

DP-92 AMENDMENT #6  
TALLGRASS OFFICE PARK AND  
COMMERCIAL C.U.P.

Generally located at the northeast  
corner of 21st Street North and  
Rock Road.

W-21, BARRAGE ST. - GAILCRAN OFFICE  
FARE AND COMMERCIAL C.U.F. - Generally  
located at the northeast corner of 21st  
Street North and Rock Road.

POSTED 4-23-87 KCB

WED

ACTION

DATE

COMMITTEE

deferral 4 wks 5/14/87 approved 4 wks

M.A.P.C. approved subject conditions 6-11-87

B.C.C./B.C.C. approved sub to 7-2-87  
Conditions as recommended

Approved by No. 7  
DP-97 1-11-89

POSTED 4-23-87 KCB

MAILING OFFICE  
U.S. DEPARTMENT OF JUSTICE  
COMMUNITY RELATIONS  
SECTION  
1500 PENNSYLVANIA AVENUE  
WASHINGTON, D.C. 20545

1030

### ACTION

DATE

COMMITTEE

M.A.P.C.

*deferred 4 wks 5-14-87 deferred 4 wks*  
*approved subject to conditions 6-11-87*

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

*Approved sub to 7-7-87*

*Conditions as recommended*

*Superseded By  
DP-92 Amendment No. 7  
7-11-89*

DATA SHEET

Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 DR- \_\_\_\_\_  
 DP- 92

Amend 6  
 Case Filed: 2-18-87  
 Associated Case: \_\_\_\_\_

APPLICATION DATA: Map No. 6050 C

1. General Location: At the northeast corner of 21st Street North and Rock Road
2. From \_\_\_\_\_ to \_\_\_\_\_
3. Proposed Use: \_\_\_\_\_
4. DP Name: TALLGRASS OFFICE AND COMMERCIAL COMMUNITY UNIT PLAN
5. Applicant: Independence Commons Company  
 Address 8100 East 22nd Street North, Bldg. 500, Wichita, KS. 67226 Phone 684-7300
6. Agent: Bill C. Yung Design  
 Address 4912 East 29th Street North, Suite One, Wichita, KS. 67220 Phone 683-5567

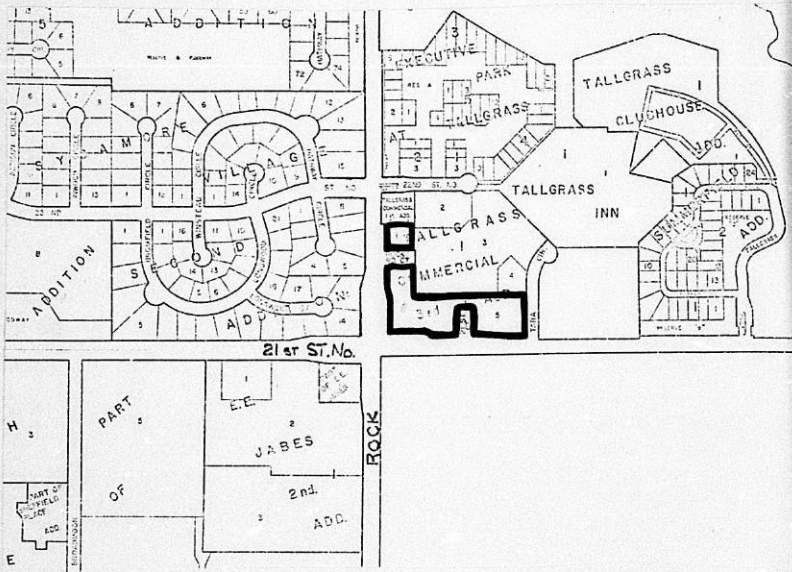
AREA DATA:

1. Acres: 2.1 ( \_\_\_\_\_ ) ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: N "LC" E "BB" S "LC" E "AA" E "LC" W "AA"
3. Land Use: North \_\_\_\_\_ East \_\_\_\_\_  
 South \_\_\_\_\_ West \_\_\_\_\_

PICTURE SHEET

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



NOTES:

*not Bill signs*

LOS ANGELES, CHICAGO, LOGAN, OH  
 MEMPHIS, MIAMI, NEW YORK, NY  
 U.S.A.

**S. H. Smith**  
 No. 2153C

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: April 25, 1989

TO: Monte Robson, Superintendent of Central Inspection  
FROM: Robert L. Young, Principal Planner *RLY*  
SUBJECT: Approved Site Plan for Parcel No. IC of the Tallgrass  
Office Park and Commercial CUP (SP-92) located at the  
northeast corner of 21st. Street and Rock Road.

Attached for your reference and files are two copies of the approved site plan for the construction of the McDonald's restaurant on Parcel IC of the Tallgrass Office Park and Commercial C.U.P. If you have any questions concerning this matter, please call me.

FILE COPY

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1689  
(316) 266-4561

April 4, 1989

Mr. Everett C. Fettis  
c/o Fettis & McClure  
120 S. Market, Suite 504  
Wichita, KS 67202

Re: Administrative Adjustment to the Tallgrass Office Park  
and Commercial C.U.P. (DP-92, Amendment #6). Generally  
located on the northeast corner of 21st Street and Rock  
Road.

Dear Mr. Fettis:

We have received and reviewed your request on behalf of your client, the McDonald's Corporation, for an administrative adjustment of the above referenced community unit plan. We understand that you desire to reduce the building setback along the west line of your client's property to 20 feet. We also understand that this reduction will result in a building setback line that coincides with the east line of a 20 foot wide utility easement existing along the west side of your client's property. Although we generally prefer to maintain a requirement for a 30 foot separation between structures on adjacent properties within C.U.P.'s that may be developed by different businesses, we believe, due to the fact that the site plan submitted indicates that the McDonald's structure will be located 24 feet from the west property line and structures existing on the adjoining parcel to the west are more than six feet west of the parcel line, we believe adequate separation will be maintained with a 20 foot building setback line from the west property line.

In addition, we believe the internal circulation system of existing and illustrated private drives will provide adequate access to and through the site for security and emergency vehicles.

On the basis of our review, we feel that reducing the building setback line along the west boundary of your client's property as you request, will not have an adverse effect on the C.U.P. or on adjacent properties, nor will it be a substantial deviation from the original plan.

FILE COPY

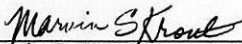
Tallgrass Office Park  
Page 2

Our signatures below indicate that an administrative adjustment has been granted to reduce the building set back line along the west boundary of your client's property to 20 feet. We will make a notation of this adjustment on our file copies of the C.U.P. drawing for future reference.

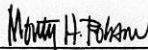
In association with the granting of this adjustment, we find that the site plan you have submitted is adequate to meet the requirement for site plan approval for parcels within the C.U.P. as specified in General Provision No. 17.

Please submit four copies of the site plan to our office for our files.

Sincerely,



Marvin S. Krout  
Director of Planning



Monty H. Robson  
Superintendent of Central  
Inspection

cc: Stephen Briles, P.E.  
McDonald's Corp.  
11882 College Blvd., Suite 500  
Overland Park, KS 66210

Booker Freund Associates  
111 W. Douglas  
Wichita, KS 67202

Jim Stockton  
c/o Ritchie Associates Inc.  
8100 E. 22nd St. N., Bldg. 500  
Wichita, KS 67226

Dennis Strole c/o  
Brand New Lawns  
10720 W. 21st St.  
Wichita, KS 67212

Nº 00633

METROPOLITAN AREA PLANNING DEPARTMENT

Description CUP adjustment  
Name Gregory C. Fettes  
Address 120 S. Market Suite 504  
Fund No. (circle one) ~~755-40710-003~~ (fees) ~~755-40710-004~~  
(books, xerox) ~~755-40710-026~~ (microfilm) 300210-9021  
Amount 100<sup>00</sup>  
Date 3/29/89 Due Date 3/31/89 By SO  
Form 00-000

LAW OFFICES  
FETTIS & MCCLURE  
120 SOUTH MARKET  
SUITE 504  
WICHITA, KANSAS 67202  
316-267-7251

EVERETT C. FETTIS  
DAVID R. MCCLURE

KEITH M. CURFMAN  
OF COUNSEL

March 27, 1989

Metropolitan Area  
Planning Commission  
City Building  
455 N. Main  
Wichita, Kansas 67203

Attn: Jack Galbraith

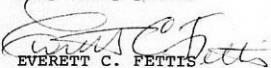
Dear Sir:

Pursuant to our recent conversations I am writing on behalf of McDonald's Corporation to request approval of their building located on the property at the northeast corner of 21st & Rock Rd.

We have submitted a proposed site plan. In connection with this site plan we are asking that you by administrative action approve reducing the set-back along the west side of our property from 30 ft. to 20 ft.

I am also enclosing herewith our filing fee of \$100.00.

Very truly yours,

  
EVERETT C. FETTIS

ECF/jr

Encl.

VICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

October 11, 1988

TO: Monty Robson, Superintendent of Central Inspection  
FROM: Robert L. Young, Principal Planner, Current Plans *R. L. Young*  
SUBJECT: Landscape Plan for Parcel No. 2, DP-92.

Attached for your files and reference are two copies of the approved landscape plan for Parcel No. 2 of the Tallgrass Commercial Community Unit Plan (DP-92), located on the northeast corner of 21st Street North and Rock Road. Please contact me if you have any questions on this matter.

RLY:blw  
Attachments

FILE COPY

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

September 9, 1988

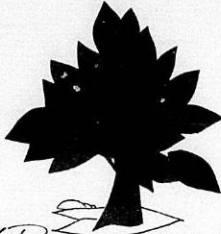
TO: Monty Robson, Superintendent of Central Inspection  
FROM: Robert L. Young, Principal Planner, Current Plans *RLY*  
SUBJECT: Approved Landscape Plan for Parcel No. 1A of DP-92, Amendment #6 -  
TALLGRASS COMMERCIAL AND OFFICE PARK COMMUNITY UNIT PLAN. Generally  
located on the northeast corner of Rock Road and 21st Street North.

Attached are two copies of the approved landscape plan required by General Provi-  
sion No. 13 for Parcel No. 1A of the above-referenced C.U.P. The landscape plan  
meets the requirements described in the C.U.P. and is acceptable. By copy of this  
memorandum, we will advise the applicant's agent of the landscape plan approval.  
If you have any questions on this matter, please call.

RLY:blv  
Attachments

cc: Alan Stein, Director of Real Estate, Fugate Enterprises, 208 South Maize Rd.,  
Wichita, Kansas 67209-3110  
David W. Foster, Landscape Architect, 721 West Ninth, Wichita, KS. 67203

FILE COPY



*Margaret R. Jones Landscape Architect*

JONES PROFESSIONAL ASSOCIATION  
721 W. NINTH • WICHITA, KS. • 67203 • PH. 262-4525

August 4, 1988

Metropolitan Area Planning Department  
Attn: Bob Young  
City Hall  
455 N. Main  
Wichita, KS 67202

L88057

Dear Mr. Young,

Alan Stein of Fugate Enterprises instructed me to send you a print showing the planting layout for the new Taco Bell restaurant located in the Tallgrass Plaza at 21 St. North and Rock Road. The plan specifically shows the plantings and planting areas facing Rock Road. Please direct any questions you may have to Alan Stein. His office phone number is 722-5670.

Sincerely,

JONES PROFESSIONAL ASSOCIATION

*David W. Foster*

David W. Foster  
Landscape Architect

DWF/cc

enc.

**RECEIVED**

AUG 05 1988

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_





Fugate Enterprises  
A Franchisee of Taco Bell Corp.  
208 S. Maize Road  
Wichita, Kansas 67209-3110  
Telephone 316 722 5670

July 12, 1988

Mr. Bob Young  
Wichita Area Planning Department  
455 North Main, 10th Floor  
Wichita, KS 67202

Dear Bob:

Enclosed for your approval please find the landscape plan for the  
Taco Bell restaurants at 21st and Rock Road and 21st and Amidon.

Please give me a call should you have any questions.

Sincerely,

Alan Stein  
Director of Real Estate

Enclosure  
AS/th

**RECEIVED**

JUL 13 1988

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_







Fugate Enterprises  
A Franchisee of Taco Bell Corp.  
208 S. Maize Road  
Wichita, Kansas 67209-3110



Mr. Bob Young  
Wichita Area Planning Department  
455 North Main, 10th Floor  
Wichita, KS 67202



WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

Bill G. Yung  
Bill G. Yung Design  
4912 East 29th Street North  
Suite One  
Wichita, Kansas 67220

April 21, 1988

RE: DP-92 - Tallgrass Commercial & Official Park C.U.P. Administrative Adjustment.

C  
Dear Mr. Yung:

O  
P  
Y  
We have received and reviewed your request for administrative adjustment to the above-referenced community unit plan. We understand that you desire to increase the maximum building coverage by 1800 square feet on Parcel No. 2 from 4200 square feet to 6,000 square feet in exchange for a reduction of the maximum building coverage by 1800 square feet on Parcel No. 1C from 13,573 square feet to 11,773 square feet. We also understand from the site plan submitted that adequate parking can be provided for the use proposed on the site and that the layout for the parking does not conflict with the internal vehicular circulation and parking patterns already established on adjacent parcels within the overall community unit plan.

On the basis of our review, we feel that adjusting the maximum building coverage between Parcel No. 1C and Parcel No. 2 will not have an adverse effect on the C.U.P. or on adjacent properties, nor will it be a substantial deviation from the original plan.

Our signatures below indicate that an administrative adjustment has been granted to increase the maximum building coverage on Parcel No. 2 by 1800 square feet in exchange for a reduction of 1800 square feet in maximum building coverage on Parcel No. 1C. We will make a notation of these changes on our file copies of the C.U.P. drawing for future reference.

Sincerely,

Marvin S. Krout  
Director of Planning

Monty H. Robson, Superintendent  
of Central Inspection Division

MSK/MRH/RLY:blw

cc: Ritchie Associates c/o Independence Commons Company, 8100 East 22nd Street  
North, Building 500, Wichita, KS. 67226

*Bill G. Young*

RECEIVED

APR 13 1988

METROPOLITAN PLANNING

ROUTE

DATE: April 12, 1988

PROJECT: Tallgrass Plaza

TO: Bob Young

LOCATION: 21st @ Rock Road

City Hall, 10th Floor

455 N. Main Wichita, KS 67202

ATTN: Bob Young

WE SEND YOU HEREWITH

UNDER SEPARATE COVER

Site plan of Dillons parking lot & relationship to Video Store.

ENCLOSED:

FOR YOUR REVIEW AND APPROVAL. PLEASE RETURN      COPIES WITH APPROVAL OR CORRECTIONS NOTED.

FOR YOUR INFORMATION.

FOR YOUR FILES.

REVIEWED AND REQUIRED CORRECTIONS NOTED.

REVISE AND RESUBMIT PER REQUIRED CORRECTIONS.

PER YOUR REQUEST.

REJECTED.

NEED SUBMITTAL DATA.

REMARKS: As per Jack Galbraiths request.

BY: *Bill* COPIES TO:

LETTER OF TRANSMITTAL

BILL G. YUNG DESIGN 4912 E. 29TH STREET NORTH, SUITE ONE, WICHITA, KANSAS 67220 316-683-5567

N: 00105

METROPOLITAN AREA PLANNING DEPARTMENT

Description CVP adjustment  
Name Independence Commons B.  
Address 8100 E. 22<sup>nd</sup> St. 7th Bldg 500  
Fund No. (circle one) 755-40710-003 (fees) 755-40710-004  
(books, xerox) 755-40710-026 (microfilm)  
Amount 100<sup>00</sup>  
Date 3-31-88 Due Date 4-1-88 By RL

Form 00-000

March 31, 1988

Marvin Krout, Director of Planning  
City Hall, 10th Floor  
455 N. Main  
Wichita, KS 67202

RE: Request for Administrative Adjustment of the Revised Community Unit Plan for the Tallgrass Commercial & Office Park DP-92.

Dear Marvin:

As the marketing plan continues to mature on the above referenced project, Ritchie Associates can now better define the actual space needs, based on current contracts for land purchases.

Two land sales are currently underway, and one of these sales requires the reallocation of buildable square footage from one parcel to another in order to accommodate the purchaser's requirements.

Parcel 2 presently allows for the construction of 4,200 square feet on the first floor with a maximum of 7,750 including second floor space. The contract for purchase on this parcel specifies the need for 6,000 square feet of ground coverage. The attached site plan illustrates the approximate building size 80x80 (6,400 sq. ft.) which will be limited in the final construction drawings to 6,000 square feet. It further illustrates the parking proposed. By ordinance, a 6,000 square foot building requires 24 spaces; this sketch illustrates 29 spaces possible.

In their contract agreement, architectural controls are being imposed as they have been with all other structures constructed to date. They include stump block construction, with shake shingles, and red soldier brick accent.

This letter is written to request that 1,800 square feet of building coverage be reduced from Parcel #1 and added to Parcel #2. The result would be that the permitted 28,258 square feet would be reduced to 26,458 square feet for Parcel #1 and that the 4,200 square feet would be increased to 6,000 square feet for Parcel #2, thereby not altering the approved building coverage within the CUP.

NOTE:

ABOVE CHANGES WERE MADE  
ON THE BASIS OF A TELEPHONE  
CONVERSATION WITH BILL YUNG  
ON 4-11-88

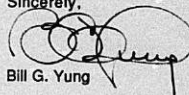
4812 E. 29TH NORTH, SUITE ONE, WICHITA, KANSAS 67220 316-883-5567 BILL G. YUNG DESIGN

The commercial use we are trying to accommodate is a video store. We believe the traffic to this store will be considerably less than other permitted commercial uses approved for this parcel. All other conditions on the approved CUP would remain in force.

We appreciate your consideration of this request and will of course be available to answer any questions that may arise.

Enclosed is a check for \$100.00 for the filing fee and the sketch plan as mentioned above.

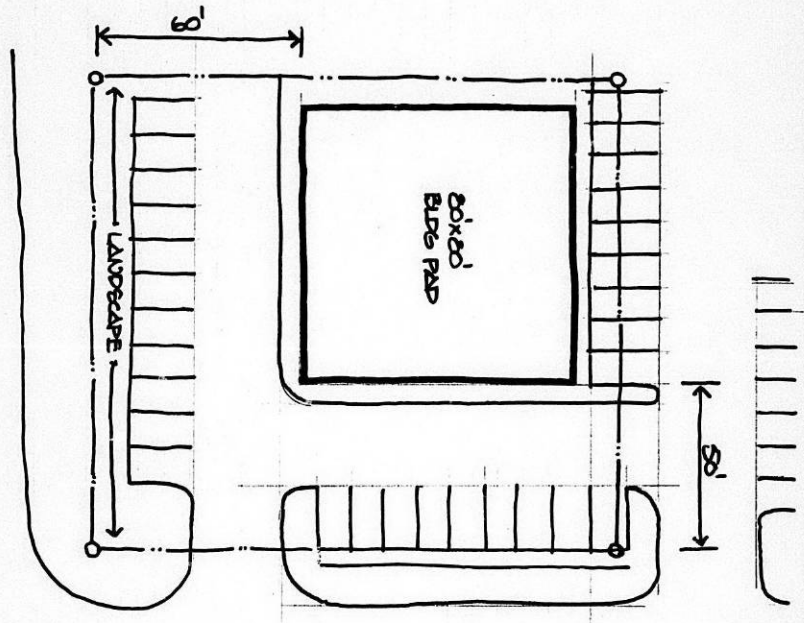
Sincerely,



Bill G. Yung

Encl.

cc Jack Galbraith  
Alan Stein



ROCK ROAD COURT

PAD SITE CONCEPT PLAN  
 1"=30'

30 MAR 66  
 R. Tom

January 28, 1988

Mr. Mike Seiwert, AIA  
c/o Wilson-Darnell Associates, P.A.  
128 North Oliver  
Wichita, Kansas 67208

RE: DP-92 - Tallgrass Commercial and Office Park C.U.P.  
Administrative Adjustment request to shift the setback line between  
Parcels 4C and 4D. Generally located on the northeast corner of 21st  
Street North and Rock Road.

Dear Mr. Seiwert:

We have received your letter dated January 28, 1988, requesting an administrative adjustment to the above-referenced community unit plan. We understand that you are requesting that the 30-foot setback line now existing along the southern boundary of Parcel 4C be relocated fifteen feet further south to center upon the established parcel line. This relocation will, in effect, establish a 15-foot setback along the east 150 feet of the north line of Parcel 4D in addition to maintaining a 15-foot setback along the south line of Parcel 4C.

In addition to your request, you have submitted a document that has been recorded with the Register of Deeds that indicates the current property owners of Parcels 4C and 4D have agreed to the relocation of the established setback. You have also submitted a site plan which indicates the adjustment of the setback will accommodate the construction of a commercial structure while maintaining adequate space to protect an existing drive used for on-site circulation.

Upon completion of our review, we feel that the requested administrative adjustment will not have an adverse effect on adjacent properties, nor will it be a substantial deviation from the approved plan.

FILE COPY

Mike Seiwert RE: DP-92  
January 29, 1988  
Page 2

Our signatures below indicate the granting of an administrative adjustment for your request to relocate the 30-foot setback line. We will note the occurrence of this adjustment on the copies of the approved C.U.P. drawings now in our files for reference purposes.

Sincerely,

\_\_\_\_\_  
Marvin S. Krout  
Director of Planning

\_\_\_\_\_  
Mority H. Robson  
Superintendent of Central  
Inspection

MSK/MHR/RLY:blw

cc: E. D. Ritchie c/o Independence Commons Company, 8100 East  
22nd Street North, Building 500, Wichita, KS. 67226



**Wilson · Darnell · Associates, P.A.**

architects & planners

128 North Oliver • Wichita, KS 67208 • (316)681-2099

January, 28, 1988

Mr. Jack Galbraith  
Director of Planning  
City of Wichita  
455 North Main Street  
Wichita, Kansas 67202

RE: Tallgrass Plaza - South Shops  
2240 North Rock Road Court  
Wichita, Kansas

Dear Mr. Galbraith:

In regards to the above referenced project, we are requesting an administrative adjustment to the Community Unit Plan (CUP). In order to relocate the thirty foot (30') building setback line located on the south property line of Lot No. 4, Block 1 of Tallgrass Commercial Third Addition, Wichita, to accommodate this building project, the setback line should be relocated so that centerline of the setback easement is coextensive with the south property line of said lot.

I have enclosed a copy of the signed agreement between the property owner and all adjacent property owners concerning this matter. Also, I have enclosed a check for the amount of \$100.00 to cover the filing fee, plus copies of the proposed site plan.

Please contact me if you have any questions in regards to this matter.

Sincerely,

MIKE SEIWERT, AIA

MS:1kd

cc: Monty Robson, Central Inspection



FILMO 9 3 1 PAGE 1 0 6 9

STATE OF KANSAS  
SEDGWICK COUNTY  
FILED FOR RECORD AT  
7:30 P M

MICROFILMED  
OF RECORD

NOV 10 1987  
9 17530

NO. PAT KETTLER  
REGISTER OF DEEDS

*Ed P...  
S...  
S...*

RELOCATION OF SETBACK LINE

This Agreement is made as of this 30<sup>th</sup> day of October, 1987, by the undersigned.

W I T N E S S E T H: That,

WHEREAS, the undersigned are the owners of Lots 3, 4, and 5, Block 1, Tallgrass Commercial Third Addition, an addition to Wichita, Sedgwick County, Kansas; and

WHEREAS, the Tallgrass Commons Community Unit Plan which affects said property provides for a thirty foot (30') building setback line running along the South Thirty feet (30') of the said Lots 3 and 4, lying immediately to the North of the said Lot 5; and

WHEREAS, the undersigned have agreed to the relocation of said setback line and wish to reduce the same to writing.

NOW, THEREFORE, the undersigned in consideration of their mutual agreements contained herein, do hereby agree that said thirty foot (30') building setback line shall be relocated so that the center line thereof shall be coextensive with the north property line of the said Lot 5.

This Agreement has been executed as of the date first above written.

DILLON REAL ESTATE CO., INC.

By *David B. Dillon*  
David B. Dillon, Vice-President

CENTRAL BANK AND TRUST

By *Robert Dool*  
Robert Dool, President

RECEIVED  
JAN 28 1988  
METROPOLITAN PLANNING  
ROUTE

*700  
Sec*

- 1 - *Independent Company  
5100 E. 22nd St. #510*

INDEPENDENCE COMMONS COMPANY, a partnership

By E. D. Ritchie  
E. D. Ritchie

STATE OF KANSAS )  
SEND ) SS.  
SEDGWICK COUNTY )

The foregoing instrument was acknowledged before me this 26th day of August, 1987, by David B. Dillon, President of Dillon Real Estate Co., Inc., a Kansas corporation, on behalf of the corporation.

Nancy A. Roberts  
Notary Public

My Appointment Expires:



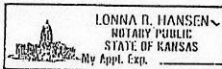
STATE OF KANSAS )  
 ) SS.  
SEDGWICK COUNTY )

The foregoing instrument was acknowledged before me this 30th day of October, 1987, by Robert Went, President of Central Bank and Trust, a corporation, on behalf of the corporation.

Lonna R. Hansen  
Notary Public

My Appointment Expires:

August 25, 1990



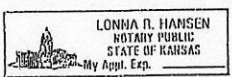
STATE OF KANSAS )  
 ) SS.  
SEDGWICK COUNTY )

The foregoing instrument was acknowledged before me  
this 30<sup>th</sup> day of October, 1987, by E. D.  
Ritchie, of Independence Commons  
Company, a partnership, on behalf of the partnership.

Louisa R. Hansen  
Notary Public

My Appointment Expires:

August 25, 1990



FORM 021

PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. 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

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

December 15, 1987

TO: Monty Robson, Superintendent of Central Inspection  
FROM: Barbara Harris, Senior Planner, Current Plans  
SUBJECT: Approved landscape plan for Parcel 1B of DP-92, Amendment #6  
(Approved: 7/7/87) - Tallgrass Commercial and Office Park  
C.U.P. Generally located at the northeast corner of Rock Road  
and 21st Street North.

Attached are two (2) copies of the approved landscape plan required by  
General Provision #13 of the above-referenced C.U.P. The landscape plan  
meets all the requirements described in the C.U.P. and is acceptable.

Please call if you have any questions or comments on this plan. Thank you.

FILE COPY

BH:blw  
Attachments

cc: Bud Curran, Coastal Mart, Inc., P.O. Box 1030, Wichita, KS. 67202

PL/6006/4

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

December 2, 1987

TO: Monty Robson, Superintendent of Central Inspection  
FROM: Barbara Harris, Senior Planner, Current Plans  
SUBJECT: Approved revised site plan for a portion of Parcel 5 of DP-92, Amendment 6 - Tallgrass Commercial and Office Park Community Unit Plan. Generally located east of Rock Road in an area north of 21st Street North.

Attached are two (2) copies of the approved revised site plan required by General Provision #17 of the above-referenced C.U.P. Since the building foot prints for buildings #2000, #2100, #2200 and #2300, are substantially different from the approved site plan dated April 11, 1987, this revised plan was required. The allowed square footage should not change from what was originally proposed. The revised site plan meets all the requirements described in the C.U.P. and is acceptable.

Please call if you have any questions or comments on this plan. Thank you.

BH:blw  
Attachments

cc: Larry Krier, Project Manager, Jeff Krehbiel Associates, 1300 East Lewis,  
Wichita, KS. 67211

**FILE COPY**

PL/5072/4



JEFF KREBIEL  
ASSOCIATES, aia  
architecture · planning

November 18, 1987

Ms. Barbara Harris  
Planning Department  
455 North Main  
Wichita, KS. 67202

RE: Proposed G.M.A.C. Building  
Tallgrass Executive Park

Dear Ms. Harris:

Per our meeting Tuesday, November 17, 1987, I am enclosing four (4) prints of the revised site plan at the G.M.A.C. Building along with Proposed Building 2000, 2100 and 2200. The allowed square footage will not change from what was originally proposed.

Should you have any questions, please call me.

Sincerely,

JEFF KREBIEL ASSOCIATES, AIA

Larry Krier  
Project Manager

LK/db

Enclosure

RECEIVED

NOV 19 1987

METROPOLITAN PLANNING

ROUTE

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 11, 1984

TO Robert B. Feldner, Superintendent of Central Inspection  
FROM Robert A. Lakin, Director of Planning  
SUBJECT DP-92 Tallgrass Commercial C.U.P. Site Plan for Parcel 5

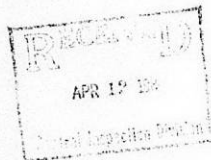
In accordance with General Provision Number 17, two copies of the approved site plan for Parcel 5 are attached for your files. Also, attached are two copies of the parking lot plan. It is our understanding that the parking lot will be paved at one time and that there will be no assigned spaces for each building. The parking spaces will be owned and maintained by an association of all of the property owners in Parcel 5. If the maximum floor area permitted by the C.U.P. was constructed, 620 spaces would be required. The parking plan shows 618 spaces, however, the C.U.P. exempts 900 square feet of floor area per building from the parking requirements when it is used as an exercise area. Therefore, if one building has a 900 square foot exercise area, the 618 spaces will meet the C.U.P. requirements.

No further site plan review or approval is required provided that building foot prints are not substantially different than shown on the plan.

If you have any questions, please call.

*Robert A. Lakin*  
Robert A. Lakin  
Director of Planning

RAL:ADC:jps  
Attachments



ROUTE TO:	DATE
PH	4-12
PH	4-24
JJ	4-16

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

July 17, 1987

TO: Monty Robson, Superintendent of Central Inspection  
FROM: Barbara Harris, Senior Planner, Current Plans  
SUBJECT: DP-92, Amendment #6 - Approval of Amendment to Parcels 1, 2 and 4D of Tallgrass Commercial and Office Park Community Unit Plan. Located at the northeast corner of 21st Street North and Rock Road.

The City Council members on July 7, 1987, considered the above-captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. 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.
- d. The applicant shall vacate the access controls to Parcel 1 by either a replat or a separate vacation case.

Attached for your information and files are two approved C.U.P. copies. If you have any questions concerning this matter, please call me at 268-4421.

Barbara Harris  
Senior Planner

BH:blw  
Attachments

cc: Independence Commons Company, 8100 East 22nd Street North, Bldg. 500,  
Wichita, Kansas 67226  
Bill G. Yung Design, 4912 East 29th Street North, Suite One, Wichita,  
Kansas 67220

PL/2062/4

City of Wichita  
City Council Meeting  
July 7, 1987

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: DP-92, AMENDMENT #6 - REQUEST FOR APPROVAL OF AMENDMENT TO PARCELS 1, 2 AND 4D OF TALLGRASS COMMERCIAL AND OFFICE PARK COMMUNITY UNIT PLAN.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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Location: Northeast corner of 21st Street North and Rock Road.  
(Council District #2)

Applicant: Independence Commons Company

Site Size: 2.1 acres

Current Zoning: "LC" under DP-92

Background: This amendment application proposes the following changes on the southwest portion of the C.U.P.:

- 1) Two (2) additional access points - one 50-foot, right turn only access point on Rock Road serving Parcels 1A and 1B and one 50-foot, right turn only access point on 21st Street North serving Parcels 1B and 1C.
- 2) The additional proposed use of an enclosed, single bay, automatic car wash with required BZA approval as an accessory use to the previously approved service station use.
- 3) Decreasing building setbacks from adjacent streets:
  - a) Rock - 75 feet to 35 feet adjacent to the west lines of Parcels 1A and 1B and 2.
  - b) Rock Road Court - 35 feet to 20 feet adjacent to the south line of Parcel 2 and the north line of Parcel 1A.
  - c) 21st Street North - 90 and 75 feet to 80 and 65 feet adjacent to the south line of Parcels 1B and 1C.
  - d) 21st Street North Court - 35 feet to 20 feet adjacent to the east line of Parcel 1C and the west line of Parcel 4D.
- 4) Sub-parceling Parcel 1 into three (3) parcels - Parcels 1A, 1B and 1C.

Staff Recommendation: Approve the amendment as requested subject to conditions of approval.

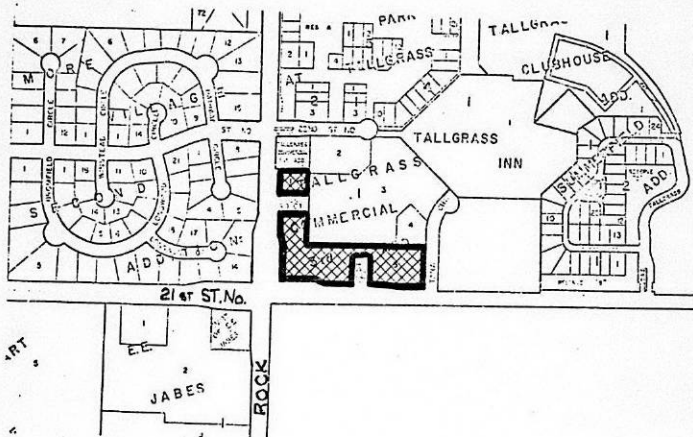
MAPC Recommendation: Approve the amendment as requested subject to conditions of approval. (6-0, Banzer, Conlee, Miles and Moore were absent).

CPO Recommendation:

- 1) 4-2 to recommend approval of the two (2) access points;
- 2) 4-2 to recommend approval of reducing the building setbacks; and
- 3) 5-1 to recommend approval of the car wash as an accessory use.

- Actions:
1. Concur with the findings of the MAPC and approve the C.U.P. subject to the recommended conditions; or
  2. Take appropriate action stating reasons.

Attachments: Area map  
6-11-87 MAPC Minutes  
CPO Memorandum  
C.U.P.



DP-92, AMENDMENT #6 - REQUEST FOR AMENDMENT TO PARCELS 1, 2 AND 4D OF TALLGRASS COMMERCIAL AND OFFICE PARK COMMUNITY UNIT PLAN, LOCATED AT THE NORTHEAST CORNER OF 21ST STREET NORTH AND ROCK ROAD.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 11, 1987

LEGAL:

7. Case No. DP-92, Amendment #6 - Independence Commons Company requests amendment to Parcels 1, 2 and 4D of Tallgrass Commercial and Office Park Community Unit Plan for Lot 1, Block 1 and Lot 6, Block 1, Tallgrass Commercial Third, an Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of 21st Street North and Rock Road.

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

Background: Subject site is a 2.1-acre portion of the 36.55-acre commercial community unit plan located on the northeast corner of 21st Street North and Rock Road. The applicant is amending Parcels 1, 2 and 4D in order to request:

- 1) Two (2) additional access points - one 50-foot, right turn only access point on Rock Road serving Parcels 1A and 1B and one 50-foot, right turn only access point on 21st Street North serving Parcels 1B and 1C. The standard 30-foot commercial width curb cut can be located anywhere within these 50-foot designations.
- 2) The additional proposed use of an enclosed, single bay, automatic car wash with required BZA approval as an accessory use to the previously approved service station use.
- 3) Decreasing building setbacks from adjacent streets:
  - a) Rock - 75 feet to 35 feet adjacent to the west lines of Parcels 1A and 1B.
  - b) Rock Road Court - 35 feet to 20 feet adjacent to the south line of Parcel 2 and the north line of Parcel 1A.
  - c) 21st Street North - 90 and 75 feet to 80 and 65 feet adjacent to the south line of Parcels 1B and 1C.
  - d) 21st Street North Court - 35 feet to 20 feet adjacent to the east line of Parcel 1C and the west line of Parcel 4D.
- 4) Sub-parceling Parcel 1 into three (3) parcels - Parcels 1A, 1B and 1C.

Analysis: The three parcels included in this amendment are zoned "LC" Light Commercial and, presently, only Parcel 4D is developed. The financial institution on Parcel 4D does not have direct access to 21st Street North, but has access from 21st Street North Court and from Tara.

Parcel 4B, the parcel to the north and to the east of this amendment is developed with a Dillons supermarket and city library branch within the supermarket. A financial institution is located adjacent to Rock directly north of Parcel 2. Across Rock Road to the west is Sycamore Village Second Addition which is developed with single-family houses; the residential development is in the Comotara C.U.P. which is designed so that there is no direct access to the Rock Road and 21st Street North intersection. To the south of the commercial C.U.P. being amended is

undeveloped property zoned light commercial on the corner and single-family on the east. Pizza Hut has recently developed on the southwest corner of Rock and 21st Street North in the Skaggs-Alpha Beta Shopping Center, within DP-62 Chelsea Station C.U.P.

The proposed plan differs slightly from the plan which was originally scheduled for the May 14, 1987 MAPC meeting and heard by the CPO on May 4, 1987. In addition to some of the present requests, the original amendment request proposed a left turn and a left turn lane into the proposed opening into Parcel 1 from Rock Road and asked for an additional opening from Rock Road into Parcel 2. The CPO voted 7-0 to recommend disapproval of the earlier request.

The applicant requested a four-week deferral in order to amend the CUP. The proposed changes, described in the "Background" section of this report, are illustrated on the Development Plan. The CPO met on June 1 and voted separately on the three main points of the revised plan:

- 1) 4-2 to recommend approval of the two (2) access points;
- 2) 4-2 to recommend approval of reducing the building setbacks; and
- 3) 5-1 to recommend approval of the car wash as an accessory use.

Since Parcel 1 is now proposed to be divided into three sub-parcels, then the standard requirement for a 30-foot building setback between parcels should be indicated on the plan and reference to the setback should be included in the General Provisions. Also G.P. #3 should correctly indicate the 20-foot proposed building setback adjacent to Rock Road Court and 21st Street North Court.

It will be necessary for the platted access controls to be vacated through a separate vacation case or a replat and it is a condition of approval of this amendment.

If the Planning Commission determines that this C.U.P. amendment is appropriate, the following are recommended conditions of approval:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. 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.
- d. The applicant shall vacate the access controls to Parcel 1 by either a replat or a separate vacation case.

- e. Additional wording shall be added to the General Provisions regarding the following standard comments:
1. "No portable signs are permitted."
  2. "No wall shall be constructed in any utility easement, and a building permit shall be obtained prior to construction of any wall."
  3. "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
- f. General Provision #12 shall be changed to reference the shelter belt on the south portion of Parcel 4D only. Also, the note on the drawing near the shelterbelt shall read: "Existing trees to remain."
- g. The street signs for Rock Road Court (presently labeled Peppertree Court) and 21st Street North Court (presently labeled Executive North) should be changed prior to the Wichita City Council or the applicant shall pursue name changes.
- h. General Provision #3 shall reference the 20-foot building setbacks to Rock Road Court and to 21st Street North Court and the 30-foot building setbacks centered on the lot lines common to Parcels 1A and 1B and Parcels 1B and 1C. Also the following shall be added: "In the event that contiguous parcels are developed under the same ownership, the setback between parcels will not be required."

HARRIS went over the staff report and stated that the CPO Council "2A" met on June 1 and voted separately on the three main points in this amendment request. They voted 4-2 to recommend approval of the two access points; 4-2 to recommend approval of the building setbacks; and 5-1 to recommend approval of the car wash as an accessory use to the service station.

DISCUSSION:

HARRIS stated that staff wanted additional general provisions added to the drawing of the C.U.P. as mentioned in the staff report.

DAVE RITCHIE, applicant, stated that when they went to the CPO meeting with their original proposal, they met a lot of opposition, and went back to the drawing board after that. He said that he tried very hard to work with the neighborhood and came up with major changes in what they were proposing. After the first CPO meeting, he met with the President of Sycamore Homeowners Association in Comotara, Dr. David Kemme, and the President of Summerfield Homeowners Association in Tallgrass, and in addition, he met with many people, mostly in the Tallgrass area. Most of the people are very supportive of what they are doing there, especially after they understood what the proposal was.

RITCHIE passed around pictures and explained the architectural theme of this project to the Commissioners.

BILL YUNG, design planner, showed his slides of the area and studies of our other street intersections. He stated that at this intersection they do not presently have access on Rock Road or on 21st Street into parcel one. He pointed out that at the time the street improvements were designed and the specials were spread for the payment for the access, the property was not platted. They did have a C.U.P. that showed that there would be no access. When they spread the specials, however, because it was not platted, they entered an assigned cost to these parcels as though they did have access, so they are paying special assessments and paying for access points even though they do not have them. YUNG said that they have worked very hard trying to satisfy the neighborhood and their concerns. They are now requesting one access point off of Rock Road and one off of 21st Street, both of which serves two parcels.

YUNG continued that Ritchie had gone to some expense trying to maintain the architectural character in this development and they would be continuing that flavor throughout the development. YUNG showed slides of the proposed development. YUNG said that they have tried to address the major concerns that the neighborhood had brought forth, and had compromised in those areas where they feel that they can. Probably the one that is the most critical is that they have found that commercial uses seeking corner locations in this community continue to insist upon access to arterial streets. He said that they have tried for a number of years to sell those parcels without having access to an arterial street and they had no one who was willing to talk to them. YUNG said if they are given these access points, they have one group that they are talking to that have expressed interest.

BILL BINTER, 9032 Lakepoint, spoke in favor of the project. He said that he attended the last CPO meeting, along with a number of other residents of Tallgrass that were in favor of the project. The residents of Summerfield, Peppertree and Woodspring all spoke in favor of this project. He pointed out that people that are opposed to something are very vocal, but it is hard for people that are in favor of something to come up and speak. BINTER said that his wife has told him that she wants a filling station on the corner. She goes four miles to a full service station now and is very much in favor of this.

DR. DAVID KEMME, 2306 Winstead Circle, stated that Erin Leary who was present for the hearing had to leave and was going to speak against this request. He said that she left prepared remarks with him that he would either like to read or the Secretary should read.

KEMME proceeded with his remarks, stating that he represents Sycamore Village Homeowners Association, representing over 400 families of Sycamore Village, Waterford and Waterford North, and they are concerned about the three proposed changes in the development plan. KEMME said that they are opposed to all three changes and have presented a statement of opposition to the original plan changes before CPO Council "2A" on May 4, and to the revised changes on June 1. He said that the original proposals were unanimously disapproved by the CPO Council 6-0. The revised changes were approved 4-2, 4-2, 5-1 in separate votes. He said that it should be noted that of the nine CPO members, three persons were absent each time, and those

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absenteeisms changed, not the same individuals voting. He also mentioned that the Sycamore Village Homeowners Association letter did not announce the time or place of the second meeting, therefore, a lot of residents did not attend that were concerned.

KEMME stated that he would like to focus his remarks on only one aspect of the changes, the additional access points to Rock Road and 21st Street. He said that they believe that allowing additional access points at the proposed locations will effectively destroy the benefits of a fully protected intersection as designed to new City standards. Currently the accel-decel lanes allow for the safe and efficient flow of traffic through the intersection and when making turns. They believe that the volume of traffic through the intersection will greatly increase with the additional residential and commercial development on North Rock Road and the proposed interchange with the Northeast Expressway and the widening of 21st Street to four lanes to Webb Road to the east. Already the intersection's safety and efficiency have been compromised by the construction of an access point at the southwest corner. KEMME said that they believe that that was a mistake from the standpoint of public safety and traffic efficiency, and it is a mistake that they do not want repeated. Of concern is the fact that those streets have speed limits of 45 miles per hour. They have a nice intersection designed for safe traffic and they do not want that to be changed. Existing commercial properties on this corner or near the corner utilize access points on 22nd Street, Rock Road Court and 21st Street Court with no direct access to Rock Road or 21st Street, and with no detrimental impact on business activity. He said that they live in that neighborhood and use those businesses, and feel the access is adequate. They believe this is a precedent worth continuing, not only at this intersection but at every intersection in town. It makes for greater convenience and unconfused access to the Tallgrass commercial area. He pointed out that accident statistics from the Traffic Engineering office indicate that the safety of this intersection should be of concern. He said that there are intersections that were pointed out to them today with greater number of accidents and a design compromised to a much greater degree. He said that the developer is asking for nothing that has not been done before, and they agree with that. However, that is not the issue. The issue is whether or not these compromises have to be made for development to take place. KEMME said the answer was no. They believe commercial development can take place, and they welcome it, without endangering the public and providing a safer and more efficient flow of traffic here and all over Wichita. They believe that the efficiency of Wichita's traffic system can be improved by maintaining the integrity of the fully protected intersections. He said that this is not now being done, but they believe that doing so will make Wichita a better place to live and a better place to work. KEMME said that they remain opposed to the additional street cuts here and anywhere in Wichita where they would cut through existing accel-decel lanes. They simply want safe and efficient streets. KEMME said that they believe that the roads and streets in Wichita need improvement in order to facilitate the growing demand that an expanding population will place on them. He said that it is time to give more serious consideration to improving the safety and efficiency of the traffic flow all over the city. Compromising the integrity of an existing well designed city streets intersection by intersection is not the way

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to go. They ask only to maintain the existing safety and efficiency of this intersection by not allowing the proposed and unnecessary access points.

KEMME asked if he could read two paragraphs from the Columbus, Ohio plan that he helped develop ten years ago that address the same type of issues that are being addressed today by Wichita.

There were no objections from the Commission.

KEMME stated that this document was prepared for the City of Columbus by the city planning agency with a grant from the federal government. He said that there was a major section in the plan on economic development potentials and constraints and environmental considerations. He read:

"Economic development must be encouraged within environmental limitations which are clearly understood and accepted. Columbus is different from other regions and cities in the composition of its natural resources and its climate and physical features. Likewise the cultural, social and recreational facilities in Columbus are different from those of other cities. To be most effective, economic development efforts must proceed in a manner which preserves and builds upon these natural and cultural assets. Environmental qualities and cultural amenities are becoming economic development assets.

Today many individual and firms are as concerned about the quality of their living and working environment as they are about many of the economic factors which affect firm location. Recent transportation and communication advances have facilitated this movement to more remote areas but fewer environmental problems. As noted by Fortune Magazine, the wave of corporate migration to the west and south reflex changes in technology, attitudes and lifestyle, as well as the continued decline of eastern cities. Economic development imposes environmental costs as well as economic developments of the community. The assessment of these costs and benefits is crucial to an economic development process which seeks to minimize the environmental costs associated with growth and development while maximizing the economic benefits to the regional economy."

KEMME stated that they have a well designed and safe intersection. This action compromises that. He said that it is not as much of a compromise as has been done at other intersections.

PARSONS, speaking to Krout, stated that he had developments and continuing developments in the Waterford and Waterford North area, and he needed to have somebody decide whether or not this is a conflict and if he needed to step down from the bench.

KROUT conferred with the Law Department on the phone, and it was determined that Parsons did not have to step down from the bench.

PL/1296/2

GARDNER commented to Mr. Kemme that he appreciated the remarks and the trouble he had gone to to provide an analysis. He submitted to Kemme that the logic that he was using would hold that if there is not a street intersection there and he has not had traffic, you should not put neither streets nor access points there. GARDNER felt that reducing it to something that simplistic may be offensive to Kemme, but candidly the design at that intersection is in many ways poor in terms of access that he was overwhelmed by any objection to modifying it to be more accommodating in a safer fashion as well, and he takes particular issue with the comment that what is being proposed is beyond the scope of reason. He said that the amendment is so painfully limited compared to what they have as a norm that he could begin to overstate to Kemme how attractive it is to him from a planning position having looked at a couple of intersections over the last few years. GARDNER said that the quality of the development, the very restrictive access as it presently exists and as it is proposed, is a delight. He said that he believes it to be not only a good design, as he has understood the proposal, but finds Kemme's remarks to be unreasonable in the context of exaggerating and distorting a concept of "pure intersection or standard design that should not be altered".

KEMME remarked that obviously there is a difference of opinion because this is not the intersection that they are discussing. The intersection, as it exists now, has no access points between 21st Street and Rock Road Court as they proceed north on Rock Road.

KEMME summarized Mrs. Erin Leary's statement: Mrs. Leary spoke of Kansas City's Plaza and stated that she wanted the same sense of pride and beauty and certainty of financial success for Wichita. One of the frequent remarks out-of-town visitors make is to talk about the planning and ask, "What do you do here, walk to the gas station?" She said that the visual effect of so many malls, fast food, the proximity of business to residence, is of concern. As a director of an agency that dealt with newcomers to the city, and through her present work, through university contacts and business leaders, trying to attract families to the area, she hears the same dissatisfaction and disappointment about how we look to outsiders; "It looks junky; the job is great, but we lived in such a pretty area before; I am tempted but my family says no." Companies face the same problem of selling it to employees or themselves as a place to live. As they travel, she is always conscious of how other cities look and the impact it has on a visitor and the possibility of returning or even moving there. New England communities are touted for their attractiveness and their restrictive zoning, but the effect is high impact. She said that she was attached to Wichita and considers herself a fan of the city. The question is whether they can afford to allow individual businesses the option to risk failing by overloading an area to compete. That is the risk that the owner takes, but so does the community. If you drive through Wichita and look at all of the closed down or renovated service stations trying valiantly to disguise themselves as something else; if you count the number that has stood empty and had to be torn down to allow for new businesses, all of this, the empty spaces in malls, these businesses are playing musical chairs. The visual impact of the jungle of businesses along the edges of residential areas (Rock Road is becoming an unpleasant example) we become accustomed to it. We may accept it as the norm, but if we are to compete

nationally, we must acknowledge that there are more planned, attractive options. Right now there are 14 service stations within a 3-mile radius of 21st and Rock Road. Half of these offer full service. At least three more have been torn down in recent years. People fill their cars on the way to and from work. They certainly have options now without creating a new risk aesthetically. LEARY likes front door convenience as well as the next person, but felt they are paying too high a price for this as a city. She said that one of the most attractive enticements of Wichita is the feeling of openness and all of their glorious space. Why not capitalize on that by creating an orderly appearance of separate neighborhoods and shopping areas. She realizes the Planning Commission has a difficult job and lots of past decisions to attend with, but the northeast area concept began as a show place with large expensive attractive homes, parks and real shopping centers. People were sold on the concept and bought this promise. She hates to see the area deteriorate into another hodge podge of half-used mini malls, fast food shops and more service stations.

JACK MCKAEN, 7263 Oxford Court, read a disclaimer:

"The views and opinions that I am about to state contain some very harsh criticisms of this and other City bodies. The criticisms represent my response to the affects of decisions rather than to their source or cause. I wish to state that I am a homeowner and have been at the stated location for four years. I would like to take a moment also to say that my family's previous address was in Johnson County, Overland Park, Kansas. For those knowledgeable of the area, it was adjacent to corporate woods. It was an environment that allowed single family and business to survive in very harmonious atmosphere. Business and residential was separated by vegetation, garden apartments, multi-family dwellings, etc. Guidelines were to definitely place the single family homeowner, his investment at the top of the list of priorities. This occurred only due to one fact that a master plan had been created by the community and was fully supported, and most definitely pro business and pro expansion, but not at the sacrifice of the single family homeowners investment.

Now I would like to direct attention to 21st and Rock Road. My daily business, recreation and professional travels take me past this intersection many times each day. The last thing I feel that is needed at the location is a service station and a car wash. I already have a choice of any number of both within five or less minutes of my home. The intersection is already overpopulated and congested with existing business traffic.

My greatest concerns are threefold, not only for this particular project, but for the future of the community and the City of Wichita. 1) I feel that as a result of the many previous decisions made by this and other city and county area commissions that the preservation of the single family homeowner's investment is of little or no concern. I simply don't like that as a homeowner, and I know you all are homeowners, and that's my particular view. Many of your previous actions

indicate that there is absolutely no apparent concern for the detrimental impact on desirable, established or newly to be established neighborhoods. 2) As a homeowner, I have never in the four years been personally notified of a potential rezoning issue that had been brought before this planning or zoning commission that had the potential of impacting mine or any closely located area. When I arrived in Wichita, my first question to my real estate agent was, indicate to me the existing zoning for the adjacent properties to Waterford North. That the area that was indicated and that which exist today are liken to two different worlds, and I have seen that in four years. What are the guidelines as to why obviously potentially impacted homeowners are not always on the list? 3) What, if any, is your master plan? As a community and a city as a whole, we all know that a perfect community plan will never exist, but there are many communities that have taken time to develop plans that allow business and residential areas to survive harmoniously. If your desire is to continue to attract new business in the community, I suggest that you take both the time and the funds to develop a plan. In closing, I've made Wichita my home. I just hope that the present and future decisions of this commission and other commissions will support my family's desire to remain."

JOHN BROSZ, 2318 Hathway Circle, stated that he has been living in this area for about 8 years, and in that 8-year period he has had several situations as far as the zoning in that area where he did receive information. He said that several years ago the Tallgrass area just north and east of the grocery store was designed to be single family. There was a zoning change about that time where it was suggested that the land property value was too high for those particular homes in that area. Ritchie decided to put multi-family homes along the area on Rock Road and 21st Street and then utilize the area towards the golf course for the single family homes. BROSZ said that this was agreed to by the people in the community. Subsequent to that the next thing that came along was a business park, which is what is in there now. He said that he did not wish to condemn that because Ritchie had done a very good job of construction of that particular business area. It serves the people well. It is an excellent area. BROSZ said that the next thing that came in was the Dillon store. He said that there really was not that much information put out about a Dillon store going in that specific area. The only thing that was supposed to be in that area was on the corner that they are talking about now, and it was supposed to be an executive park office building. BROSZ stated that apparently the only thing they could do to attract Dillons was give them more land, and he felt that was the reason for the additional setback. He said that there was not a traffic engineer in the world that could defend putting those particular access points in there and say that it is going to be an improvement in safety. He said that the setbacks would not be necessary if they had not given all of that land to Dillons.

BROSZ mentioned that the car wash that the applicants plan to put in is not an 8 to 5 car wash. It will be a 24-hour a day car wash as is both of the grocery stores. He was concerned about the noise of the trucks loading and unloading at night and all evening long. He said to the Commissioners that

they are looking at the prime area of Wichita. If this cannot be a showplace, no place else can.

PARSONS commented to Brosz that he was not clear in his mind what the opposition is. He has heard Mr. Brosz make comments about the types of development and the types of buildings that have been built in that area by both Ritchies and now by Slawson. He asked if the opposition was to the use, or was the opposition to what is before the Commission today. He said that before the Commission today is whether or not they are going to agree to grant or recommend to the City Council to grant the additional ingress. The applicants already have the zoning and the ability to place the service station at the location that they are showing. He said that he would have a very difficult time, especially based on the most recent Supreme Court decision as far as the man's land is concerned in reversing that, so he was not sure what the opposition is.

BROSZ said that the opposition was to the car wash.

KAREN NYE, 2505 Gouverneur, stated that the applicants already have the zoning for the service station, and she understands that that would also include the access points Mr. Yung had alluded to the fact that they had been paying the taxes.

PARSONS said that as he understands it, they do not have the access points where they are proposing to have the access points, and that is one of the items that they are here for. They are here for three items. One is to have those access points granted, and the other is to allow for the car wash that would be an adjunct to the filling station, and the third is a reduction of setbacks.

NYE said that her primary objection would be the access points. She said that she goes through there a minimum of six times a day. She uses the Dillons store at least twice a day, and has a real concern with the traffic. She mentioned that two weeks ago when she drove from Central north to 24th, she saw an accident every day on Rock Road. In two days she saw two accidents between 21st and 24th Streets. She feels that the area is developing very well and she was proud to live in that area, and like what is happening there, but did not want to jeopardize her life or anybody else's life.

WILSON asked Bill McKinley, Traffic Engineer, to tell the Commission of the hazards of two right turn cuts where they could only turn right going in and right going out. What is the real concern.

McKINLEY stated that they did review this with the applicant, and concerning what has been said today, he agrees almost totally with both sides. He said that they agreed with the applicant to allow the two driveways at the location they proposed. It was not, in his opinion, an unreasonable request. Obviously any time another driveway is opened up, there is a potential for accidents. In this case, there is the least potential they could possibly have in this intersection because of two things. The highest right turn demand is from the north to go west. He said that he did not anticipate the right turn

movements to be greatly increased in the future, but it will increase some as the years go by. McKINLEY pointed out that along the entire frontage is a deceleration lane or the third lane along the north side of 21st Street. It continues on around the intersection and the accel lane continues on up to 22nd Street. He said that with the deceleration lane, you have the ability to slow down to go into the driveways, come back out again and then continue on around. He said that they did not recommend a medial break, especially on 21st. He felt that this was a way to serve the area.

WILSON commented that initially when he looked at this, he was the one most adamant about cuts, location and everything else. After it was explained, and seeing the situation, he has turned completely around. He had no objections to the car wash. The only thing that concerned him was the access perpetually from the corner lot on to the parking lot adjacent to it so that they would always have the flow into the lot, and the flow out of the lot. He felt that the people developing this site are so wrapped up in aesthetics that they are not going to put anything in that would be a detriment to the area because it would be a detriment to them.

GARDNER restated for the record that the access being requested is so notably restricted over what they normally see on commercial developments at major arterials that it is a case of extreme understatement. He said that he has difficulty recalling other developments of similar size or proportion that have as few points of access with as few conflicts of existing traffic movements. He felt that it was a credit to the developer that they are as restrictive as they are, and he was sorry to say that he believed that many of the objections voiced today go far beyond the realm of what is reasonable in terms of restrictions on commercial development. He said that it was disturbing to see that occur.

PETERS asked about legal protest petitions regarding this C.U.P.

KROUT responded that he was told that a C.U.P. does not have provisions for a protest that would require a greater than majority vote to override by the City Council.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. 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.

- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. 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.
- d. The applicant shall vacate the access controls to Parcel 1 by either a replat or a separate vacation case.
- e. Additional wording shall be added to the General Provisions regarding the following standard comments:
  1. "No portable signs are permitted." (Add to G. P. #5)
  2. "No wall shall be constructed in any utility easement, and a building permit shall be obtained prior to construction of any wall."
  3. "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
- f. General Provision #12 shall be changed to reference the shelter belt on the south portion of Parcel 4D only. Also, the note on the drawing near the shelterbelt shall read: "Existing trees to remain."
- g. The street signs for Rock Road Court (presently labeled Peppertree Court) and 21st Street North Court (presently labeled Executive North) should be changed prior to the Wichita City Council or the applicant shall pursue name changes.
- h. General Provision #3 shall reference the 20-foot building setbacks to Rock Road Court and to 21st Street North Court and the 30-foot building setbacks centered on the lot lines common to Parcels 1A and 1B and Parcels 1B and 1C. Also the following shall be added: "In the event that contiguous parcels are developed under the same ownership, the setback between parcels will not be required."
- i. General Provision #5 shall be amended to include the following wording: "Signs for Parcels 1A, 1B, 1C and 2 shall be no taller than 18 feet and shall be monument-type signs."

Crockett moved, Goebel seconded and it carried unanimously. Banzer, Conlee, Miles and Moore were absent.

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RECEIVED

JUN 03 1987

THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE: June 3, 1987

METROPOLITAN PLANNING

ROUTE

TO Jack Galbraith, Chief Planner, Current Plans

FROM CPO Office <sup>BLC</sup>

SUBJECT DP-92: Northeast corner of  
21st Street North and Rock  
Road

On Monday, June 1, CPO Council 2A, considered the above captioned case, a request for approval of the following three amendments which, by request of the applicant, were voted upon separately by the Council:

- 1) Construction of two (2) access points to Rock Road and 21st Street North that would be "right turn" lanes only. (The Council voted 4-2 to recommend approval.)
- 2) Reduction in the proposed building setbacks from 75 to 35 feet. (The Council voted 4-2 to recommend approval.)
- 3) To permit, as an accessory use, a proposed service station, with a single bay, enclosed, automatic car wash that would be subject to BZA approval. (The Council voted 5-1 to recommend approval, subject to signage conformity with the existing residential development.)

Council members were provided the notice to adjoining property owners, and a map of the area. The Council initially considered this request on May 4 and recommended disapproval. Following that CPO meeting, the applicant requested a deferment, modifications to the C.U.P. were made and presented again before the Council on June 1.

The applicant, Dave Ritchie, and agent, Bill Yung, were present to describe the above amendments and respond to questions from the Council and area residents. Mr. Yung displayed numerous charts and drawings for viewing while explaining the rationale for the amendments.

Of the twenty-three area residents present, some expressed support while others expressed opposition to the amendments. David Kemme, 2306 Winstead Circle, who represented the Sycamore Home Owners' Association, read a prepared statement which outlined continued opposition to the proposal.

Please provide the Council's recommendations to the MAPC and City Council when DP-92 is considered.

BLC:dm

Ritchie Associates Inc.



RECEIVED

JUN 29 1987

METROPOLITAN PLANNING

ROUTE

June 25, 1987

Mr. Jack Galbraith  
CITY PLANNING DEPARTMENT  
455 N. Main  
Wichita, Kansas 67202

Dear Jack:

On June 17th, I sent you a letter about a zoning matter that will come before the City Commission on July 7th. By mistake I described the location of the property as 21st and Ridge instead of 21st and Rock Road.

Sorry for the mistake and any confusion it may have caused.

Sincerely,

Dave Ritchie

DR/lh

Enclosure

Ritchie Associates Inc.



June 17, 1987

RECEIVED

JUN 22 1987

Mr. Bob Knight  
City Commission Room  
City Building  
455 N. Main  
Wichita, Kansas 67202

METROPOLITAN PLANNING  
ROUTE  JACKS (FYI)  
 BARBARA (FILE)

Dear Bob:

On July 7th a zoning matter will come before the City Commission concerning the Tallgrass Plaza Commercial corner at 21st and Ridge <sup>Rock</sup>. It is my understanding that the arguments pro and con will not be heard before the City Commission as they have already been heard by the C.P.O. and the Planning Commission.

With the above statement in mind, please consider the following points in this case:

- 1) On May 4th, we (Tallgrass) appeared before the C.P.O. council with proposed changes in our C.U.P. plan at 21st and Rock Road. We met with strong opposition and the C.P.O. unanimously voted down our proposal.
- 2) We then made major changes in our proposal and went before the C.P.O. council again on June 1st with our new request. In the meantime, we had meetings with Don McGinty, the President of Sycamore Village in Comotara; Dr. David Kemme, a Spokesman for Sycamore Village and Charles Kosier, President of Summerfield in Tallgrass, as well as many area residents.
- 3) At the June 1st C.P.O. meeting, we received a favorable vote of 5-1, 4-2, 4-2, on our three requests. Opposition was heard at that meeting as well as numerous people from the surrounding neighborhood who spoke in favor of our proposal.
- 4) On June 11th, the Planning Commission, after hearing from both sides, passed our request unanimously.

I wanted to point out the above sequence of events to show that we have gone to great lengths to compromise our requested changes and to work with the people in the surrounding neighborhoods. I will say that all the people I've talked to have been very friendly and have been willing to give their time to discuss the proposed changes. Obviously, I haven't been able to convince everybody, but many people in the surrounding areas are pleased with what we built in Tallgrass and are supportive of our requested changes.

Page 2  
June 17, 1987  
Mr. Bob Knight

I know the City staff will supply you with the details of the proposed changes in the C.U.P. so I won't waste your time with a repeat in this letter.

Enclosed are three pictures showing the quality and architectural theme of Tallgrass Plaza. Any future development in Tallgrass Plaza will be required to follow this architectural theme.

Also, one of the pictures shows the intersection as proposed. Notice the stand up medial (already in place) which prevents any left turns into the corner. This intersection will fit the highest design standards of any intersection in the City to my knowledge.

One last point, we paid over \$80,000 to build a loop road into this project. We spent a couple of years trying to sell this concept, but couldn't get businesses to locate on an interior road. When we had a chance to get Dillon's, we had to eliminate the loop road for Dillon's parking lot. This has necessitated our proposed changes. We need these changes to be able to proceed with the completion of our project. We believe that Tallgrass Plaza will be one of the most convenient and beautiful centers in the city.

I would appreciate your favorable vote on this matter.

Sincerely,

Dave Ritchie

DR/lh

June 12, 1987

Bill G. Yung Design  
4912 East 29th Street North, Suite 1  
Wichita, Kansas 67220

Re: DP-92 Amendment #6 - Tallgrass Commercial C.U.P. At the  
northeast corner of 21st Street North and Rock Road.

Dear Mr. Yung:

At its regular meeting on June 11, 1987, 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 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.
  - b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
  - c. The transfer of title of all or any portion of the land included within the C.U.P. 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.
  - d. The applicant shall vacate the access controls to Parcel 1 by either a replat or a separate vacation case.
- Additional wording shall be added to the General Provisions regarding the following standard comments:
- "No portable signs are permitted." (Add to G. P. #5)
  - "No wall shall be constructed in any utility easement, and a building permit shall be obtained prior to construction of any wall."

PL/0192/1

Bill G. Yung Design  
June 12, 1987  
Page 2

- 3. "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
- 4. General Provision #12 shall be changed to reference the shelter belt on the south portion of Parcel 4D only. Also, the note on the drawing near the shelterbelt shall read: "Existing trees to remain."
- g. The street signs for Rock Road Court (presently labeled Popper tree Court) and 21st Street North Court (presently labeled Executive North) should be changed prior to the Wichita City Council or the applicant shall pursue name changes.
- 5. General Provision #3 shall reference the 20-foot building setbacks to Rock Road Court and to 21st Street North Court and the 30-foot building setbacks centered on the lot lines common to Parcels 1A and 1B and Parcels 1B and 1C. Also the following shall be added: "In the event that contiguous parcels are developed under the same ownership, the setback between parcels will not be required."
- 6. General Provision #5 shall be amended to include the following wording: "Signs for Parcels 1A, 1B, 1C and 2 shall be no taller than 18 feet and shall be monument-type signs."

Please submit ten (10) corrected, folded copies of the C.U.P. no later than June 24, 1987 in order for this matter to be forwarded to the City Council for consideration at their regular meeting on July 7, 1987. This meeting will be held in the City Council 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,

Louise Olivarez  
Principal Planner

JHG/lw

cc: Independence Commons Co., 8100 E. 22nd Street N., Bldg. 500, Wichita, 67226  
Bill Binter, 9032 Lakepoint, Wichita, 67226  
David Kemme, 2306 Winstead Circle, Wichita, 67226  
Erin Leary, 2367 Rutland Court, Wichita, 67226  
Jack McKaen, 7263 Oxford Court, Wichita, 67226  
John Brosz, 2318 Hathway Circle, Wichita, 67226  
Karen Nye, 2505 Gouverneur, Wichita, 67226

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PL/0192/1

file copy

June 1, 1987

GENERAL INFORMATION

- A. The nearest single family use to the tallgrass commercial property is 185' at North End to 235' at South End.
- B. The adjacent single family was originally buffered to intentional provide horizontal space and vertical separation from future commercial uses. The exist earth berm is approximately 8' high with tree plantings on top for additional visual separation. Fencing has been added on top of the berm which provides even greater height.
- C. Left turns have been omitted except at public streets.
- D. Setbacks are within the accepted standards established by ordinance for commercial C.U.P.'s.
- E. Additional landscaping is proposed on commercial property to further provide visual separation.
- F. Strict architectural controls will be enforced to provide continuity of architectural theme, color, texture, materials, and detail as has been the practice on all commercial/office structures permitted in Tallgrass.
- G. The proposed service station is a permitted use under the existing C.U.P. and we are only asking that the description of that use be modified to conform to present industry standards. ie., to permit, as an accessory use to the service station, a single bay, enclosed automatic car wash with BZA approval. BZA approval provides for site plan review and approval including the review of proposed landscaping.
- H. The proposed service station use is a service orientated use which serves local residents. Service stations do not draw traffic from other areas within the city and therefore do not create an increase in overall traffic.
- I. With the proposed landscape buffers, 40 feet if green space and landscaping will occur from the back of curb to the edge of paving on the proposed use.
- J. Proposed access points provide right turn only access but serve all three lots rather than the normal 2 access points per lot as if found in many commercial properties all over town.
- K. Commercial uses seeking corner locations in this community continue to insist upon access to arterial streets.

June 1, 1987

DRIVE & SETBACK COMPARISON

COMMERCIAL USES ONLY

<u>INTERSECTION</u>	<u>MIN. DIST. TO CENTERLINE OF 1ST DRIVE</u>	<u>AVE. DIST. TO CENTERLINE OF 1ST DRIVE</u>	<u>MINIMUM SETBACK</u>	<u>AVERAGE SETBACK</u>
21st & Rock	185' Right turn only - 1st left at 345'	231'	35'	42.5'
21st & Woodlawn	80' Right turn only - 1st left at 132'	171.5'	25'	31.67
Central & Rock Road	74' Right turn only - 1st left at 150'	113.5'	25'	38.75
Douglas & Rock Road	102' Left turn Permitted	166.5'	35'	35'
13th St. N. & Woodlawn	82' Left turn Permitted	164.3'	20'	27.5'

NOTE: 21st & Rock Road is fully constructed to new city standards - fully protected intersection.

June 1, 1987

LAND USES ON CORNER PARCEL

<u>21st &amp; Rock Road</u>	<u>NW</u>	<u>NE</u>	<u>SE</u>	<u>SW</u>
	Single Family	Proposed Service Station	Vacant	Savings & Loan to be constructed.
21st & Woodlawn	Convenience center with Fuel Pumps	Single Family	Bank	Service Station with convenience goods.
Central & Rock Road	Service Station with convenience goods.	Service Station	Fast Food Restaurant	Vacant
Douglas & Rock Road	Garden Apartments	Strip Shopping Center	Service Station with convenience goods.	Restaurant/Club
13th St. N. & Woodlawn	Single Family	Bank	Savings & Loan	Service Station

Summary out of 20 corner parcels

- A. 7 - are Service Station (exist & Proposed) or convenience Centers with Fuel Pumps.
- B. 4 - Financial Institution
- C. 4 - Residential
- D. 2 - Vacant
- E. 2 - Restaurant
- F. 1 - Shopping Center

Sycamore Village Homeowners Association  
Testimony before CPO Council 2A  
May 4, 1987

Revised for presentation to the  
Metropolitan Area Planning Commission 6-11-87

The Sycamore Village Homeowners Association (SVHA) -- representing over four hundred families of Sycamore Village, Waterford and Waterford North -- is concerned about the three proposed changes in the development plan filed in the Planning Department Office and described in the Notice of Public Hearing dated April 24, 1987. While the SVHA is not opposed to appropriate commercial development in the area, or these parcels in particular, the SVHA is opposed to all three proposed changes.

We are opposed to additional access points on Rock Rd. between 22nd. St. and 21st. St., in particular. First, the amount of automobile traffic on Rock Rd. is increasing dramatically, and will continue to do so as further development takes place further north. (This includes not only commercial development in the NorthRock complex, residential development in Tallgrass, Willowbend and several other residential areas but also the planned exchange of the new northeast expressway.) Adding additional access points will unnecessarily disrupt the efficient and safe flow of traffic.

Existing commercial sites, Eureka Federal (and Central Bank and Trust on 21st) currently have access points not on Rock Rd. and 21st St. but to 22nd St. and Tara Circle, which then enter the major thoroughfares. We believe this pattern is an excellent solution to the problem of adequate access to commercial property from congested thoroughfares. It is a precedent which we would like the developers to continue. Indeed, it is possible to continue this precedent since the properties under consideration adjoin Peppertree Ct. and Executive N. (note that the street names on the proposed plan which are now the officially platted names are Rock Rd. Ct. and 21st St. Ct.) which then have access to Rock Rd. and 21st St.. This does not limit the number of automobiles entering the flow of traffic but does provide for safe access and an efficient flow. Eg., if one examines the access point to Rock Rd. for the new Pizza Hut, south of 21st, one finds an example of what we do not want to happen. If one is travelling south on Rock Rd. and wants to enter the Pizza Hut drive and finds a car turning south onto Rock Rd. from 21st in the accel/decel lane there is often a very tense moment. The drivers are travelling in adjacent lanes in the same direction. The driver in the left hand lane wants to turn right and the driver in the right hand lane wants to merge left. This is not an efficient or safe solution to commercial access and we would recommend that access points not be permitted if they conflict

with the accel/decel lanes of major intersections, in general, not just at Rock Rd. and 21st St..

Further, it appears that the northern most access point proposed for Rock Rd. does not allow for a left turn lane for vehicles travelling south on Rock Rd. attempting to enter the commercial lot. Without a left turn lane vehicles will backup, obstructing traffic at the intersection of Rock Rd. and 22nd St.. If a left turn lane is proposed then it must be at the expense of the existing left turn lane for vehicles travelling north on Rock Rd. attempting to turn left onto 22nd St.. Elimination of this left turn lane would be a serious error since traffic turning left onto 22nd St. would then back up to 21st St. blocking access to not only the commercial sites but also obstructing traffic at the intersection of Rock Rd. and 21st St.. We believe the proposed access points to Rock Rd. are ill conceived, dangerous and unnecessary.

Second, an important aspect of the traffic flow which must be addressed is the increasing pedestrian traffic from the Sycamore Village/Waterford area crossing the street to the Tallgrass commercial area. Of particular concern is the increasing number of children on foot and on bicycles which use the public library. We expect pedestrian traffic to increase. Additional access points to Rock Rd. in this immediate area will increase the danger to pedestrians crossing the street. An alternative must be found to assure the safety of pedestrians.

We are opposed to amending the setbacks to the adjacent streets. The Tallgrass Commercial center was initially thought to be "a special gateway" to the area. It was to be, in a sense, a showpiece of modern urban/suburban design; functional, efficient and, importantly, aesthetically pleasing. The setback requirements are an important part of the total and if violated would have a negative impact on the entire area. Further, there are six homeowners' lots which back onto Rock Rd.. We are concerned about the direct and indirect impact that changing the setbacks and land uses will have on those homeowners, in particular. (Numerous homeowners have expressed their serious concerns over the types of commercial establishments to the developer. Our understanding is that the homeowners and developer had similar interests for the commercial development. Types of establishments considered acceptable to both were low traffic offices and service establishments, and perhaps a "nice" restaurant and club. A service station was specifically excluded. The developer is apparently not aware of the previous expressions of concern of the homeowners in the area. Now many homeowners feel they were misled by the developer's sales and marketing staff when they were shown plans and models of proposed buildings, etc. when the homeowners initially purchased their homes or homesites. We invite further discussion with the SVHA.)

Finally, we are opposed to the third proposed change: a change in land use -- allowing a car wash. A car wash will

dramatically increase the traffic in this area. By its nature it is an in-and-out type of service. Individuals will visit via car for a few minutes and leave. In fact, the success of the business depends on generating a high volume of traffic which we are opposed to. Particularly in this location because it places a high volume of automobile traffic between the neighborhoods to the west, the source of pedestrian traffic, and the public library and Dillons, the pedestrians' destination. Further, there is little doubt that a car wash will have a negative impact on the aesthetics of the area -- a concern mentioned above.

Again, the SVHA and the residents of the area are not opposed to appropriate commercial development in this area. We believe that commercial establishments will create a small number of new jobs and the construction itself will generate a few additional jobs. But these particular proposals will not create a larger number of jobs than more acceptable alternatives and therefore do not represent a greater contribution to the economic growth of Wichita or the well being of the community at large. In fact, we feel that the overall well being of the community will be adversely affected. On the other hand, more appropriate development of these parcels with no additional access points to Rock Rd. and 21st St., the original setbacks, and with no modification to the current land use will provide an increase in the overall well being of the community. We are, therefore, opposed to all three proposed changes. We believe the proposed changes will:

- (1) negatively impact upon the safe and efficient flow of automobile traffic in the area,
- (2) create a greater danger to pedestrians which is unnecessary and unacceptable to us,
- (3) be unacceptable aesthetically, and inconsistent with the desired types of commercial establishments of the area, and
- (4) have no beneficial impact on the economic growth of the area, or provide an improvement in the quality of life, that could be provided by other acceptable alternatives.

I respectfully submit this statement of concerns on behalf of the SVHA for your due consideration and invite further discussion between the developers and residents of the area to resolve the issues raised.

Dr. David M. Kemme  
2306 Winstead Circle  
Wichita, KS 67226

Sycamore Village Homeowners Association  
Testimony before CPO Council 2A  
June 1, 1987

The Sycamore Village Homeowners Association (SVHA) presented testimony before CPO Council 2A on May 4, 1987 and we herewith reiterate that testimony in opposition to the proposed changes to the development plan filed in the Planning Department Office and described in the Notices of Public Hearing dated April 24, 1987 and May 7, 1987. We have met with the developer during the interim and appreciate his willingness to share his thoughts and plans for the area. We have discussed the matter with him, the homeowners and among ourselves, giving every aspect of the proposed changes and the modifications careful thought. While the SVHA is not opposed to appropriate commercial development in the area, or these parcels in particular, the SVHA is opposed to all three changes in the developer's revised plans essentially for the same reasons advanced at the May 4, 1987 meeting. The revisions the developer has presented do not address the substantive issues raised, automobile safety in particular.

First, we are opposed to additional access points on 21st St. and on Rock Rd. . As outlined on May 4, 1987 we feel these access points are unsafe, even though, as the developer notes, they have been redesigned to exclude the possibility of left turns and are further from the intersection than similar intersections in Wichita. These other intersections, however, we regard as unmitigated disasters. We are not opposed to additional access points on 21st St. and Rock Rd. alone. We are opposed to access points at any intersection in which they enter the existing accel/decel lanes. This is a position not without wide spread public support. Business owners at Rock Rd. and Central have requested that the city correct traffic problems at that intersection -- knowing that they must pay for a large part of the construction themselves via special assessments. The CPO representatives, the MAPC, and the City Council personnel that originally approved such intersections should be ashamed of themselves for such disregard for the public's well-being and the costly "corrections" which now must be made. We believe that we should not repeat our mistakes and this CPO should send the message to the MAPC that major intersections should have greater access control -- not just at 21st and Rock but everywhere in the city -- including 21st and Webb, and the major intersections being developed on north Rock Rd. which we will undoubtedly oppose if a developer proposes them.

Today's Eagle Beacon has several articles that are relevant to this evening's discussion. Bob Getz's column last week mentioned traffic problems in Wichita and today there were several responses from readers. E.g., Sylvia B. Caraher writes

"... after 15 years I have come to the conclusion it's not the fault of the drivers so much as the traffic engineers." Katheryn Foster writes "We have extremely poor traffic patterns, and maybe the city should take some responsibility." Edie Glenn writes "I just can't understand how city planners let this happen." I'm sure others at this meeting tonight will offer their comments on traffic problems in Wichita, in general, and this intersection, in particular. Further the problem of traffic safety in Wichita was highlighted in a front page article today. It noted that in terms of the number of citations issued "Wichita was the runaway leader in hazardous moving violations -- a category that includes such offenses as speeding, making improper turns and running red lights and stop signs" when compared to ten other surveyed cities. Last year there were eight accidents at 21st and Rock, five involving injuries. This may be compared with ten and two at Lincoln and Rock, six and two at Douglas and Rock, seventeen and eight at Central and Rock. An intersection which the traffic engineer's office said was comparable to 21st and Rock is 13th and Tyler. There were five accidents, one involving an injury in 1986 at that intersection. This year accident statistics are not yet available but there have already been two accidents on Rock Rd. with fatalities.

Does this CPO realize the risk involved with this type of intersection? While the proposed access cuts are further from the intersection than many in the city they still cut through the accel/decel lanes onto a thoroughfare for which the speed limit is 45 miles per hour. This allows about four seconds for a driver in the intersection of Rock and 21st to observe, evaluate and react to a vehicle entering Rock Rd. from the access point furthest from the intersection. Of course, if there is any other traffic in the intersection or drivers turning north onto Rock the process will be more complicated. How complicated, how safe? That is the issue. With projected development on north Rock Rd. --where Rock Rd. is being widened to six lanes -- and with the widening of 21st St. to four lanes this intersection can only become more congested and more dangerous. It takes little foresight to see this. We do not want city planners and developers to repeat the same mistakes. We do not want to endure high accident rates like those of Central and Rock and then take corrective actions, we do not want to be the victims of fatal accidents like those up and down Rock Rd. . We want safe intersections. This is the responsibility of this CPO, the MAPC, and the City Council. This is your responsibility to us.

In addition to automobile safety we reiterate our concerns for pedestrian safety and ask that this CPO convey these concerns to the appropriate city offices. There are no crosswalks at the intersection of Rock and 21st nor at the intersection of Rock and 22nd despite the fact that Rock Rd. separates the residential area to the west from the growing commercial area to the east. Again of particular concern is the increasing number of children crossing Rock Rd. to visit the public library. Safe pedestrian flow has been ignored, to date, and must be addressed.

Second, we are opposed to amending the building setbacks as noted in our testimony of May 4, 1987, essentially for the same reasons. The original setbacks were deemed appropriate for this site initially and are still felt to be appropriate. As mentioned earlier the Tallgrass Commercial center was thought to be a "special gateway" to the area. Indeed, it is. The commercial development as it now exists is well done. The developer should be commended for his work, and we do so. However, one's excellent performance in the past does not guarantee that a poor decision cannot be made in the future. We believe it is in the developers best interest to maintain the building setbacks as originally planned. The original setbacks are consistent with the other setbacks in the area and appropriate commercial development within these constraints will complement the aesthetics of the area -- the same aesthetic provisions that were originally promoted by developers, accepted and purchased by the homeowners in the area.

Finally, we are opposed to the third proposed change: a change in land use to allow a car wash as an accessory use. Our reasons are, again, the same as those advanced in our May 4, 1987 testimony: additional automobile traffic to be generated and aesthetics.

Again, the SVHA and the residents of the area are not opposed to appropriate development in this area. We believe that commercial development in this area will create a small number of new jobs, but these particular proposals will not create a larger number of jobs than acceptable alternatives and, thus, do not represent a greater contribution to the economic growth of Wichita or the well-being of the community at large. We remain, therefore, opposed to all three proposed changes, as initially proposed and as revised. We believe the proposed changes will:

- (1) negatively impact upon the safe and efficient flow of automobile traffic in the area,
- (2) create a greater danger to pedestrians which is unnecessary and unacceptable to us,
- (3) be unacceptable aesthetically, and inconsistent with the desired types of commercial establishments of the area, and
- (4) have no beneficial impact on the economic growth of the area, or provide an improvement in the quality of life, that could be provided by other acceptable alternatives.

On May 4, 1987 this CPO unanimously concurred and we sincerely hope that they do so again. I respectfully submit this statement of concerns on behalf of the SVHA for your due consideration and again invite further discussion between the developers and residents of the area to resolve the issues raised.

David M. Kemme  
2306 Winstead Circle  
Wichita, KS 67226

Sycamore Village Homeowners Association  
Testimony before the MAPC  
June 11, 1987

The Sycamore Village Homeowners Association (SVHA) -- representing over four hundred families of Sycamore Village, Waterford and Waterford North -- is concerned about the three proposed changes in the development plan being heard today. We are opposed to all three changes and have presented a statement of opposition to the original plan changes before CPO Council 2a on May 4, 1987 and to the revised changes on June 1, 1987. The original changes were unanimously disapproved (6-0) and the revised changes were approved (4-2, 4-2, 5-1 on separate votes).

I would like to focus my remarks on only one aspect of the changes -- the additional access points to Rock Rd. and to 21st St. -- and let others attending address the setback changes and land use changes.

The SVHA believes that allowing additional access points at the proposed locations will effectively destroy the benefits of a fully protected intersection designed to new city standards. Currently, accel/decel lanes allow for the safe and efficient flow of traffic through the intersection and when making turns. We believe the volume of traffic through the intersection will greatly increase due to the additional residential and commercial development on north Rock Rd. and proposed interchange with the northeast expressway and the widening of Webb Rd. to four lanes and further development on 21st St. to the east. Already the intersection's safety and efficiency have been compromised by the construction of an access point at the southwest corner. We believe that was a mistake from the standpoint of public safety and traffic efficiency -- a mistake we don't want repeated.

Existing commercial properties on this corner utilize access points on 22nd St., Rock Rd. Ct. and 21st St. Ct. with no direct access to Rock Rd. or 21st St. And, with no detrimental impact on business activity. We believe this is a precedent worth continuing. It makes for greater convenience and unconfused access to the TallGrass Commercial area.

Accident statistics from the Traffic Engineer's Office indicate that the safety of this intersection should be of concern. Of course there are intersections with greater numbers of accidents and a design compromised to a much greater degree. These have been pointed out to us. The developer is asking for nothing that hasn't been done before. That is not the issue, however. The issue is whether or not these compromises have to be made for development to take place. The answer is no. We believe commercial development can take place -- and we welcome it -- without endangering the public, providing a safer and more efficient flow of traffic here and all over Wichita.

We believe the efficiency of Wichita's traffic system can be improved by maintaining the integrity of the fully protected intersections. This is not now done but we believe doing so will make Wichita a better place to live and work. We remain opposed to the additional street cuts here and anywhere in Wichita where they would cut through the existing accel/decel lanes. We simply want safe and efficient streets -- for all of Wichita.

In summary, we believe the system of streets and roads in Wichita need improvement in order to facilitate the growing demands that an expanding population will place on them. It is time to give more serious consideration to improving the safety and efficiency of traffic flow all over the city. Compromising the integrity of existing, well-designed city streets intersection by intersection is not the way to go. We ask only to maintain the existing safety and efficiency of this intersection by not allowing the proposed and unnecessary access points.

Thank you for the opportunity to express our concerns.

David M. Kemme  
2306 Winstead Circle  
Wichita, KS 67226

THE CITY OF WICHITA

OFFICE OF Citizen Participation      DATE June 3, 1987

RECEIVED

JUN 03 1987

METROPOLITAN PLANNING

ROUTE

TO Jack Galbraith, Chief Planner, Current Plans

FROM CPO Office *BLC*

SUBJECT DP-92: Northeast corner of  
21st Street North and Rock  
Road

On Monday, June 1, CPO Council 2A, considered the above captioned case, a request for approval of the following three amendments which, by request of the applicant, were voted upon separately by the Council:

- 1) Construction of two (2) access points to Rock Road and 21st Street North that would be "right turn" lanes only. (The Council voted 4-2 to recommend approval).
- 2) Reduction in the proposed building setbacks from 75 to 35 feet. (The Council voted 4-2 to recommend approval.)
- 3) To permit, as an accessory use, a proposed service station, with a single bay, enclosed, automatic car wash that would be subject to BZA approval. (The Council voted 5-1 to recommend approval, subject to signage conformity with the existing residential development.)

Council members were provided the notice to adjoining property owners, and a map of the area. The Council initially considered this request on May 4 and recommended disapproval. Following that CPO meeting, the applicant requested a deferment, modifications to the C.U.P. were made and presented again before the Council on June 1.

The applicant, Dave Ritchie, and agent, Bill Yung, were present to describe the above amendments and respond to questions from the Council and area residents. Mr. Yung displayed numerous charts and drawings for viewing while explaining the rationale for the amendments.

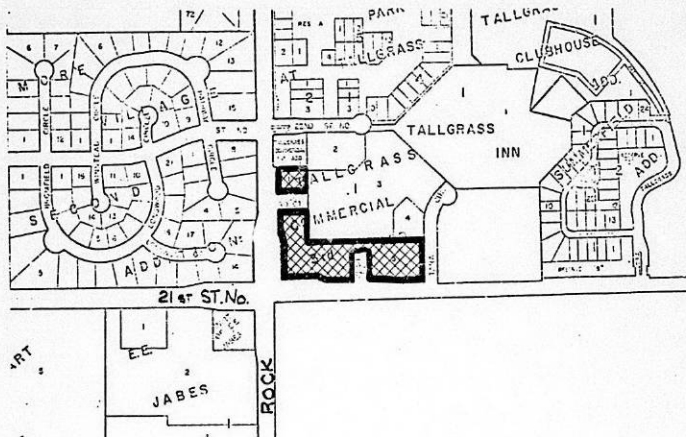
Of the twenty-three area residents present, some expressed support while others expressed opposition to the amendments. David Kemme, 2306 Winstead Circle, who represented the Sycamore Home Owners' Association, read a prepared statement which outlined continued opposition to the proposal.

Please provide the Council's recommendations to the MAPC and City Council when DP-92 is considered.

BLC:dm

JUNE 11, 1987

STAFF REPORT



DP-92, AMENDMENT #6 - REQUEST FOR AMENDMENT TO PARCELS 1, 2 AND 4D OF TALLGRASS COMMERCIAL AND OFFICE PARK COMMUNITY UNIT PLAN, LOCATED AT THE NORTHEAST CORNER OF 21ST STREET NORTH AND ROCK ROAD.

Owner/Applicant: Independence Commons Company

	Land Use	Zoning	Size
Application Area	undeveloped & financial institution	"LC" under DP-92	2.1 acres
North	financial institution, supermarket, library	"BB" & "LC" under DP-92	
South	undeveloped	"AA" & "LC"	
East	undeveloped	"LC" under DP-96	
West	single-family houses	"AA" under DP-73	

History: DP-92 was originally approved in April 1979. It has been amended five times with the last amendment approved in August 1983.

Background: Subject site is a 2.1-acre portion of the 36.55-acre commercial community unit plan located on the northeast corner of 21st Street North and Rock Road. The applicant is amending Parcels 1, 2 and 4D in order to request:

- 1) Two (2) additional access points - one 50-foot, right turn only access point on Rock Road serving Parcels 1A and 1B and one 50-foot, right turn only access point on 21st Street North serving Parcels 1B and 1C. The standard 30-foot commercial width curb cut can be located anywhere within these 50-foot designations.
- 2) The additional proposed use of an enclosed, single bay, automatic car wash with required BZA approval as an accessory use to the previously approved service station use.
- 3) Decreasing building setbacks from adjacent streets:
  - a) Rock - 75 feet to 35 feet adjacent to the west lines of Parcels 1A and 1B.
  - b) Rock Road Court - 35 feet to 20 feet adjacent to the south line of Parcel 2 and the north line of Parcel 1A.

- c) 21st Street North - 90 and 75 feet to 80 and 65 feet adjacent to the south line of Parcels TB and 1C.
  - d) 21st Street North Court - 35 feet to 20 feet adjacent to the east line of Parcel 1C and the west line of Parcel 4D.
- 4) Sub-parceling Parcel 1 into three (3) parcels - Parcels 1A, 1B and 1C.

**Analysis:** The three parcels included in this amendment are zoned "LC" Light Commercial and, presently, only Parcel 4D is developed. The financial institution on Parcel 4D does not have direct access to 21st Street North, but has access from 21st Street North Court and from Tara.

Parcel 4B, the parcel to the north and to the east of this amendment is developed with a Dillons supermarket and city library branch within the supermarket. A financial institution is located adjacent to Rock directly north of Parcel 2. Across Rock Road to the west is Sycamore Village Second Addition which is developed with single-family houses; the residential development is in the Comotara C.U.P. which is designed so that there is no direct access to the Rock Road and 21st Street North intersection. To the south of the commercial C.U.P. being amended is undeveloped property zoned light commercial on the corner and single-family on the east. Pizza Hut has recently developed on the southwest corner of Rock and 21st Street North in the Skaggs-Alpha Beta Shopping Center, within DP-62 Chelsea Station C.U.P.

The proposed plan differs slightly from the plan which was originally scheduled for the May 14, 1987 MAPC meeting and heard by the CPO on May 4, 1987. In addition to some of the present requests, the original amendment request proposed a left turn and a left turn lane into the proposed opening into Parcel 1 from Rock Road and asked for an additional opening from Rock Road into Parcel 2. The CPO voted 7-0 to recommend disapproval of the earlier request.

The applicant requested a four-week deferral in order to amend the CUP. The proposed changes, described in the "Background" section of this report, are illustrated on the Development Plan. The CPO met on June 1 and voted separately on the three main points of the revised plan:

- 1) 4-2 to recommend approval of the two (2) access points;
- 2) ~~4-2~~ to recommend approval of reducing the building setbacks; and
- 3) ~~5-1~~ to recommend approval of the car wash as an accessory use.

Since Parcel 1 is now proposed to be divided into three sub-parcels, then the standard requirement for a 30-foot building setback between parcels should be indicated on the plan and reference to the setback should be included in the General Provisions. Also G.P. #3 should correctly indicate the 20-foot proposed building setback adjacent to Rock Road Court and 21st Street North Court.

It will be necessary for the platted access controls to be vacated through a separate vacation case or a replat and it is a condition of approval of this amendment.

If the Planning Commission determines that this C.U.P. amendment is appropriate, the following are recommended conditions of approval:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.
- c. The transfer of title of all or any portion of the land included within the C.U.P. 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.
- d. The applicant shall vacate the access controls to Parcel 1 by either a replat or a separate vacation case.

- e. Additional wording shall be added to the General Provisions regarding the following standard comments:
  - 1. "No portable signs are permitted."
  - 2. "No wall shall be constructed in any utility easement, and a building permit shall be obtained prior to construction of any wall."
  - 3. "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
- f. General Provision #12 shall be changed to reference the shelter belt on the south portion of Parcel 4D only. Also, the note on the drawing near the shelterbelt shall read: "Existing trees to remain."
- g. The street signs for Rock Road Court (presently labeled Peppertree Court) and 21st Street North Court (presently labeled Executive North) should be changed prior to the Wichita City Council or the applicant shall pursue name changes.
- h. General Provision #3 shall reference the 20-foot building setbacks to Rock Road Court and to 21st Street North Court and the 30-foot building setbacks centered on the lot lines common to Parcels 1A and 1B and Parcels 1B and 1C. Also the following shall be added: "In the event that contiguous parcels are developed under the same ownership, the setback between parcels will not be required."

RECEIVED

JUN 03 1987

THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE June 3, 1987

METROPOLITAN PLANNING

ROUTE

TO Jack Galbraith, Chief Planner, Current Plans

FROM CPO Office <sup>BLC</sup>

SUBJECT DP-92: Northeast corner of  
21st Street North and Lock  
Road

On Monday, June 1, CPO Council 2A, considered the above captioned case, a request for approval of the following three amendments which, by request of the applicant, were voted upon separately by the Council:

- 1) Construction of two (2) access points to Rock Road and 21st Street North that would be "right turn" lanes only. (The Council voted 4-2 to recommend approval).
- 2) Reduction in the proposed building setbacks from 75 to 35 feet. (The Council voted 4-2 to recommend approval.)
- 3) To permit, as an accessory use, a proposed service station, with a single bay, enclosed, automatic car wash that would be subject to BZA approval. (The Council voted 5-1 to recommend approval, subject to signage conformity with the existing residential development.)

Council members were provided the notice to adjoining property owners, and a map of the area. The Council initially considered this request on May 4 and recommended disapproval. Following that CPO meeting, the applicant requested a deferment, modifications to the C.U.P. were made and presented again before the Council on June 1.

The applicant, Dave Ritchie, and agent, Bill Yung, were present to describe the above amendments and respond to questions from the Council and area residents. Mr. Yung displayed numerous charts and drawings for viewing while explaining the rationale for the amendments.

Of the twenty-three area residents present, some expressed support while others expressed opposition to the amendments. David Kemme, 2306 Winstead Circle, who represented the Sycamore Home Owners' Association, read a prepared statement which outlined continued opposition to the proposal.

Please provide the Council's recommendations to the MAPC and City Council when DP-92 is considered.

BLC:dm

May 15, 1987

Mr. Jack H. Galbraith, Chief Planner  
Metropolitan Area Planning Commission  
10th Floor, City Hall  
455 N. Main  
Wichita, KS 67202-1688

Re: Requested Deferment for C.U.P. Amendment #6 DP-92 Tallgrass  
Commercial and Office Park Community Unit Plan

Dear Jack

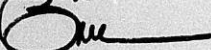
As per our phone conversation last week regarding the requested  
deferment for the MAPC hearing, this letter is a follow-up confir-  
mation of that request.

As we discussed, we are working on an amendment to that application  
and would like to meet again with the CPD on June 1, 1987, and then  
with MAPC on June 11, 1987.

Hopefully, the changes we anticipate and the new information we are  
preparing will reduce the neighborhood concerns.

Thanks for your help.

Sincerely,



Bill G. Yung

BGY:sh

cc: Dave Ritchie

RECEIVED

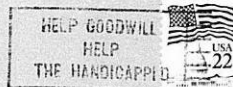
MAY 18 1987

METROPOLITAN PLANNING

ROUTE

4912 E. 29TH NORTH, SUITE ONE, WICHITA, KANSAS 67220 316-683-5567 BILL G. YUNG DESIGN

BILL G. YUNG DESIGN  
4912 E. 29TH NORTH, SUITE ONE, WICHITA, KANSAS 67220  
316-683-5567



Mr. Jack H. Galbraith, Chief Planner  
Metropolitan Area Planning Commission  
10th Floor, City Hall  
455 N. Main  
Wichita, KS 67202-1688

FORM 25-1

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	

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: May 12, 1987

TO: Chris Cherches, City Manager

FROM: Marvin S. Krout, Director of Planning

SUBJECT: Opposition to car wash at northeast corner of 21st Street North and Rock Road

The proposed car wash at the above location has generated neighborhood opposition. The proposal to amend the Tallgrass Commercial and Office Park Community Unit Plan was originally scheduled for the MAPC meeting this week. After meeting with CPO Council 2A on May 4 and receiving a 7-0 vote for disapproval, the applicant requested a four-week deferral to rethink his amendments.

He has advised us that the intent is to have a car wash that is only accessory to a service station and not the self-service types that are found throughout the City. He also has indicated that he will no longer propose to modify the existing medial on Rock Road to permit southbound traffic to make left turn movements into his proposed two additional curb cuts.

He still proposes to request the additional curb cuts (right turn only) and to reduce the building setbacks to 35 feet. He has asked that the CPO reconsider his request on June 1 and that the Planning Commission consider the CUP on June 11. We have sent out new notices advising of these new hearing dates.

If you have further questions, please advise.

MSK/JHG/lw

PL/0149/1

CASE NO. DP-92, Amendment #6

96	Notices of deferral to adjoining property owners mailed on 5-7-87 for MAPC meeting on 6-14-87 and CPO meeting on 6-1-87.
2	One each to Applicant and Agent.
3	One each to CPO, Carl Gipson and Karen Crook.
3	One each to Louise, Barbara and Glen.
<hr/>	
104	TOTAL

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

May 7, 1987

NOTICE TO PROPERTY OWNERS:

At the applicant's request, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) will consider DP-92, Amendment #6 - Tall-grass Commercial and Office Park Community Unit Plan (Parcels 1, 2 and 4D) located at the northeast corner of Rock Road and 21st Street North, on Thursday, June 11, 1987, instead of the original date of May 14, 1987.

The four-week extension is to allow the applicant to further amend the C.U.P. The applicant has advised that the proposed use of the car wash with BZA approval would be an accessory use to service stations, and that no left turns will be proposed on Rock Road into the requested access points into Parcels 1 and 2. The other requests for an additional access point (right turn only) into Parcel 1 from 21st Street North and the reduction of building setbacks to the adjacent public streets will remain the same as previously proposed.

The meeting will begin at 1:30 p.m. on June 11, 1987, in the City Council Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

If you have any questions about these matters or wish additional information, please call the Planning Department at 268-4421.

Jack H. Galbraith  
Assistant Secretary

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council "2A" will reconsider this case at their meeting to be held on Monday, June 1, 1987, at 7 p.m., at the Rockwell Branch Library, 5939 East 9th Street. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.

PL/0260/4

THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE May 5, 1987

TO Jack Galbraith, Chief Planner, Current Plans

FROM Barry L. Carroll, Administrative Aide III

SUBJECT DP-92: NE Corner of 21st  
Street North & Rock Road

On Monday, May 4, CPO Council "2A" considered the above captioned case, a request for an amendment to the TALLGRASS COMMERCIAL AND OFFICE PARK C.U.P. Council members were provided the notice of adjoining property owners, a map of the area and MAPD staff comments. After extensive discussion, the Council voted 7-0 to recommend disapproval of the request.

The agent, Bill Yung, was present to describe the request and respond to questions from the Council and area residents.

Dr. David M. Kemme was present as a representative of the Sycamore Home Owners' Association and read a prepared statement which outlined the association's opposition to the three proposed amendments (see attachment).

The Council voted to recommend disapproval based upon the City's Policy Statement #10. Specifically, the objections were based upon the following concerns:

- "a" The character of the neighborhood;
- "d" The extent to which removal of the restrictions will detrimentally affect nearby property; and
- "j" Opposition of neighborhood residents.

Please provide the Council's recommendation to the MAPC and City Council when case DP-92 is considered.

BLC:blc

attachment

**RECEIVED**

MAY 05 1987

METROPOLITAN PLANNING

ROUTE

Sycamore Village Homeowners Association  
Testimony before CPD Council 2A  
May 4, 1987

The Sycamore Village Homeowners Association (SVHA) -- representing over four hundred families in Sycamore Village, Waterford and Waterford North -- is concerned about the three proposed changes in the development plan filed in the Planning Department Office and described in the Notice of Public Hearing dated April 26, 1987. While the SVHA is not opposed to appropriate commercial development in the area, or these parcels in particular, the SVHA is opposed to all three proposed changes.

We are opposed to additional access points on Rock Rd. between 22nd St. and 21st St., in particular. First, the amount of automobile traffic on Rock Rd. is increasing dramatically, and will continue to do so as further development takes place further north. Adding additional access points will unnecessarily disrupt the efficient and safe flow of traffic. Existing commercial sites, Eureka Federal and Central Bank and Trust on 21st currently have access points not on Rock Rd. and 21st St. but to 22nd St. and Tara Circle, which then enter the major thoroughfares. We believe this pattern is an excellent solution to the problem of adequate access to commercial property from congested thoroughfares. It is a precedent which we would like the developers to continue. Indeed, it is possible to continue this precedent since the properties under consideration adjoin Popper's Ct. and Executive Dr. which then have access to Rock Rd. and 21st St. This does not limit the number of automobiles entering the flow of traffic but does provide for safe access and an efficient flow. Eg., if one examines the access point to Rock Rd. for the new Pizza Hut, south of 21st, one finds an example of what we do not want to happen. If one is travelling south on Rock Rd. and wants to enter the Pizza Hut drive and finds a car turning south onto Rock Rd. from 21st in the accel/decel lane there is often a very long moment. The drivers are travelling in adjacent lanes in the same direction. The driver in the left hand lane wants to turn right and the driver in the right hand lane wants to merge left. This is not an efficient or safe solution to commercial access and we would recommend that access points not be permitted if they conflict with the accel/decel lanes of major intersections, in general, not just at Rock Rd. and 21st St..

Second, an important aspect of the traffic flow which must be addressed is the increasing pedestrian traffic from the Sycamore Village/Waterford area crossing the street to the Tallgrass commercial area. Of particular concern is the increasing number of children on foot and on bicycles which use the public library. We expect pedestrian traffic to increase. Additional access points to Rock Rd. in this immediate area will

increase the danger to pedestrians crossing the street. An alternative must be found to assure the safety of pedestrians.

We are opposed to amending the setbacks to the adjacent streets. The Tallgrass Commercial center was initially thought to be "a special gateway" to the area. It was to be, in a sense, a showpiece of modern urban/suburban design: functional, efficient and, importantly, aesthetically pleasing. The setback requirements are an important part of the total and if violated would have a negative impact on the entire area. Further, there are six homeowners' lots which back onto Rock Rd.. We are concerned about the direct and indirect impact that changing the setbacks and land uses will have on those homeowners, in particular. (Numerous homeowners have expressed their serious concerns over the types of commercial establishments to the developer.) Our understanding is that the homeowners and developer had similar interests for the commercial development. Types of establishments considered acceptable to both were law traffic offices and service establishments, and perhaps a "niche" restaurant and club. A service station was specifically excluded. The developer is apparently not aware of the previous expressions of concern of the homeowners in the area. We invite further discussion with the SVHA.

Finally, we are opposed to the third proposed change: a change in land use -- allowing a car wash. A car wash will dramatically increase the traffic in this area. By its nature it is an in-and-out type of service. Individuals will visit via car for a few minutes and leave. In fact, the success of the business depends on generating a high volume of traffic which we are opposed to. Particularly in this location because it places a high volume of automobile traffic between the neighborhoods to the west, the source of pedestrian traffic, and the public library and Dillon's, the pedestrians' destination. Further, there is little doubt that a car wash will have a negative impact on the aesthetics of the area -- a concern mentioned above.

Again, the SVHA and the residents of the area are not opposed to appropriate commercial development in this area. We believe that commercial establishments will create a small number of new jobs, but those particular proposals will not create a larger number of jobs than more acceptable alternatives and therefore do not represent a greater contribution to the economic growth of Wichita or the well being of the community at large. We are, therefore, opposed to all three proposed changes. We believe the proposed changes will:

(1) negatively impact upon the safe and efficient flow of automobile traffic in the area.

(2) create a greater danger to pedestrians which is unnecessary and unacceptable to us.

(3) be unacceptable aesthetically, and inconsistent with the desired types of commercial establishments of the area, and

(4) have no beneficial impact on the economic growth of the area, or provide an improvement in the quality of life, that

could be provided by other acceptable alternatives.

I respectfully submit this statement of concerns on behalf of the SVHA for your due consideration and invite further discussion between the developers and residents of the area to resolve the issues raised.

Dr. David M. Kemme  
2306 Winstead Circle  
Wichita, KS 67226

CASE NO. DP-92, Amendment #6

95	Notices to adjoining property owners mailed on 4-24-87 for MAPC meeting on 5-14-87.
2	One each to Applicant and Agent.
3	One each to CPO, Carl Gipson and Karen Crook.
3	One each to Louise, Barbara and Glen.

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103	TOTAL
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WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

April 24, 1987

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, May 14, 1987, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Council Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to the TALLGRASS COMMERCIAL AND OFFICE PARK COMMUNITY UNIT PLAN for property legally described as follows:

CASE NO. DP-92, Amendment #6  
TALLGRASS COMMERCIAL AND OFFICE PARK  
COMMUNITY UNIT PLAN

Lots 1, 5 and 6, Block 1, Tallgrass Commercial Third, an Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of 21st Street North and Rock Road.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. 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.

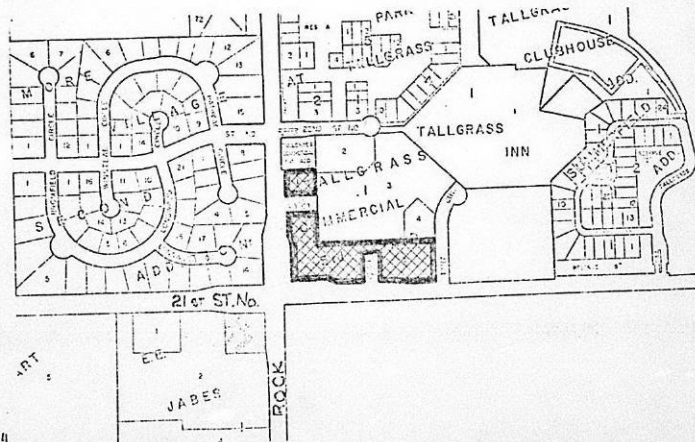
The amended Development Plan now on file proposes the following changes on the southwest portion of the C.U.P. (Parcels 1, 2 and 4D) being amended:

- (1) Allow 3 additional access points to Rock Road and 21st Street North.
- (2) Amend the building setbacks to the adjacent streets; and
- (3) Include an additional land use in Parcel 1 - a car wash with BZA approval.

Any changes to the Rock Road and 21st Street North medial done in conjunction with the changes in the access controls are to be approved by the City Engineer. Additional information regarding these proposed changes and the permitted general office and retail sales uses, is specified on the plan.

The hearing of the proposed amendment to this Development Plan is to be held and the same will then and there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council "2A" will consider this case at their meeting to be held on Monday, May 11, 1987, at 7 p.m., at the Rockwell Branch Library, 5939 East 9th Street. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



( ) Published in the Daily Record on April 21, 1987 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, May 14, 1987, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Council Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to the TALLGRASS COMMERCIAL AND OFFICE PARK COMMUNITY UNIT PLAN for property legally described as follows:

CASE NO. DP-92, Amendment #6  
TALLGRASS COMMERCIAL AND OFFICE PARK  
COMMUNITY UNIT PLAN

Lots 1, 5 and 6, Block 1, Tallgrass Commercial Third, an Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of 21st Street North and Rock Road.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. 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 amended Development Plan now on file proposes the following changes on the southwest portion of the C.U.P. (Parcels 1, 2 and 4D) being amended:

- (1) Allow 3 additional access points to Rock Road and 21st Street North.
- (2) Amend the building setbacks to the adjacent streets; and
- (3) Include an additional land use in Parcel 1 - a car wash with BZA approval.

Any changes to the Rock Road and 21st Street North medial done in conjunction with the changes in the access controls are to be approved by the City Engineer. Additional information regarding these proposed changes and the permitted general office and retail sales uses, is specified on the plan.

The hearing of the proposed amendment to this Development Plan is to be held and the same will then and there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND this 21st day of April, 1987.

Marvin S. Krout, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning Commission

PL/0283/4

DATE: March 31, 1987

TO: Marvin Krout  
✓ Jack Galbraith  
Mike Lindebak  
Bill McKinley  
Dave Ritchie  
Jack Ritchie  
Alan Stein

FROM: Bill G. Yung

RE: Tallgrass Commercial C.U.P. - 21st Street North and Rock Road

A meeting was held this date at the Metropolitan Area Planning Department conference room regarding a solution to the request for amending the current Community Unit Plan (C.U.P.) allowing access to parcel one. The following decisions were agreed upon:

1. Access control on 21st Street North will be modified, allowing for complete access control from the center of section east for 160'. Access control except for one opening (right turn only) to be specifically located at a later date within the next 200' east. The remaining distance to 21st Street Court shall then return to complete access control.
2. Access control on Rock Road shall be modified allowing for complete access control for a distance of 160' north of the center of section then access control allowing for one opening, permitting a break in the existing median and allowing for a left turn movement into parcel one within the next 200' north. This opening to be more specifically defined at a later date. The remaining distance north to be complete access controlled.

In accomplishing this, if the specific location of the 160' complete access control limit, a constructed without any additional modification. If the specific location of the opening is 190' or more) then the west curb along the removed and reconstructed providing for additional. Regardless of the exact location, the remaining this opening shall remain as a standard curb.

at applicant's expense

RECEIVED

APR 03 1987

METROPOLITAN PLANNING  
ROUTE

Jack - This letter is ok.  
→ Proceed w/ amendment?  
(need ownership list, application + 14 copies)  
called Rob 4-7-87 re \$200 fee + ownership list + 14 copies application  
Barbara

DATE: March 31, 1987

TO: Marvin Krout  
✓ Jack Galbraith  
Mike Lindebak  
Bill McKinley  
Dave Ritchie  
Jack Ritchie  
Alan Stein

FROM: Bill G. Yung

RE: Tallgrass Commercial C.U.P. - 21st Street North and Rock Road

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2. Access control on Rock Road shall be modified allowing for complete access control for a distance of 160' north of the center of section then access control allowing for one opening, permitting a break in the existing median and allowing for a left turn movement into parcel one within the next 200' north. This opening to be more specifically defined at a later date. The remaining distance north to be complete access controlled.

In accomplishing this, if the specific location is immediately north of the 160' complete access control limit, a 30' curb break could be constructed without any additional modification to the remaining median. If the specific location of the opening is requested farther north (say 190' or more) then the west curb along the existing median shall be removed and reconstructed providing for additional left turn stacking. Regardless of the exact location, the remaining curb north or south of this opening shall remain as a standard curb.

*at  
applicant's  
expense*

RECEIVED

APR 03 1987

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_

Tallgrass Commercial C.U.P. Amendment  
March 31, 1987  
Page 2

3. This solution will provide for a left turn movement into parcel one for south bound Rock Road traffic and a right turn only movement for 21st Street North traffic.
4. The requested C.U.P. amendment further provides for expanded uses as per the C.U.P. submitted for staff review dated February 5, 1987, as well as the amended setbacks also indicated on that document.
5. We were requested to review the remaining trees along 21st Street south of 21st Street Court and update the C.U.P. showing any proposals for joint use of this area for parking, drives and saving those remaining trees where possible.
6. Discussion regarding vacation of 21st Street Court and Rock Road Court was held with the decision to leave them as public streets.
7. To permit development of parcel one into three (3) separate ownerships, we will first need to finish the C.U.P. amendment through public hearing, vacate the access control along 21st Street North and Rock Road either as a separate instrument or through a replat of parcel one. If done as a separate instrument, a lot split would also be required for the first sale with a replat then necessary before any additional sales could occur. Prior to any replatting or vacation cases, we are to submit a detailed site plan illustrating the precise locations for our proposed curb cuts.

If there are any inaccuracies, please advise.

Sincerely,



Bill G. Yung

  
BILL G. YUNG DESIGN  
4912 E. 20TH NORTH, SUITE ONE, WICHITA, KANSAS 67220  
316-883-5687



Mr. Jack Galbraith, Chief Planner  
Metropolitan Area Planning Department  
10th Floor - City Hall  
455 North Main  
Wichita, KS 67202

3-31-87

Discussion of breaking access control at  
21st & Rose Road.

Krant, Galbraith, Jimble,  
Zwickler, Gray, Dore & Joe  
Ritchie and another man.

It was agreed that the CUP could be amended  
to provide access to both streets, however to 21st,  
\* access is right turn in and out only.

\* The CUP will reflect "access control except for one  
opening." This can be for an area of 1-2 hundred  
ft. It is the applicant's responsibility to reconstruct  
the median on Rose Road to permit only an  
opening to line up with whatever driveway  
location they select. It will be necessary,  
however, for the access control on the plat to  
be vacated. On Rose Rd if the one point of  
access is selected farther north, then it will  
probably be necessary to establish the left turn  
→ holding lane farther north at their expense.

\* As to 21st, it was agreed that the median  
will not be removed, that their desired access  
will be right turn in and out only. That  
access control must also be vacated on the plat.

\* The two stub streets will probably have to  
remain as they are. Several owners that  
would have to agree to a vacation. It was  
learned that when they were paved, no distinction  
was made in the paving type to reflect where  
public and private street change. Should never  
have been permitted to happen.

JH

Call Bill Lyons on Wed  
3-4-87

~~Develop~~  
Development at 21st & Ross Road.

Mike remembers discussing this issue with  
you & Dave Ritchie some 1+ ago.

Both Bill & Mike remember that land was not  
assumed for the development of 21st or Ross Rd.  
That if access is ~~to~~ <sup>to</sup> be vacated,  
then both City must be reviewed.

\* Manager wants street improvements reflected on  
CUP. Details and laws need to be  
identified on CUP document.

- Are there requests for right turn in and get  
only? Left turns are desired. Then  
Lyons needs to design and show to both  
Franklin and Judicials.

Mike remembers telling them that medical  
boards must go to Traffic Com. He may  
take this to them while being processed.

- Neither agree to left turn on 21st -

Mike believes that <sup>two</sup> stub public street  
should be vacated. Judicials doesn't necessarily  
agree with that.

CASE NO. DP-92, Amendment #6

TALLGRASS COMMERCIAL AND OFFICE PARK  
COMMUNITY UNIT PLAN

*Lots 1, 5 and 6, Block 1*

Lot 1, Block 1 and Lot 6, Block 1, Tallgrass Commercial Third, an  
Addition to Wichita, Sedgwick County, Kansas. Generally located at the  
northeast corner of 21st Street North and Rock Road.

PL/0242/4

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

February 24, 1987

TO: Marvin Krout, Director of Planning  
Bill McKinley, Traffic Engineer  
Mike Lindebak, City Engineer  
Monty Robson, Superintendent of Central Inspection

FROM: Barbara R. Harris, Senior Planner, Current Plans Division

SUBJECT: DP-92, Amendment #6 - Tallgrass Commercial and Office Park  
Community Unit Plan Proposal. Generally located on the north-  
east corner of Rock Road and 21st Street North.

Attached, for your review and comments, is a copy of the proposed development plan amendment for the above-referenced property. The applicant, submitted this amendment in order to request the following changes: (1) Change the complete access controls from Rock Road and 21st Street North to Parcels 1 and 2; (2) Decrease the building setbacks in Parcels 1, 2 & 4D; and (3) Include an additional land use in Parcel 1 - Car Wash with BZA approval. The requested changes are "marked" in red on copies of the enclosed C.U.P.

We will discuss this amendment at the Development Review Meeting on ~~Thursday~~ <sup>Friday</sup>, February 27, 1987. I would appreciate any comments you might have, and if you have any questions, please call me at 268-4421. Thank you.

*Lot 1 + 6 & 5 PA, 1*

BRH:blw  
Attachment

PL/0106/4

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

DP-92  
Amend 6 -  
Tallgrass Comm.  
C.P. Office

This is an application for a Community Unit Plan - Planned Development. 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.

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

- A. APPLICANT Independence Commons Company <sup>Wichita</sup>   
 ADDRESS 8100 E. 22nd N., Bldg. 500, Zip Code 67226 PHONE 684-7300  
 AGENT Bill G. Yung Design <sup>Wichita</sup>   
 ADDRESS 4912 E. 29th N., Suite One, Zip Code 67220 PHONE 683-5567
- B. APPLICANT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_
- C. APPLICANT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants).

2. A. The applicant hereby requests approval amendment (circle appropriate word) of a Community Unit Plan on property zoned LC and legally described as Lot(s) 1 and 6 Block(s) 1 of the Tallgrass Commercial Third Addition.

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

N/A

*DP-92, Amend. #6*

*98+2+3+3+1=107*

acres (round to nearest tenth) in the above

LO (S) LO (ME) LO (W) AA in MAPC May 17, 1987  
 60496 in 57508 DP-73  
 8 N of 22nd St DP-92 Revised 9/85

DP-92

CPO "2A" May 4, 1987

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

DP-92  
Amst 6 -  
Tallgrass Comm.  
C.U.P. Officer

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Wichita  
 ADDRESS 8100 E. 22nd N., Bldg. 500, Zip Code 67226 PHONE 684-7300  
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Wichita  
 ADDRESS 4912 E. 29th N., Suite One, Zip Code 67220 PHONE 683-5567
- B. APPLICANT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_
- C. APPLICANT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_  
 AGENT \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_ PHONE \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants).

2. A. The applicant hereby requests approval/amendment (circle appropriate word) of a Community Unit Plan on property zoned LC and legally described as Lot(s) 1 and 6 Block(s) 1 of the Tallgrass Commercial Third Addition.

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

N/A

- B. There are 2.1 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 6050C Zoning (N) LC (S) LC/ME (W) AA in MAPC May 17, 1987  
6049b in 57508 DP-73

T9-330-3

Revised 9/85

08 N of 22nd St  
in  
DP-92

CPO "2A" May 4, 1987

3. The general location is (USE APPROPRIATE SECTION):

A. At the Northeast corner of 21st Street North and Rock Road, OR

B. On the N/A side of N/A (Ave.) Street between N/A (Ave.) Street and N/A (Ave.) Street.

4. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

*Ken M. Allen*  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT'S SIGNATURE

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 4<sup>40</sup> (AM, PM) on 2-18-87 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 200.

*Barb Harris* Name  
*Senior Planner* Title



2-18-87

DELIVER: MAPD 10th Floor  
City Bldg.

ATTN: ? BHP

RE: Tallgrass CUP  
(ordered by Bill Yung Design)  
Rock Road & 21st St. North

THANKS

NORMA

SECURITY ABSTRACT AND TITLE CO. INC.  
434 North Main • Wichita, Kansas 67202 • Telephone (316) 267-8371  
SECURITY IS KNOWING

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
Lots 1, 2, 4, 5 and 6	Block 1	Tallgrass Commercial Third Addition	Independence Commons Company <i>dup</i> P.O. Box 4048 Wichita, KS 67204
Lot 3	Block 1	"	Dillon Real Estate Company Inc. 2700 E 4th Hutchinson, KS 67501 <i>X</i>
Lot 1	Block 1	Tallgrass Commercial First Addition	Independence Commons Company <i>dup</i> P.O. Box 4048 Wichita, KS 67204
That portion of Lot 1, Block 1 described as follows: Commencing at a point on the West line of Summerfield, an Addition to Wichita, Sedgwick County, Kansas, and the East line of Tallgrass Inn, an Addition to Wichita, Sedgwick County, Kansas, said point being 58.78 feet bearing N 1°01'02" W from the NW/c of Lot 17, Block 1, Summerfield, th. N 75°51'24" W, 230.55 feet along the North line of said Tallgrass Inn to the p.o.b.; th. S 75°51'24" E, 44.67 feet; th. S 14°08'36" W, 22.78 feet; th. S 88°58'58" W, 44.00 feet; th. S 1°01'02" E, 105.50 feet; th. S 88°58'58" W, 297.00 feet; th. N 51°59'12" W, 148.76 feet; th. N 89°00'48" E, 248.62 feet; th. S 51°59'12" E, 62.00 feet; th. N 88°58'58" E, 240.00 feet; th. S 14 08'36" W, 109.65 feet to the p.o.b.		Tallgrass Inn Addition	Slawson Investment Corp. <i>X</i> 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
Lot 1	Block 1	Tallgrass Clubhouse Addition	Tallgrass Club 2400 Tallgrass Wichita, KS 67226 <i>X</i>
Lots 1, 2 & 3	Block 1	Executive Park at Tallgrass	Slawson Investment Corp. <i>dup</i> 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
Lots 1, 2 & 3	Block 2	"	Same As Above
Lot 1 & the East 20 feet of the South 67 feet of Lot 2	Block 3	"	James B. Mc Nerney Sr. Kathleen A. Mc Nerney <i>X</i> 16 Hampton Rd. Wichita, KS 67207

Lot	Block	Addition	Property Owner
Lot 2 except the East 20 feet of the South 67 feet	Block 3	Executive Park at Tallgrass	X M. M. Williams, Trustee Box 2281 Wichita, KS 67201
Lots 3, 4 & the South 7 feet of Lot 5	Block 3	"	Slawson Investment Corp. <i>dup</i> 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
Lot 5 except the South 7 feet & all of Lot 6	Block 3	"	X Cordry, Michaud, Hutton & Hutton Investments 8100 E. 22nd St. North Bldg. 1200 Wichita, KS 67226
Lots 7 & 8	Block 3	"	X Dunne Equities, Inc. 8100 E. 22nd St. North Bldg. 1200 Wichita, KS 67226
Lot 9 and Lot 10, Block 3, except that part of Lot 10 beginning at the NE/c of said Lot 10; th. S 1°01'02" E, a distance of 100.09 feet along the East line of said Lot 10; th. S 88°58'58" W a distance of 21.50 feet; th. N 1°02'02" W, a distance of 72.86 feet to the North line of said Lot 10; th. N 37°16'16" E, a distance of 34.70 feet along the N'ly line of said Lot 10 to the p.o.b.		"	<i>dup</i> Slawson Investment Corp. 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
Lot 11, Block 3 and Lot 12, Block 3 except the East 20.5 feet and that part of Lot 10 described as follows: Beginning at the NE/c of said Lot 10; th. S1°01'02" E, 100.09 feet along the East line of said Lot 10; th. S 88°58'58" W, 21.50 feet; th. N 1°01'02" W, 72.86 feet to the North line of said Lot 10; th. N 37°16'16" E, 34.70 feet along the North line of said Lot 10 to the p.c.b.		"	X Agency Properties 8100 E. 22nd St. North Wichita, KS 67226 (Rocky D. Crownover)
The East 20.5 feet of Lot 12	Block 3	"	X Donald C. Slawson Judith A. Slawson 330 N. Belmont Wichita, KS 67208
Lots 13 & 14	Block 3	"	Same As Above
Lots 15, 16, 17 & 18	Block 3	"	<i>dup</i> Slawson Investment Corp. 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202

Lot	Block	Addition	Property Owner
Lots 19, 20 & 21	Block 3	Executive Park at Tallgrass	X The City of Wichita 455 N. Main Wichita, KS 67202
All of Lots 1 & 2, and that portion of Lot 3 described as beginning at the NE/c of said Lot 3; th. S 0°53'34" E, 16.29 feet along the East line of said Lot 3; th. S 43°58'58" W, 60.00 feet along the SE'ly line of said Lot 3; th. N 46°01'02" W, 60.10 feet; th. S 88°58'58" W, 70.56 feet to the W'ly/c of said Lot 3; th. N 43°58'58" E, 12.94 feet along the NW'ly line of said Lot 3; th. N 88°58'58" E, 139.30 feet along the North line of said Lot 3 to the p.o.b., in Block 4.		"	Slawson Investment Corp. <i>duf</i> 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
The NE'ly 1/2 of Lot 5, all of Lot 4 and Lot 3, Block 4, except that part of Lot 3 described as follows: Beginning at the NE/c of said Lot 3; th. S 0°53'34" E, 16.29 feet along the East line of said Lot 3; th. S 43°58'58" W, 50.00 feet along the SE'ly line of said Lot 3; th. N 46°01'02" W, 60.10 feet; th. S 88°58'58" W, 70.56 feet to the W'ly corner of said Lot 3; th. N 43°58'58" E, 12.94 feet along the NW'ly line of said Lot 3; th. N 88°58'58" E, 139.30 feet along the North line of said Lot 3 to the p.o.b.		"	X Building No. 300 Partnership 8100 E. 22nd St. North Wichita, KS 67226
The SW'ly 1/2 of Lot 5; all of Lot 6; and Lots 7 & 8, except that portion of said Lots 7 & 8 described as follows: Beginning at the SW/c of Lot 8; th. North along the West line to the NW/c of said Lot 8; th. NE along the NW line of Lots 7 & 8 bearing N 43°58'58" E, 17.94 feet; th. S 46°01'02" E, 22.50 feet; th. S 15°50'39" E, 102.76 feet to the SE'ly line of said Lot 8; th. S 43°58'58" W, 55.00 feet along the SE'ly line of said Lot 8; th. S 88°58'58" W, 16.00 feet along the South line of said Lot 8 to the point of beginning, Block 4.		"	X Quartermaster 8100 E. 22nd St. North #300 Wichita, KS 67226

Lot	Block	Addition	Property Owner
Lots 9, 10 and that part of Lots 7 & 8, described as follows: Beginning at the SW/c of Lot 8; th. North along the West line to the NW/c of said Lot 8; th. NE along the NW line of Lots 7 & 8 bearing N 43°58'58" E, 17.94 feet; th. S 46°01'02" E, 22.50 feet; th. S 15°50'39" E, 102.76 feet to the SE'ly line of said Lot 8; th. S 43°58'58" W, 55.00 feet along the SE'ly line of said Lot 8; th. S 88°58'58" W, 16.00 feet along the South line of said Lot 8 to the p.o.b., Block 4.		Executive Park at Tallgrass	Real Estate Venture c/o Alan Stein 8100 E. 22nd St. North #100 Wichita, KS 67226
Lots 1-10, inclusive	Block 5	"	Slawson Investment Corp. 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
Reserves A, B, C & D		"	Same As Above
Lot 71	Block 5	Sycamore Village Third Addition	Richard B. Gross Tamara S. Gross 2421 Hathway Circle Wichita, KS 67226
Lot 72	Block 5	"	Kristen D. Kennedy Jamie L. Kennedy 2411 Hathway Circle Wichita, KS 67226
Lot 73	Block 5	"	David W. Munro Dilla J. Munro 2408 Hathway Circle Wichita, KS 67226
Lot 74	Block 5	"	Dwight D. Murphey Virginia S. Murphey 2412 Hathway Circle Wichita, KS 67226
Lot 75	Block 5	"	Charles B. Wilson Nancy C. Wilson 2422 Hathway Circle Wichita, KS 67226
Lot 76	Block 5	"	Terrell E. Nickelson Marilee A. Nickelson 2432 N. Hathway Circle Wichita, KS 67226
Reserve		"	Sycamore Village Homeowners Association P.O. Box 8631 Wichita, KS 67208
Lot 1	Block 7	Sycamore Village Second Addition	George G. Fox Minnie L. Fox 2307 Winstead Circle Wichita, KS 67226

Lot	Block	Addition	Property Owner
Lot 2	Block 7	Sycamore Village Second Addition	X Donald L. Anderson Sharon K. Anderson 2315 Winstead Circle E Wichita, KS 67226
Lot 6	Block 7	"	X Sherrel W. Miller Virginia L. Miller 2343 Winstead Circle Wichita, KS 67226
Lot 7	Block 7	"	X Norman J. Razook Linda F. Razook 2349 Winstead Circle E Wichita, KS 67226
Lot 8	Block 7	"	? X Robert M. Adams Velda L. Adams 2353 Winstead Circle E Wichita, KS 67226
Lot 9	Block 7	"	X Joseph M. Davitt Michele D. Davitt 2348 Hathway Circle Wichita, KS 67226
Lot 10	Block 7	"	X Dale W. Gibbens Sheryll D. Gibbens 2344 Hathway Circle Wichita, KS 67226
Lot 11	Block 7	"	X Gary D. Haughney Patricia E. Haughney 2338 Hathway Wichita, KS 67226
Lot 12	Block 7	"	X Robert E. Hill Vicki D. Hill 2334 N. Hathway Circle Wichita, KS 67226
Lot 13	Block 7	"	X William Barry Davis Iris La Nettie Davis 2326 Hathway Circle Wichita, KS 67226
Lot 14	Block 7	"	X Paul E. Monson Lynda S. Monson <del>Address Unknown</del> Notice of Interest filed 6-17-80: John E. Brosz 2318 Hathway Circle Wichita, KS 67226
Lot 15	Block 7	"	X William E. Estes Mary E. Estes 2306 Hathway Wichita, KS 67226
Lot 1	Block 8	"	X David M. Kemme Jan L. Kemme 2306 Winstead Circle Wichita, KS 67226

2318  
Hathway Circle  
67226

clb ?

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 2	Block 8	Sycamore Village Second Addition	Frank Emil Salat Gerl L. Salat 157 Washington Dyess AFB, TX 79607
Lot 3	Block 8	"	Travis W. Stenbridge Elizabeth Jan Stenbridge 2328 Winstead Circle E Wichita, KS 67226
Lot 4	Block 8	"	Barry L. Johnson Margaret T. Johnson 2342 Winstead Circle Wichita, KS 67226
Lot 5	Block 8	"	James L. Standley Judy L. Standley 2306 Charlotte Wichita, KS 67220
Lot 6	Block 8	"	William E. Mathis Ann B. Mathis 2343 Hathway Circle Wichita, KS 67226
Lot 7	Block 8	"	Harry M. Roberts Erika A. Roberts 2335 Hathway Circle Wichita, KS 67226
Lot 8	Block 8	"	J. Lynn Bock Ann Bock 2315 Hathway Circle Wichita, KS 67226
Lot 9	Block 8	"	Frank J. Curtis Indian Rock Woods Scarborough, ME 04074
Lot 10	Block 8	"	Oscar Kirk Dahlbery Joanne C. Dahlbery 2308 Longwood Circle Wichita, KS 67226
Lot 11	Block 8	"	Jack N. Turner Marian J. Turner 2314 Longwood Circle Wichita, KS 67226
Lot 12	Block 8	"	John Irvin Elliott Dorothy Lee Elliott 2325 Longwood Circle Wichita, KS 67226
Lot 13	Block 8	"	Donald R. Bratton Edith T. Bratton 2319 Longwood Circle Wichita, KS 67226
Lot 14	Block 8	"	William S. Sanderson Margaret E. Sanderson 2309 Longwood Ct. Wichita, KS 67226

Lot	Block	Addition	Property Owner
Lot 4	Block 9	Sycamore Village Second Addition	X Kim L. Atcheson Deborah L. Atcheson 2208 Bromfield Wichita, KS 67226
Lot 5	Block 9	"	X Frank Yu-Chang Chan Lois Yu-Yu Chan 2204 Bromfield Circle Wichita, KS 67226
Lot 6	Block 9	"	X Martin LeBlanc 2205 Longwood Circle Wichita, KS 67226
Lot 7	Block 9	"	X Daniel L. Billings 2219 Longwood Circle Wichita, KS 67226
Lot 8	Block 9	"	X Frank Paul Arnone Lynn A. Arnone 2245 Longwood Circle Wichita, KS 67226
Lot 9	Block 9	"	X Keith D. Richey Kathy J. Richey 2251 Longwood Circle Wichita, KS 67226
Lot 10	Block 9	"	X Alan E. Thomson Catherine H. Thomson 2263 Longwood Circle Wichita, KS 67226
Lot 11	Block 9	"	X Paul J. G. Kunde Theresa S. Kunde 2224 Winstead Circle E Wichita, KS 67226
Lot 12	Block 9	"	X Allan C. Zimmerman Marjorie M. Zimmerman 2214 Winstead Circle E Wichita, KS 67226
Lot 13	Block 9	"	X Nathaniel J. Addleman Linda Addleman 2204 Winstead Circle E Wichita, KS 67226
Lot 14	Block 9	"	X Rebecca Brandewyne Box 18036 Wichita, KS 67218
Lot 15	Block 9	"	X Richard A. Feccchia Rebecca R. Feccchia <del>Address Unknown</del> 2215 Winstead Circle 67226
Lot 16	Block 9	"	X James C. Ho Lydia S. Ho 2223 Winstead Circle Wichita, KS 67226

Lot	Block	Addition	Property Owner
Lot 7	Block 10	Sycamore Village Second Addition	X Edward L. Bianchi Mary Annie Bianchi 2209 Bromfield Circle Wichita, KS 67226
Lot 8	Block 10	"	X Daran L. Jensen 2203 Bromfield Circle Wichita, KS 67226
Lot 9	Block 10	"	X Sproul Construction Co. Inc. 3500 N. Rock Rd. Suite 1000 Wichita, KS 67226
Lot 10	Block 10	"	X Ronald L. Smith Lindsay F. Smith 2212 Longwood Wichita, KS 67226
Lot 11	Block 10	"	X Michael E. Baker Susan L. Baker 2218 N. Longwood Ct. Wichita, KS 67226
Lot 12	Block 10	"	X Richard J. Johnson Doris L. Johnson Unit 70 37 Towle Farm Rd. Hampton, NH 03842
Lot 13	Block 10	"	X Clifford L. Meredith Velda G. Meredith 2226 Longwood Ct. Wichita, KS 67226
Lot 14	Block 10	"	X Lynn H. McCoppin Janice L. McCoppin 2230 Longwood Ct. Wichita, KS 67226
Lot 15	Block 10	"	X Joseph B. Hoover Donna L. Hoover 2234 Longwood Ct. Wichita, KS 67226
Lot 16	Block 10	"	X Terry R. Wright Catherine R. Wright 2238 Longwood Ct. Wichita, KS 67226
Lot 17	Block 10	"	X Bradford L. Stults Esther A. Stults 2242 Longwood Ct. Wichita, KS 67226

Lot	Block	Addition	Property Owner
Lot 18	Block 10	Sycamore Village Second Addition	Craig R. Palmateer Cydney J. Palmateer 2246 Longwood Circle Wichita, KS 67226
Lot 19	Block 10	"	Paul N. Saliba Donna K. Saliba 2254 Longwood Circle Wichita, KS 67226
Lot 20	Block 10	"	Floyd Johnson Zeola Johnson 2258 Longwood Circle Wichita, KS 67226
Lot 21	Block 10	"	Shiang Yu Lee Agnes C. Lee 2262 Longwood Circle Wichita, KS 67226
Lot 1	Block 11	"	Donald N. Smith 2225 Hathway Circle Wichita, KS 67226
Lot 2	Block 11	"	C. Robert Borresen Thelma J. Borresen 2215 Hathway Ct. Wichita, KS 67226
Lot 3	Block 11	"	Owen B. Pierce Helen J. Pierce 2209 Hathway Ct. Wichita, KS 67226
Lot 4	Block 11	"	Gary D. Davis Jacqueline S. Davis 8557 E. Mt. Vernon Rd. Wichita, KS 67207
Lot 5	Block 11	"	John C. Byers Anna Catherine Byers 2204 Hathway Ct. Wichita, KS 67226
Lot 6	Block 11	"	Randy D. Stephens Jane M. Stephens 2208 Hathway Ct. Wichita, KS 67226
Lot 7 except the North 9.73 feet	Block 11	"	Greg R. Perkins Karen L. Perkins 2216 Hathway Ct. Wichita, KS 67226
The North 9.73 feet of Lot 7 & all of Lot 8	Block 11	"	William T. Hick, Jr. Joan E. Hick 2224 Hathway Ct. Wichita, KS 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 5	Block 1	E. E. Jabes Addition	X The Broadmoor at Chelsea Company c/o GMAC Mortgage Corp. Attn: Commerical Loans 7320 Old York Rd. Philadelphia, PA 19126
The S $\frac{1}{2}$ of Lot 1	Block 1	"	X Pizza Hut of America, Inc. 9111 E. Douglas Wichita, KS 67207
The N $\frac{1}{2}$ of Lot 1	Block 1	"	X World Savings & Loan Association 6321 E. Central Wichita, KS 67208
Lot 1	Block 1	E. E. Jabes 2nd Addition	<i>dup</i> X Slawson Commercial Development Company 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
Lot 2	Block 1	"	X American Stores Properties Inc. P.O. Box 27127 Salt Lake City, UT 84127
Lot 3	Block 1	"	X Great Plains-Slawson Ventures 104 S. Broadway 200 Douglas Bldg. Wichita, KS 67202
Lot 6	Block 1	Summerfield Addition	X Jack S. Spines Pamela A. Spines 8714 Peppertree Wichita, KS 67226
Lot 7	Block 1	"	X Charles W. Wurth Mary R. Wurth 8411 Peppertree Wichita, KS 67226
Lot 8	Block 1	"	X Randal N. Hershorn Simon E. Hershorn 2209 Penstemon Wichita, KS 67226
Lot 9	Block 1	"	X Wesley R. Duperier Sherry Duperier c/o Sherry L. Rice 2213 Penstemon Wichita, KS 67226
Lot 10	Block 1	"	X Frank James Kutilek 1117 N. Penstemon Wichita, KS 67226
Lot 11	Block 1	"	X Hildegard M. Podrebarac 2223 Penstemon Wichita, KS 67226

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 12	Block 1	Summerfield Addition	X Alberta I. Wilson Trustee of Trust 2229 Penstemon Wichita, KS 67226

Reserve B	"	"	X Summerfield Owners Association 2229 Penstemon Wichita, KS 67226
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Tract Description

The  $N\frac{1}{2}$  of the  $NW\frac{1}{4}$  of Section 8, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.

X Wilson Estates  
408 Century Plaza Bldg.  
Wichita, KS 67202

The  $W\frac{1}{2}$  of the  $NW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of Section 5, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, except that part platted as Executive Park at Tallgrass Addition and except that part platted as Windemere Addition and except that part platted as Bluestem Village Second Addition.

*dup* Slawson Investment  
Corp.  
104 S. Broadway  
200 Douglas Bldg.  
Wichita, KS 67202

That part of the  $E\frac{1}{2}$  of the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of Section 5, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, lying North of Tallgrass Inn and lying East of Executive Park at Tallgrass and lying West of Tallgrass Clubhouse Addition and also that part thereof lying South of Tallgrass Inn Addition and lying East of Tara Street and Tara Circle.

Same As Above

That part of the  $W\frac{1}{2}$  of the  $SE\frac{1}{4}$  of the SWP of Section 5, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, lying East of Tallgrass Clubhouse Addition and that part lying South of Tallgrass Inn Addition and West of Summerfield Addition and that part lying East of Summerfield Addition.

Same As Above

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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:

Lot 1, Block 1 and Lot 6, Block 1, Tallgrass Commercial Third, an Addition to Wichita, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 18th day of February, 1987, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

*Mary Gable*

By

Sr. Vice-President

Order No.: 375203  
nj

\*

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

Roll # 1

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