

DP-74 - BRIARWOOD COMMERCIAL CUP
AMENDED FILE #3 - generally loca-
ted at the northeast corner of
Rt. Vainon and Goodison

POSTED
1-8-80

ACTION

COMMITTEE _____ DATE _____

M.A.P.C. *Approved and then* _____ 1-31-80

B.C.C./B-00: C. *Approved* _____ 2-26-80

Map No. 5945
Sec. 31
Twp. 27
Range 2E

DATA SHEET
COMMUNITY UNIT PLAN

DP - 74
Z - _____
Filed 12-27-79

APPLICATION REQUEST: Approval of proposed planned AMENDED FILE #3 -
BRIARWOOD COMMERCIAL CUP development.

1. Applicant Keith L. Anderson
Address 1125 South Rock Road, 67207 Phone 681-1711
2. Agent _____
Address _____ Phone _____
3. General Location Northeast corner of Mt. Vernon and Woodlawn
Address _____
4. Proposed Use _____

AREA DATA

1. Acres 6.199 (_____ ft. by _____ ft.)
2. Existing Zoning "C" Proposed Zoning _____
3. Area (is) (is not) platted. _____ Addition _____
4. Existing R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.
Proposed R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MARC Meeting:

Date	Action
<u>1-31-80</u>	<u>Approved sub to committee</u>
_____	_____
_____	_____

2. Governing Body

Date	Action
<u>2-26-80</u>	<u>Approved as recommended</u>
_____	_____
_____	_____

Map No. 5945
Sec. 31
Twp. 27
Range 2E

DATA SHEET

DP-74

AMENDED FILE #3 -
BRIARWOOD COMMERCIAL CUP

Filed 12-27-79

APPLICATION DATA:

- Applicant: Keith L. Anderson
Address 1125 South Rock Road, 67207 Phone 681-1711
- Agent: _____
Address _____ Phone _____
- General Location: Northeast corner of Mt. Vernon and Woodlawn
Address _____
- Proposed Use: _____

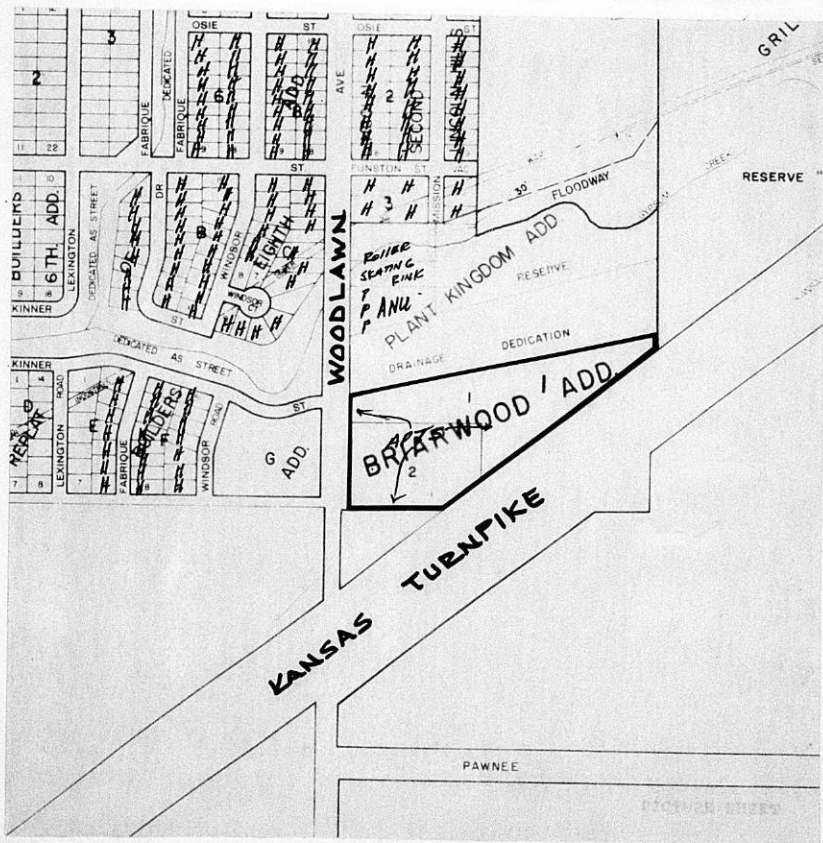
AREA DATA:

- Acres: 6.199 (IRREGULAR) (450 ft. by 1200 ft.)
- Existing Zoning: "C"
- Land Use: East KANSAS TURNPIKE South KANSAS TURNPIKE
West UNDEVELOPED North NURSEY-GREENHOUSE
- Sketch Plan Land Use is for: _____
- Present Land Use is for: APARTMENTS
- Area (is) (is not) platted: _____

PHOTO DATA:

Taken by _____ Date _____ Time _____

DP-74



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR APPROVAL OF AMENDMENT
TO COMMERCIAL CUP

CASE NO. DP-74

CONSIDERED BY MAPC: 1-31-80

REQUEST FOR: Approval of Amendment to Commercial CUP

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow outside storage of recreational vehicles,
boats, small trucks, cars, etc."

GENERAL LOCATION: Northeast corner of Mt. Vernon and Woodlawn.

LEGAL DESCRIPTION:

Lots 1 and 2, Block 1, Briarwood Addition to the City of
Wichita, Kansas.

APPLICANT: Keith L. Anderson, 1125 S. Rock Road.

AGENT FOR APPLICANT: None

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, "C" & "AA"; East and South, N/A; West, "LC".

LAND USE: Existing, Garden apartments & undeveloped; North, Drainage
dedication & nursery/greenhouse; East and South, Kansas Turnpike; West,
undeveloped.

CPO RECOMMENDATION: CPO Council Area "F" recommended 6-2 for approval
of the proposed amendment.

PLANNING COMMISSION RECOMMENDATION:

That this amendment to the Commercial C.U.P. be approved subject to the
conditions as outlined in the attached excerpt from Planning Commission
minutes of January 31, 1980. Hennessy moved, Gardner seconded and it
carried unanimously. Jones and Lofton were absent.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area Plan-
ning Commission and approve the Community Unit Plan subject to the recommended
conditions; or
2. Return the application to the Metropolitan Area Planning Com-
mission for its reconsideration. The City Commission states the following
reasons for its action.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 31, 1980:

12. Case No. DP-74 - Keith L. Anderson requests approval of Amendment to Commercial Community Unit Plan for Lots 1 and 2, Block 1, Briarwood Addition to the City of Wichita, Kansas. Generally located at the northeast corner of Mt. Vernon and Woodlawn.

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

COMMENTS:

1. The applicant has requested an amendment to the Briarwood Commercial Community Unit Plan and in accordance with Section 28.04.190 (C.U.P. Regulations) of the Code of the City of Wichita has submitted an amended copy of the C.U.P. An apartment complex is located on Parcel 2 of the C.U.P. while the remainder of the site is undeveloped at this time.
2. The proposed amendment submitted for review and approval by the Planning Commission and Board of City Commissioners includes the following changes:
 - a. Consolidation of Parcels 1 and 3 into one parcel.
 - b. Adding to the list of proposed uses, the outside storage of recreational vehicles, small trucks, and boats; and deleting the proposed uses of contractors plant and storage, and service oriented retail.
3. The Flood Control and Landfill Division has reviewed the proposed changes and has indicated that a drainage plan will be required showing the method used to collect stormwater runoff from the site and conveying it to the drainage dedication in order to prevent sheet flow into the channel to the north.
4. The site seems to be more than adequately suited for the development of residential storage warehouses with outside storage of vehicles. The 220 foot drainage dedication to the north and the Kansas Turnpike to the south offer ample buffers between the site and other areas.
5. Should the Planning Commission determine that the changes in the amendment are appropriate, the following are recommended conditions of approval:
 - A. Prior to the scheduling of this C.U.P. for review by the Board of City Commissioners, a site drainage plan showing the collection of runoff from the site and the method used to convey the runoff to the drainage dedication shall be submitted to the Flood Control and Landfill Division for their review and approval.
 - 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 being 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 commercial development and be binding upon the present owners, their successors and assigns, unless amended.

GALBRAITH stated that CPO Council Area "F" recommended 6-2 for approval of the proposed amendment. The Council members noted that residential storage warehouses are badly needed as more people move into apartments, and that the proposed amendment would help alleviate the problem of improper and unsightly storage of recreational vehicles in neighborhoods. The two members who opposed the motion did so because they felt the front yard setback should be increased to match the setback of the adjacent apartments, as a condition of approving the amendments, and also felt that the landscaping requirements should be increased to make the warehouses less visible from Woodlawn. GALBRAITH said that the staff recommended approval of the amendments to this CUP.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10; the character and zoning of nearby properties, and the recommendation of staff for approval; I move that we recommend to the Governing Body that this application be approved subject to the following conditions:

- a. Prior to the scheduling of this C.U.P. for review by the Board of City Commissioners, a site drainage plan showing the collection of runoff from the site and the method used to convey the runoff to the drainage dedication shall be submitted to the Flood Control and Landfill Division for their review and approval.
- 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 being 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 commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Hennessy moved, Gardner seconded and it carried unanimously. Jones and Lofton were absent.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 5, 1980

TO "THE FILES"
FROM Arthur D. Chambers, Junior Planner
SUBJECT DP-74 - BRIARWOOD COMMERCIAL C.U.P.
Northeast corner of Mt. Vernon and Woodlawn.

One of the Conditions of Approval by MAPC of this C.U.P. was that a site drainage plan showing the collection of runoff from the site and the method used to convey the runoff to the drainage dedication shall be submitted to the Flood Control and Landfill Division for review and approval. The basis for this condition was that Paul Johnston of Flood Control had commented that he wanted to see the plans to insure that the conveyance of runoff was adequate. The intent was for Flood Control to approve the method of moving runoff from the site to the drainage dedication.

I talked to Paul on February 7, 1980 to see if he had been contacted about the drainage plan. He said that Mr. Anderson had talked to him and understood the changes Paul wanted. On February 13, I called Mr. Anderson to see what the status was on the drainage plan since the plan needed to be approved by February 15 so that it could be scheduled for BCC consideration on February 25, 1980. Mr. Anderson said that Yash Desai of Public Works, Engineering Division had given his approval of the plan. However, Paul had not given his approval due to the need of an onsite visit to review the improvements needed. Paul had also said that the maintenance easement along the north should be graded to provide a level service for flood control maintenance vehicles and fire department vehicles. Mr. Anderson was going to talk to the fire department to determine the maximum grade acceptable to them.

After the conversation with Mr. Anderson, I called Paul to find out what his understanding was on the status of the drainage plan. He said that there were still many problems and he could not approve the plan until the onsite visit and the problems were resolved.

At approximately 9:00 a.m. ^{Feb 14, 1980} Yash Desai called me and said that as far as he was concerned, the drainage was satisfactory except for a few small problems that could be worked out and that the C.U.P. should be scheduled with the BCC. ~~The~~ If the problems could not be resolved, it could be deferred.

Page Two
"THE FILES"
March 5, 1980

Mr. Anderson then called and said that revised drainage plans were being prepared and that they would be reviewed by Yash Desai. After the meeting, the plans would be taken to Paul. I told Mr. Anderson that if Paul approved the plans, to have Paul call me and I would schedule the C.U.P. I also told Mr. Anderson to have Paul forward a memo to me stating that he had approved the plan.

On February 19, 1980, at 9:55 a.m., I talked to Paul and he said that the plans had been delivered. They were approved subject to minor corrections. At that time, I told Paul that I would send the case to the City Manager to be scheduled for the February 26, 1980 BCC meeting. Paul said that would be satisfactory.

On Thursday, February 28, a representative from Central Inspection called me to find out the status of the C.U.P. because there was a contractor requesting a building permit for the site. I called Paul and he said he had not seen the revised plans. I then called Roger Brooks to inform him of the problem. He said that he would check with Yash Desai of Public Works to make sure that the plans had been forwarded to Paul.

On March 3, Paul called to inform me that the revised plans had been delivered and that they were approved. Letter to Central Inspection with approved C.U.P. attached was forwarded on March 4.

Arthur D. Chambers, AICP
Arthur D. Chambers, AICP
Junior Planner

ADC:el

September 14, 1979

Mr. Keith Anderson
1175 South Rock Road
Wichita, Kansas 67218

Re Site and Landscape Plan for
Briarwood C.U.P. (DP-74)

Dear Mr. Anderson:

This is to advise that we have received and reviewed the combined site and landscape plan associated with the Briarwood Community Unit Plan (DP-74). As you are aware, these items have been submitted in support of a request by D & B Properties to allow the construction of residential storage warehouses on Parcel No. 1 of the approved community unit plan. A favorable interpretation had previously been made contingent upon receipt and approval of the site plan and landscape plan.

Upon completion of our review, we find that the site and landscape plans are acceptable and are, therefore, approved. We note that the adjoining property owner is willing to provide water and maintenance to the proposed plant materials. We will file a copy of the letter indicating the same with the approved copies of the site/landscape plan with the expectation that adequate watering and maintenance will assure the survivability of the materials to be planted. Should the materials not survive, it will be viewed as a violation of the provisions of the approved community unit plan and corrective action will be required.

We will, by copy of this letter, advise the Superintendent of Central Inspection of the approval of your landscape plan.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:RLY:el

cc: D and B Properties, 6572 E. Central, Suite 102, 67206
Marvin Penner, Sutton Place, 209 E. William, 67202
Robert B. Feldner, Superintendent of Central Inspection
Roger A. Brooks, 7701 E. Kellogg, Suite 725, 67207

August 30, 1979

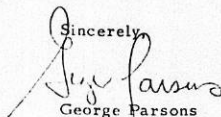
Mr. Keith Anderson
1175 South Rock Road
Wichita, Kansas 67218

Good morning Mr. Anderson...

It is my understanding that you plan to purchase and develop Lot 1, Block 1, Briarwood Addition to Wichita. I understand that it is your intent to install landscaping on that portion of Lot 1 abutting the Lot 2 eastern boundary.

Since I own Lot 2 and am already maintaining the landscaping thereon, I would be willing to maintain and water your plantings as well, provided you follow the landscaping plan approved by the City. My water hydrant is near your proposed plantings so availability of water should present no problem.

Sincerely,

A handwritten signature in cursive script that reads "George Parsons". The signature is written in dark ink and is positioned above the printed name.

George Parsons

December 15, 1978

Mr. George M. Parsons
1111 East Second
Wichita, Kansas 67214

Re: Revised Landscape Plan
Parcel 2 - Briarwood C.U.P.
(DP-74)

Dear Mr. Parsons:

This is to advise you that we have received and reviewed your revised landscape plan for Parcel No. 2 of the Briarwood Community Unit Plan (DP-74). We note that you have significantly increased the total number of large plant materials including Scotch Pines, Red Bud trees and Hawthorns. The total numbers of materials now compare favorably with the numbers proposed in the original plan. As indicated in our previous discussion, we agree that it is acceptable for you to substitute grass for the honeysuckle proposed along the northern boundary of Parcel 2 between the two parking lot entrances. We believe the use of grass in this area will be more compatible with the good stand of grass you now have along the west boundary of the parcel.

Subject to this change in materials, we therefore approve your proposed landscape plan for Parcel No. 2 of the Briarwood C.U.P. (DP-74). We will, by copy of this letter, advise the Superintendent of Central Inspection of the approval of your revised plan.

With the approval of the landscape plan, you are encouraged to accomplish the proposed plantings as soon as possible, thereby correcting the deficiencies cited to you by the Building Code Administrator in his letter of October 6, 1978. If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:RLY:e1

cc: continued on page 2

Page Two
Mr. George M. Parsons
December 15, 1978

cc: Robert B. Feldner
Superintendent of Central Inspection

Sam L. Mobley
Building Code Administrator

November 9, 1978

Mr. George M. Parsons
1111 East Second
Wichita, Kansas 67214

Re: Landscape Plan associated with
C.U.P. - DP-74 - Briarwood.

Dear Mr. Parsons:

After reviewing your submitted revised landscape plan and the planting site, there are a number of items that need to be brought to your attention so that changes can be made on the plan prior to our approval. The plan should first indicate all existing features such as, the sidewalk along Woodlawn, location of your sign, fire hydrants, and all existing trees and shrubs which are alive. The planting areas should be dimensioned.

As we discussed Tuesday morning, the action of the Planning Commission in recommending the approval of the amended C.U.P. was to require the submission of a revised planting plan with a "comparable number of plant materials". Our letter of January 9, 1978, of which you have a copy, emphasizes the number of plants originally proposed along Woodlawn as follows:

26 Scotch Pines
97 Red Leaf Barberry
225 Halls Honeysuckle
- English Ivy

Both the English Ivy and Honeysuckle were proposed as a ground cover, but the Barberry was designed in three attractive planting areas to lessen the monotony of two staggered rows of Pines. You emphasized that rather than using so much ground cover, you preferred grass and there is a good stand of grass in the front. Specifically, the front planting area needs to be redesigned and the location, type (name of plant material), and the size and spacing of plants need to be shown. We want to know the type of Pines proposed. The Pines, as now indicated, appear to be one or two feet from the sidewalk, and there is no use of shrubs at the entrance around your sign, or in front of parking area which encroaches into the planting area. The plan would be more ac-

Page Two
Mr. George M. Parsons
November 9, 1978

ceptable if the materials would be grouped or clustered, rather than planted in two straight rows. I have attempted to indicate what is meant on the enclosed marked plan.

Regarding the planting area along the north, I particularly inquired as to why the Washington Hawthorns were not indicated and you advised that they were either dead or not there; yet seven are there and appeared to be in fairly good condition. There are also several existing Honeysuckle and two Barberry on the east side of your first drive into your front parking lot. There are a number of Pines in this area that are dead and, again, all existing and proposed plant materials need to be reflected. At one time, this area must have had a ground cover and then changed to grass, and the grass is a different type than the front and for east areas and appears to be in poor condition. Again, a grouping or clustering of plant materials is preferred, rather than straight rows. Additional Hawthorns might be desirable where only one now exists. I have again attempted to reflect a clustering effect by the use of tree stamps.

Your plan needs to be revised, reflecting the items as outlined in this letter. Upon its resubmission to us, if we feel that because of the reduction of numbers of materials that we cannot approve the plan, we will schedule it for review and consideration by the Planning Commission. Please provide four corrected copies.

If you have any questions, or desire to discuss the items needed on the plan, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

Enc.

cc Sam Mobley

Proposal

Page No. _____ of _____ Pages

MODEL NURSERY
Everything in Landscaping From Planning To Planting
 11716 E. Kellogg Wichita, Kansas 67207
 MU 2-3261

PROPOSAL SUBMITTED TO Mr. George Parsons		PHONE	DATE <i>11-2-78</i>
STREET Briarhill Apts. Job		JOB NAME	
CITY, STATE AND ZIP CODE		JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

- 4 large pine 6-8' BB 412.00
(located, one at each entry as per design)
 - 21 Pine 3-4' BB 651.48
(West side of property facing Woodlawn)
 - 15 Pine 3-4' BB 556.20
- Grand total tax included \$1,619.68

Exclusive Apartment and Commercial Management

ABC Properties

GEORGE M. PARSONS
OWNER

EXECUTIVE OFFICES
1111 EAST SECOND
WICHITA, KANSAS 67214
(316) 262-3731

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

_____ dollars (\$ _____).

Payment to be made as follows: _____

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature _____
 Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: 11-6-78 Signature: *George Parsons*



October 6, 1978

George M. Parsons
1111 E. Second
Wichita, KS 67214

Dear Sir:

Due to the harsh summer weather, Central Inspection Division is in the process of inspecting all Community Unit Plan Developments within the City for the purpose of verifying the installation and maintenance of screening and landscaping as required by the approved CUP. Unfortunately, this inspection conducted October 5, 1978, revealed that CUP DP-74 (known as Briarwood) is in violation.

Many of the required plantings are either dead or dying. In addition, some of the materials shown on the approved landscape plan are missing. The dead materials must be replaced, the missing materials installed and the screening/landscaping maintained.

This letter shall be considered as official notification that unless action is initiated within thirty days to provide screening and landscaping, in accordance with the approved plan, the appropriate action will be taken to insure correction of these deficiencies. Bonds guaranteeing such installations may be considered to be acceptable initial action.

It will be necessary to withhold approval for all building permits and occupancy permits associated with this CUP until such time that the deficiencies have been corrected. Your assistance and cooperation in expeditiously resolving this matter will be appreciated. We look forward to hearing from you soon.

Sincerely,

Sam L. Mobley
Building Code Administrator

SIM:AI:kda

December 17, 1975

Mr. Alan M. McHenry, Architect
318 Century Plaza Building
Wichita, Kansas 67202

Re: Landscape screening strip
requirement of Briarwood
CUP.

Dear Mr. McHenry:

This is to advise that the Planning Department has received and reviewed your proposed landscape plan for the Briarwood CUP located on the east side of Woodlawn Avenue at Mt. Vernon. As you are aware, among the conditions of approval of the Briarwood CUP, general provision No. 6 on the face of the plan specifies that:

"Planting screens, as indicated on the plan shall be provided and maintained of low shrubbery and trees not less than ten (10) feet in width and shall be of such a type, and maintained in such a manner, that it minimizes any nuisance of the commercial area in parcels one (1) and three (3). A landscape plan for the planting screen, indicating the location, type, and specifications of plan materials, shall be submitted to the Planning Department for their review and approval prior to the issuance of any building permits on parcel two (2)."

On the basis of our review and the comments received from Mr. John Firshing, the City Superintendent of Landscape and Forestry, your landscape plan is hereby approved. We suggest however, that you consider moving the red leaf barberry back from the parking lot entrances along the access easement on the north. As they are now indicated on the plan, they may create a visual obstruction for vehicles entering and exiting the apartment parking lots.

Mr. Alan M. McHenry
December 17, 1975

We shall, by copy of this letter, notify the Superintendent of Central Inspection, of the receipt and approval of your landscape plan, thereby satisfying the landscape plan requirement prior to the issuance of building permits on Parcel Two.

Sincerely,

Jack H. Galbraith
Chief Planner

FHG:RLY:rme

cc: Robert Feldner, Superintendent, Central Inspection
Robert Des Marteau, 260 North Rock Road, 67206
Gene M. Campbell, 3560 South Broadway, 67216

March 4, 1980

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

DP-74 - Briarwood Commercial C.U.P. Generally located
at the northeast corner of Mt. Vernon and Woodlawn.

The Board of City Commissioners on February 26, 1980, considered the above captioned CUP. Their action was to approve the CUP subject to the following conditions:

- A. Prior to the scheduling of this C.U.P. for review by the Board of City Commissioners, a site drainage plan showing the collection of runoff from the site and the method used to convey the runoff to the drainage dedication shall be submitted to the Flood Control and Landfill Division for their review and approval.
- 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 being 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 commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Please note that in accordance with condition "A" above, plans have been submitted and approved by Paul Johnston of Flood Control and Landfill Division.

Attached for your information and files are two approved copies of the CUP. If you have any questions concerning this matter, please contact our office.

JHG:ADC:e1
Attachments

Jack Galbraith
Chief Planner

THE CITY OF WICHITA

OFFICE OF Flood Control & Landfill Div. DATE February 19, 1980

TO Jack Galbraith, Chief Planner, MAFD
FROM Paul Johnston, Flood Control Engineer

**SUBJECT - Briarwood Addition- Site Grading and
Drainage Plan submitted by Roger Brooks,
Architect.**

Reference is made to the Site Grading Plan and drainage plan for subject Addition submitted to this office on February 1st, 1980 for review. Please be advised I have reviewed the plan and it is approved subject to the following corrections and footnotes to be added to the drainage plan:

- 1) A continuous berm or curb is required along the west side of the plat adjacent to the existing apartment buildings. Its limits shall be shown.
- 2) Turf shall be re-established in any disturbed areas or fill areas by the contractor.
- 3) Sufficient fill material is to be added to the site as to provide manageable grades on the northern 10' of the property pertaining to the maintenance access easement as agreed upon. Same to be smoothed out and less than 4:1 slope.
- 4) If CMP is to be used over clay pipe, same should be bituminous-coated to protect against corrosion.
- 5) For maintenance purposes rather than providing the bends indicated, a transition should be incorporated, ie. two 11 1/4" bends vs 22.5".
- 6) Any necessary riprap at the storm sewer outfall shall be guaranteed.

If there are any further questions, please advise.



Paul Johnston
Flood Control Engineer
Flood Control and Landfill Division

PJ/glm

cc: Briarwood Addition Plat File
Gypsum Creek Stream File
Bob Jennings
Yash Desai
Keith Anderson /% Anderson Inv. Co. -1125 So. Rock Rd. 67207

RECEIVED

FEB 20 1980

METROPOLITAN PLANNING
ROUTE _____

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

February 1, 1980

Keith L. Anderson
1125 South Rock Road
Wichita, Kansas 67207

Re: Case No. DP-74
Approval of Amendment
to Commercial C.U.P.

Dear Mr. Anderson:

At its regular meeting on January 31, 1980, 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. Prior to the scheduling of this C.U.P. for review by the Board of City Commissioners, a site drainage plan showing the collection of runoff from the site and the method used to convey the runoff to the drainage dedication shall be submitted to the Flood Control and Landfill Division for their review and approval.
- 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 being 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 commercial development and be binding upon the present owners, their successors and assigns, unless amended.

WICHITA - SEDGWICK COUNTY

Regarding condition a above, it is necessary that you comply with that condition by February 15th so that this case can be scheduled for consideration by the City Commissioners on February 26th. Please have your agent submit 10 copies of the C.U.P. to our office by February 15th for transmittal to the City Commissioners.

This matter will be forwarded to the Board of City Commissioners for consideration at their regular meeting on February 26, 1980, 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,

Jack H. Galbraith
Chief Planner

JHG:sad

CC: George & Linda Parsons, 7634 Dublin Street, Wichita, Kansas

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE January 29, 1980

TO Jack Galbraith, Chief Planner, Current Plans

FROM Gail Williams, CPO Administrative Aide

SUBJECT DP-74: Briarwood CUP Amendments

On January 21, CPO Council "F" considered the captioned case and voted 6 to 2 to recommend approval of the proposed amendments.

Council members noted that residential storage warehouses are badly needed as more people move into apartments, and that the proposed amendments would help alleviate the problem of improper and unsightly storage of recreational vehicles in neighborhoods.

The two members who opposed the motion did so because they felt the front yard setback should be increased to match the setback of the adjacent apartments, as a condition of approving the amendments. They also felt that the landscaping requirements should be increased, to make the warehouses less visible from Woodlawn.

Gail Williams

Gail Williams
CPO Administrative Aide

CW:rs

RECEIVED

JAN 30 1980

METROPOLITAN PLANNING

ROUTE

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 1-31-80

Case No. DP-74 Request: Approval of Amendment to
Commercial C.U.P.

Location: Northeast corner of Mt. Vernon and Woodlawn

Reason: To allow outside storage of recreational vehicles,
boats, small trucks, cars, etc.

Acres: 9.9 Size: 435 feet x 1215 feet (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Garden apartments undeveloped	"C"
North	Drainage dedication nursery/greenhouse	"C" & "AA"
East	Kansas Turnpike	N/A
South	Kansas Turnpike	N/A
West	Undeveloped	"LC"

Platted: Yes, Briarwood Addition

History: Z-1618 DP-74 "AA" to "C"
3-28-74 MAPC Deny "C", approve "LC"
4-16-74 BCC Approve "LC" subject to
platting
5-25-75 Denied and closed, fail-
ure to plat
Z-1725 DP-74 "AA" to "C"
3-28-75 MAPC Approve "C"
9-16-75 BCC Approve "C"

COMMENTS:

1. The applicant has requested an amendment to the Briarwood Commercial Community Unit Plan and in accordance with Section 28.04.190 (C.U.P. Regulations) of the Code of the City of Wichita has submitted an amended copy of the C.U.P. An apartment complex is located on Parcel 2 of the C.U.P. while the remainder of the site is undeveloped at this time.

page 2
MAPC AGENDA
1-31-30
DP-74

2. The proposed amendment submitted for review and approval by the Planning Commission and Board of City Commissioners includes the following changes:
 - a. Consolidation of Parcels 1 and 3 into one parcel.
 - b. Adding to the list of proposed uses, the outside storage of recreational vehicles, small trucks, and boats; and deleting the proposed uses of contractors plant and storage, and service oriented retail.
3. The Flood Control and Landfill Division has reviewed the proposed changes and has indicated that a drainage plan will be required showing the method used to collect storm-water runoff from the site and conveying it to the drainage dedication in order to prevent sheet flow into the channel to the north.
4. The site seems to be more than adequately suited for the development of residential storage warehouses with outside storage of vehicles. The 220 foot drainage dedication to the north and the Kansas Turnpike to the south offer ample buffers between the site and other areas.
5. Should the Planning Commission determine that the changes in the amendment are appropriate, the following are recommended conditions of approval:
 - A. Prior to the scheduling of this C.U.P. for review by the Board of City Commissioners, a site drainage plan showing the collection of runoff from the site and the method used to convey the runoff to the drainage dedication shall be submitted to the Flood Control and Landfill Division for their review and approval.
 - 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 being 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 commercial development and be binding upon the present owners, their successors and assigns, unless amended.

DP-74 - 19 - "Notice to adjoining property owners" mailed 1-17-80 for the
MAPC meeting for 1-31-80

1 (including map) to CPO Office

—
20 TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

January 17, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, January 31, 1980, 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 to the BRIARWOOD COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

DP-74 - Lots 1 and 2, Block 1, Briarwood Addition to the City of Wichita, Kansas. Generally located at the northeast corner of Mc. Vernon and Woodlawn.

The Development Plan of this area, originally approved on November 16, 1975, 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 the following general amendments to the approved plan:

1. The consolidation of Parcels 1 and 3 into one parcel.
2. Adding to the list of proposed uses the outside storage of recreational vehicles, small trucks, and boats; and deleting the proposed uses of contractors plant and storage, and service-oriented retail.

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 268-4516.

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

THE CITY OF WICHITA

OFFICE OF Flood Control and Landfill Div. DATE January 17, 1980

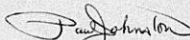
TO Jack Galbraith, Chief Planner, MAPD

FROM Paul Johnston, Flood Control Engineer

SUBJECT - Briarwood Commercial C.U.P.
Amendment to DP-74

Reference is made to your memo of January 4th, 1980 requesting comments on subject CUP. Upon review of the proposal for Parcel I some immediate questions should be addressed at this time:

- 1) Since security fencing is proposed a question arises as to where it will be placed ie. along the south side of the maintenance and access easement allowing use of same or along the property line eliminating access.
- 2) What is the extent and limits on the fill necessary to build up the swale on the northerly edge adjacent to the drainage dedication. A drainage plan will be required showing the manner of directing and/or collecting the runoff on Parcel I to common collection points and conveying same to the drainage dedication to prevent sheet flow into the channel and direct the runoff away from the apartment site in Parcel II.



Paul Johnston,
Flood Control Engineer
Flood Control and Landfill Division

PJ/glm

cc: Briarwood Addn. Plat File

January 16, 1980

Keith L. Anderson
1125 South Rock Road
Wichita, Kansas 67207

Re: Amendment to DP-74 Briarwood
Commercial C.U.P. - Northeast
corner of Mt. Vernon and Woodlawn

Dear Mr. Anderson:

We have reviewed the proposed amendment to the above captioned commercial C.U.P. and the following are our comments, as well as comments from other department of the city concerning this project.

1. Change General Provision Number 4 to read:

Prior to the issuance of any building permits, a site drainage plan shall be submitted to the Department of Public Works for review and approval.

2. Indicate and label security fencing on the plan.

These are the comments we have at this time. We have scheduled this item to be considered by the Planning Commission at their regular meeting of January 31, 1980. It is necessary that we receive 15 copies of the amended C.U.P. by Tuesday, January 22, 1980 for this item to be heard at the January 31, 1980 meeting. Enclosed is a "marked copy" of the C.U.P. for your information and review with your consultant.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:el
Enclosure

cc: Roger A. Brooks, Architect, 7011 Kellogg, Suite 725, 67207
George & Linda Parsons, 7634 Dublin St., 67206

January 4, 1980

Dean Sellers, Acting City Engineer
Robert B. Feldner, Superintendent of Central Inspection
Paul B. Graves, Traffic Engineer
Max Greene, Flood Control and Landfill Director

Jack H. Galbraith, Chief Planner

Amendment to DP-74 - BRIARWOOD Commercial C.U.P. -
Northeast corner of Mt. Vernon and Woodlawn.

Attached is a copy of a proposed amendment to the above captioned C.U.P. The amendment proposes to reduce the number of parcels from 3 to 2 in order to allow the development of residential storage warehouses on Parcel 1. Outside storage of recreational vehicles will be permitted on Parcel 1. The entire parcel will be covered with either buildings or pavement. Proposed uses for Parcel 2 will remain the same, due to existing apartment buildings.

We have scheduled this for the January 31, 1980 Planning Commission meeting and I would appreciate any comments you might have regarding the proposed changes by January 16, 1980.

Jack H. Galbraith
Chief Planner

JHG:ADC:el

Attachment

McKinley

P. Johnson

L. Johnson

Lindback

no comments 1/15/80

no comments 1/15/80

no comments 1/15/80

5945
31

SEC 31, T 27, R 2E MAP 5945

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

Brisarwood^{comm.} CUP

DP-74
Amended File # 3

87 This is an application for a Community Unit Plan - Planned Development.
26 The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, 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 ✓ KEITH L ANDERSON
Address 1125 S ROCK RD Phone 681-1711
Agent 67207
Address _____ Phone _____
- b. Applicant GEORGE & HIRSH PARSONS
Address 7639 DUBOIS ST WICHITA Phone 681-7961
Agent Keith Anderson
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 C and legally described as Lot(s)

^{OK for legal} 1 and 2, Block(s) 1
BRISARWOOD ADDITION Addition.

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

II.B There are ^{2.89} 2.89 acres (round to nearest tenth) in the above described property.

T9-330-3

Called Keith Anderson 1/6/80 and told him that we needed ownership list for Lots 1 and 2. He said he would get an amended ownership list later. AK

III. This property is located at (address) _____.

The general location is (use appropriate section)

- a. at the _____ corner of _____
and _____; or
- b. on the EAST side of WOODLAWN (Ave.,
Street) between PAWNEE (Ave., Street) and
HARRY (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
12 PM (AM, PM) on Dec 27, 1979 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ 400.

[Signature] Name
Dr Planner Title

CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the Office of the Register of Deeds, Sedgwick County, Kansas, of:

Lot 1, Block 1, Briarwood Addition, Wichita, Sedgwick
County, Kansas

together with all the real estate tying within a 500 foot radius thereof.

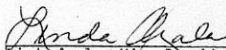
<u>DESCRIPTION</u>	<u>OWNERS and ADDRESSES</u>
<u>BRIARWOOD ADDITION</u>	
<u>Block 1</u>	
Lot 1	✓ Keith L. Anderson 6002 Grace Lane Wichita, Kansas 67208
Lot 2	✓ George N. Parsons Linda M. Parsons 7634 Dublin Street Wichita, Kansas 67206
<u>PLANT KINGDOM ADDITION</u>	
Reserve A	✓ Gene M. Campbell ✓ Luis A. Casado 4701 Ida #14 English Avenue Wichita, Kansas 67216 Wichita, Kansas 67207
	✓ Charles M. Campbell ✓ Jesse L. Graham 2445 Greenwood 1403 Harding Wichita, Kansas 67212 Wichita, Kansas 67208
Lots 1 and 2	✓ Skateland, Inc. 1836 South Woodlawn Wichita, Kansas 67218
Lot 3	∩ Gene M. Campbell ∩ Luis A. Casado 4701 Ida #14 English Avenue Wichita, Kansas 67216 Wichita, Kansas 67207
	∩ Charles M. Campbell ∩ Jesse L. Graham 2445 Greenwood 1403 Hardins Wichita, Kansas 67212 Wichita, Kansas 67208
<u>REPLAT OF BUILDERS 8th</u>	
<u>Block C</u>	
Lot 15	✓ Jeffrey E. Farmer Ramona E. Farmer 1838 South Woodlawn Wichita, Kansas 67218
Lot 14	✓ Robert W. Kloth Patricia R. Kloth 1848 Windsor Court Wichita, Kansas 67218
Lot 13	✓ Nicholas Scott Daily Virginia L. Daily 855 South Broadway Apt. 108 Wichita, Kansas 67211
Lot 12	✓ John Francis Haen Patricia Ann Haen 1856 Windsor Court Wichita, Kansas 67218

DESCRIPTION	OWNERS AND ADDRESSES
Lot 11	Samuel C. Voshell Theima Voshell ✓ 1860 Windsor Court Wichita, Kansas 67218
Lot 10	James D. Carson Betty F. Carson ✓ 1864 Windsor Court Wichita, Kansas 67218
Block G	
All	✓ Builders, Inc. 1000 Parklane Wichita, Kansas 67218
That part of the Southwest Quarter of Section 31, Township 27, Range 2 East, lying north and west of the Kansas Turnpike	✓ Wilhelm Mueller c/o George Mueller 1847 South Lorraine Wichita, Kansas 67218
The Southwest Quarter of Section 31, Township 27, Range 2 East, except that part lying north and west of Kansas Turnpike and that part dedicated for street.	✓ Cessna Aircraft Co. 5800 East Pawnee Wichita, Kansas 67218
That portion of the Southwest Quarter of the Northwest Quarter lying south and east of the Kansas Turnpike Authority right of way.	✓ Kansas Turnpike Authority P.O. Box 18007 Southeast Station Wichita, Kansas 67218
That part of the East half of the Northwest Quarter lying south of the Kansas Turnpike, Section 31, Township 27, Range 2 East	✓ Floyd B. Grillot 814 South Woodlawn Wichita, Kansas 67218

B211279

Dated this 12th day of
 December, 1979, at 7:00
 o'clock A.M., at Wichita,
 Kansas.

REALTY TITLE CO., INC.


 Linda Ayala, Vice-President



CERTIFICATE OF OWNERSHIP

DP74
adler

REALTY TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the Office of the Register of Deeds, Sedgwick County, Kansas, of:

Lots 1 and 2, Block 1, Briarwood Addition,
Wichita, Sedgwick County, Kansas

together with all the real estate lying within a 500 foot radius thereof.

<u>DESCRIPTION</u>	<u>OWNERS AND ADDRESSES</u>
<u>BRIARWOOD ADDITION</u>	
<u>BLOCK 1</u>	
Lot 1	D Keith L. Anderson 6002 Grace Lane Wichita, Kansas 67208
Lot 2	D George N. Parsons Linda M. Parsons 7634 Dublin Street Wichita, Kansas 67206
<u>PLANT KINGDOM ADDITION</u>	
RESERVE A	D Gene M. Campbell 4701 Ida Wichita, Kansas 67216
	D Charles M. Campbell 2445 Greenwood Wichita, Kansas 67212
	D Luis A. Casado #14 English Avenue Wichita, Kansas 67207
	D Jesse L. Graham 1403 Harding Wichita, Kansas 67208
Lots 1 and 2	D Skateland, Inc. 1836 South Woodlawn Wichita, Kansas 67218
Lot 3	D Gene M. Campbell 4701 Ida Wichita, Kansas 67216
	D Charles M. Campbell 2445 Greenwood Wichita, Kansas 67212
	D Luis A. Casado #4 English Avenue Wichita, Kansas 67207
	D Jesse L. Grahma 1403 Harding Wichita, Kansas 67208

DESCRIPTION	OWNERS AND ADDRESSES
<u>REPLAT OF BUILDERS 8th</u>	
<u>BLOCK C</u>	

Lot 15	Jeffrey E. Farmer Ramona E. Farmer 1838 South Woodlawn Wichita, Kansas 67218
Lot 14	Robert W. Kloth Patricia R. Kloth 1848 Windsor Court Wichita, Kansas 67218
Lot 13	Nicholas Scott Daily Virginia L. Daily 855 South Broadway Apt. 108 Wichita, Kansas 67211
Lot 12	John Francis Haen Patricia Ann Haen 1856 Windsor Court Wichita, Kansas 67218
Lot 11	Samuel C. Voshe11 Thelma Voshe11 1806 Windsor Court Wichita, Kansas 67218
Lot 10	James D. Carson Betty F. Carson 1864 Windsor Court Wichita, Kansas 67218

BLOCK G

A11	Builders, Inc. 1000 Parklane Wichita, Kansas 67218
That part of the Southwest Quarter of Section 31, Township 27 South, Range 2 East, lying north and west of the Kansas Turnpike	Wilhelm Mueller c/o George Mueller 1847 South Lorraine Wichita, Kansas 67218
The Southwest Quarter of Section 31, Township 27 South, Range 2 East, exc. that part lying north and west of the Kansas Turnpike and that part dedicated for street	Cessna Aircraft Co. 5800 East Pawnee Wichita, Kansas 67218
That portion of the Southwest Quarter of the Northwest Quarter lying south and east of the Kansas Turnpike Authority right of way. NW $\frac{1}{4}$ 31-27-E.	Kansas Turnpike Authority P.O. Box 18007 Southeast Station Wichita, Kansas 67218
That part of the East half of the Northwest Quarter lying south of the Kansas Turnpike, Section 31, Township 27, Range 2 East.	Floyd B. Grillot 814 South Woodlawn Wichita, Kansas 67218

Dated this 2nd day of
January, 1980 at 7:00
o'clock A.M., at Wichita,
Kansas.

REALTY TITLE CO., INC.

Linda Ayala
Linda Ayala, Vice-President

B2180

Underground Sprinkler
Sewer System.

Submitted by George
Parsons Nov 1978

DHO

FORM 200-21

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

*