop'd by
30416
N AA (CUP)
S BB
E AACUP
W AA*

II.B There are 19.1 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) Woodlawn & Pepperwood.

The general location is (use appropriate section)

- a. at the Same as above corner of N/A
and N/A; or
- b. on the east side of Woodlawn (Ave.,
Street) between 21st Street North (Ave., Street) and
29th Street North (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.

[Signature]
By _____ 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
4:55 (AM, PM) on February 24, 1982 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ 200⁰⁰.

Austin D. Chambers Name
Sr. Planner Title

Ownership List



Deliver to: Art Chambers
Metropolitan Planning
City Bldg. 10th fl

Pick up: mag cards from
Art Chambers

RE: Ownership List
Pepperwood
Hartman Homes

Thanks,
Ardy

Ordered by Bill Young

SECURITY ABSTRACT AND TITLE CO., INC.

430 North Main • Wichita, Kansas 67202 • Telephone (316) 267-8371

SECURITY IS KNOWING

DP73 amended
file # 5

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lots 1 through 12, inclusive	1	Pepperwood Addition	<i>D</i> Hartman Homes Inc. 6200 East Central 67208
Lots 13 through 23, inclusive	1	"	Same as above
Reserve lying West of Lots 1-2-3-4	1	"	<i>V</i> Wichita Development Co. 2471 Hathway 67226
Reserve lying East of Lots 18-19-20-21-22-23	1	"	Same as above
Lots 1 through 12, inclusive	2	"	<i>D</i> Hartman Homes, Inc. 6200 E. Central 67208
Lots 13 through 24, inclusive	2	"	Same as above
Reserve lying West of Lots 1, 3-4-5	2	"	<i>D</i> Wichita Development Co. 2471 Hathway 67226
Reserve lying East of Lot 24	2	"	Same as above
Floodway Reserve		"	<i>V</i> Woodlawn Development Co. P. O. Box 2236 67201

Tract Description

That part of the Northwest Quarter of Section 6, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, located north of the north line of an existing 33 foot wide Kaneb pipeline easement and including all of the Floodway Reserve platted in Pepperwood Addition, located north of the north line of said easement, more particularly described as follows: Beginning at the intersection of the South right of way line of Twenty-Ninth Street North and the East right of way line of Woodlawn, said point being 75 feet East and 95 feet South of the Northwest corner of Section 6, Township 27 South, Range 2 East of the 6th P.M., thence Easterly along said South right of way line bearing North 88°55'01" East, 175 feet; thence North 74°52'51" East 103.08 feet; thence North 88°55'01" East, 2113.45 feet to the East line of the NW $\frac{1}{4}$ of said Section; thence Southerly along said East line bearing South 0°54'32" East 1043.83 feet to the North line of an existing 33 foot wide Kaneb Pipeline easement; thence Northwesterly along said North easement line bearing North 74°37'37" West, 2515.19 feet to the East right of way line of Woodlawn; thence along said East right of way line bearing North 0°43'49" West, 31.04 feet; thence North 13°18'21" East 103.08 feet; thence North 0°43'49" West, 175 feet to the point of beginning.

Property Owner

D Woodlawn Development
Co.
P.O. Box 2236 67201

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lots 1 through 12, inclusive	1	Pepperwood 2nd Addition	D Wichita Development Co. 2471 Hathway 67226
Lots 13 through 20, inclusive	1	"	Same as above

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lots 21 through 29, inclusive	1	Pepperwood 2nd Addition	Wichita Development Co. 2471 Hathway 67226
Lots 34 through 37, inclusive	1	"	Same as above
Lots 1 through 12, inclusive	2	"	Same as above
Lots 13 through 24, inclusive	2	"	Same as above
Lots 25 through 38 inclusive	2	"	Same as above
Lots 43, 44, 45	2	"	Same as above
That part of Reserve A lying North of Block 1	1	"	Same as above
That part of Reserve B lying West of above described lots in Block 2	2	"	Same as above
Lot 1	1	Hinkle's Addition	Metropolitan Life Insurance Co. 2600 N. Woodlawn 67220

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 1		Allens Farm Addition	Woodlawn Development Co. P. O. Box 2236 67201
Floodway		"	Same as above
Lot 6	1	Cottonwood Village Third Addition	Erich A. Trefzger Brenda C. Trefzger 6738 Winterberry Circle 67226
Lot 7	1	"	Crane Homes of Kansas Inc. 2148 North Old Manor 67208
Lot 8	1	"	C. David Sontag Sharon A. Sontag 6750 Winterberry Circle 67226
Lot 9	1	"	Thomas J. Lynch Ethel M. Lynch 6745 Winterberry Circle 67226
That part of Lot 10 beginning at the northwest corner of said lot; thence easterly on the north line of said lot 10, for a distance of 12 feet; thence southerly for a distance of 143.18 feet, more or less, to the south- west corner of said lot 10; thence northerly on the west line of said lot 10 to the northwest corner thereof and to the point of beginning	1	"	Douglas E. Leach Beverly L. Leach 2813 Vandenberg Drive 67210
Lot 10 except above described tract	1	"	Amirali T. Jivangee Kulsoom A. Jivangee 6737 Winterberry Circle 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 11	1	Cottonwood Village Third Addition	Howard C. Hand, Jr. Becky A. Hand ✓ 6731 Winterberry Circle 67226
Lot 12	1	"	✓ Kenneth Warren Whisler Rebecca A. Whisler 6703 Winterberry Circle 67226
Lot 13	1	"	D Douglas E. Leach Beverly L. Leach 2813 Vandenberg Drive 67210
Lot 23	2	"	D Crane Homes of Kansas, Inc. 2148 N. Old Manor 67208
Lot 24	2	"	✓ Robert R. Olsen 6818 Winterberry Circle 6722
Lot 25	2	"	D Crane Homes of Kansas, Inc. 2148 N. Old Manor 67208
Lot 26	2	"	✓ Carl L. Gregory Marlina J. Gregory 6805 Winterberry Circle 67226
Lot 27	2	"	✓ Stephen B. Krauser Patricia B. Krauser 6717 Winterberry Circle 67226
Lot 30	2	"	✓ Charlie F. Clowers Thelma Clowers 3009 Rushwood 67226

Tract Description

The South half of the Southeast Quarter of Section 36, Township 26, Range 1 East, except the West 550 feet of the South 970 feet of said tract.


The East half of the Northeast Quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M.

Property Owner

✓ Tom Allen
Board of Park Commissioner
City Hall
455 North Main
67202

✓ Unified School District
No. 259
640 North Emporia
67214

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tracts within a 1000 foot radius of:

used for legal 
All of Pepperwood Addition to
Wichita, Sedgwick County,
Kansas, except the
Floodway Reserve

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on this second day of March, 1982, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE CO. INC.

By

Mary Gable
Vice-President

Order No: 307195
AP

FORM 29-

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT

NAME _____

ADDRESS _____

FUND _____ DUE DATE _____

COMMENTS _____

DATE _____ BY _____

*

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

Roll # 1

*