

DP-95 - Comocara Properties, Inc.
request "C" zoning for FANTASMOGUE
generally located on the north
side of 32nd St. North, in an
area between Woodlawn and Rock Rd.

ACTION

DATE

COMMITTEE _____

M.A.P.C.

M.A.P.C.

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

Deferred 2 months

Approved sub to condition

*Approved
as Recommended*

3-15-79

3-29-79

4-24-79

*Posted
2-14-79
[Signature]*

Request for zoning for FAYLAWSON
generally located on the north
side of 2nd St. North, in an
area between Woodlawn and Rock Rd.

Map No. 5951
Sec. 31
Twp. 26
Range 2E

DATA SHEET
COMMUNITY UNIT PLAN

DP 95
Z-
Filed 2-5-79

(Assoc. Z-2109)

APPLICATION REQUEST: Approval of proposed planned FANTASY CUP
development.

1. Applicant Comotara Properties Inc.
Address 2225 Harway Circle, Wichita, 67226 Phone 686-7451
2. Agent Bill G. Yung Design
Address 1355 N. Waco, 67203 Phone 264-0676
3. General Location North side of 32nd St. North in an area between
Woodlawn and Rock Road Address _____
4. Proposed Use _____

AREA DATA

1. Acres 34.7 (_____ ft. by _____ ft.)
2. Existing Zoning "AA" Proposed Zoning "C"
3. Area (is) (is not) platted. _____ Addition _____
4. Existing R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.
Proposed R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date	Action
<u>3-15-79</u>	<u>Deferred 2 weeks</u>
<u>3-27-79</u>	<u>Approved with its conditions</u>

2. Governing Body

Date	Action
<u>4-24-79</u>	<u>Approved</u>

HARTMAN, INC. - LOS ANGELES
LODI, CA - WASHINGTON, TX, U. S. A.

No. 2153C
S^{III}ymad®

Map No. 5951
Sec. 31
Twp. 26
Range 2E

DATA SHEET

DP- 95
Filed 2-5-79

(Assoc. Z-2109)

APPLICATION DATA:

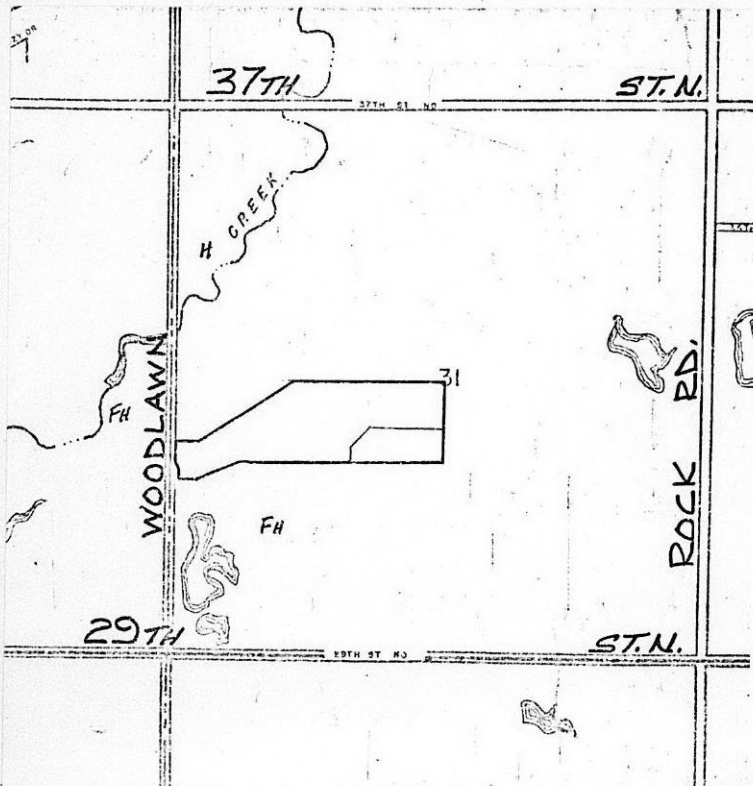
1. Applicant: Comotara Properties, Inc.
Address 2225 Hathway Circle, Wichita, ks. 67226 Phone 686-7451
2. Agent: Bill G. Yung Design
Address, 1355 N. Waco, Wichita, Ks. 67203 Phone 264-0676
3. General Location: North side of 32nd St. North in an area between Woodlawn and Rock Road. Address _____
4. Proposed Use: _____

AREA DATA:

1. Acres: 34.7 (760 (IRREGULAR) ft. by 2640 ft.)
2. Existing Zoning: "AA"
3. Land Use: East UNDEVELOPED South FARM HOUSE
West UNDEVELOPED North UNDEVELOPED
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



PICTURE SHEET

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT

Current Plans Division

Public Inquiry Slip

NAME Mitch Rorabaugh DATE 8-1-84
 PHONE 265-2134 PHONE COUNTER
 PROPERTY LOCATION Fantasia CUP MAP # _____

NATURE OF REQUEST:

City Zoning _____ County Zoning _____ Conditional Use _____
 Plat _____ Lot Split _____ Vacation _____ Dedication _____
 BZA _____ Street Name Change _____ Other CUP

REMARKS: Request to use Fantasia for a 24 hour benefit for Muscular Dystrophy - CUP states that closing hrs are at 12:00. Talked to both Feldner and Jabin who felt they would not want to adjust CUP for operating hrs, even for one time. Feldner has already had complaints on Fantasia. Check with Jandmats to see if there was a neighborhood association to contact, there was none. They may get back with us. *StJ*

ROUTE TO:

LAKIN _____ GALBRAITH _____ YOUNG _____ LYTTLE _____ OLIVAREZ _____ CHAMBERS _____
 NAGLEY _____ FLECK _____ SHIRKEY _____ RETURN TO _____

COMMENTS:

THE CITY OF WICHITA

OFFICE OF Drainage and Flood
Control Engineer

DATE April 18, 1983

TO Art Chambers, Senior Planner
FROM Chris Breitenstein, Drainage and Flood Control Engineer
SUBJECT Fantasea Security Fence

The fence configuration as submitted by Bill Yung
is acceptable to this office.

However, it should be noted that this fence could
create additional maintenance for the property owner
following every appreciable rain.

Chris Breitenstein
Chris Breitenstein
Drainage and Flood Control Engineer

CB:gr

*Chris said that
planting the cedar
trees was acceptable
ABC 4/17/83*

RECEIVED

APR 18 1983
METROPOLITAN PLANNING
ROUTE *art*

April 15, 1983

Robert B. Feldner, Superintendent of Central Inspection

Robert A. Lakin, Director of Planning

DP-95 Fantasea Commercial CUP. Administrative
Adjustment and Landscape Plan

Attached is a copy of a letter from Bill Yung, representing Fantasea, requesting an administrative adjustment to the masonry wall requirement along the north side of the above referenced CUP. Specifically, they are requesting approval to plant a cedar screen along the entire north line and construct a chain link security fence around the site, except for the parking lot. In addition, the attached site plan represents a revised landscape plan for the site.

When this CUP was originally approved, the Northeast Circumferential was to run along the north line of the CUP and a masonry wall was not required until the area to the north developed residentially. Now that the alignment for the Northeast Circumferential has been changed, I feel, at this time, that the north line should be handled in the same manner as the area around Parcel 2. The CUP shows that the area around the lake is to be used for picnicing and associated uses which should not significantly impact residential uses. I would, however, want to reserve the option to possibly require a masonry wall on the north when the area to the north develops residentially. This is especially true for the area along the northwest side adjacent to the service area and back of the machinery building for the wave pool.


After reviewing the site plan and the CUP provisions, it is my opinion that allowing a chain link security fence to be constructed and a cedar hedge to be planted in lieu of a masonry wall, would not be a substantial deviation of the intent and purposes of the CUP provisions. I feel that when the area to the north is developed with residential uses, there may be a need to construct a masonry wall from the northwest corner of the lake area, southwesterly past the service area and parking lot.

Your signature of approval will indicate that you concur that the requested adjustment is not a substantial deviation from the intent and purpose of the CUP provisions. Your signature will also indicate that a six-foot high chain link fence and a cedar hedge may be placed on the north line of the CUP in lieu of a masonry wall subject to the following:


Page 2
April 15, 1983
DF-95

1. The City retains the right to review this waiver and may require the construction of a masonry wall when the area to the north develops residentially.
2. A letter shall be submitted to the Planning Department from the Engineering Department stating that they have approved the design of the gates over the inlet and spillway of the lake and the planting of the cedar hedge and other plant material in the floodway reserve and the construction of the chain link fence around the floodway reserve.
3. The area under the RG&E easement on the east shall be planted with grass suitable for this area's climate. The area shall also be maintained.
4. The fence shall be constructed and the cedar hedge planted in accordance with the plan dated April 8, 1983.
5. As stated on the plan, no gasoline motors are permitted on boats or recreational vehicles in the floodway reserve area.

Bill Yung will be notified, by copy of this memorandum, of our joint action approving the requested adjustment subject to the above listed conditions. This memorandum will also indicate that the site plan dated April 8, 1983 is the approved revised landscape plan for the required landscaping along the south and around Parcel 2. If you have any questions please call.


Robert A. Lakin, Director of Planning

APPROVED:


Robert Feldner, Superintendent of Central Inspection

RAL:ADC:vn
Attachment
cc: Bill Yung, 8225 E. 35th Street North, 67226

4/13/83
I talked to Elton
Parsons, VP, Landmark Committee,
about the proposed waiver of the
masonry wall on the north
line of DP 95. I explained what
was being requested and what
was covered in the approval of
the request. He did not have
any objections.

see memo dated
4/19/83

A DC

April 8, 1983

Mr. Bob Lakin, Director
Metropolitan Area Planning Department
City Hall - 10th Floor
Wichita, KS 67202

RECEIVED
APR 12 1983
METROPOLITAN PLANNING
ROUTE

RE: Administrative Adjustment to Fantasea C.U.P.

Dear Mr. Lakin:

In recent weeks, I have had numerous meetings with members of your staff and engineering to resolve the questions on the current construction of the Fantasea project.

The specific questions were related to the following:

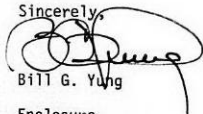
- *Construction of required masonry wall on North and East property lines.
- *Landscaping requirements as specified in the C.U.P.
- *Construction of a security fence that the owners of Fantasea wish to construct in order to secure their property - the problem being related to the drainage, floodway and the fencing through these improvements.

As mentioned above, after numerous meetings and phone calls, I believe the attached plan satisfies the problems raised by Central Inspection, your staff and the Engineering Department. Your staff members and engineering have verbally agreed to the solutions delineated on this plan as of this date.

I am, therefore, requesting by letter the approval of these improvements allowing the owners of Fantasea to proceed in implementing the features of this plan.

This has been a difficult problem to resolve but I wish to thank you and your staff in assisting me in solving the problems. If this plan meets with your approval I would appreciate a letter granting the administrative adjustment to the Fantasea Community Unit Plan.

Sincerely,



Bill G. Yung

Enclosure

cc: Harry Mohler, Fantasea



8225 E. 35th North, Wichita, Kansas 67226 316 - 683-5567

BILL G. YUNG Design Consultant

From Robert Lakin

To Art Chambers

Subject DP 95 FANTASEA C.U.P.

Date

July 15, 1981

Message

This is the latest letter in the file Anderson was aware of
landscaping problem earlier this year. A copy of the revised
landscaping plan was sent to Fillmore on 7/10/80.

The C.U.P. does not permit concerts only swimming
and picnic related activities.

SIGNED

Art.

DATE

Reply

- Copy of Revised landscape ltr + CC of this note given
to Anderson 7/16/81



47-223
Made in U.S.A.

SIGNED

RETURN THIS COPY TO SENDER

To Robert Lakin

From Art Chambers

Subject DP-95 FANTASEA C.U.P

Date July 15, 1981

Message

This is the latest letter in the file Anderson was aware of
landscaping problems earlier this year. A copy of the revised
landscaping plan was sent to Eldred on 3/10/80.

The C.U.P. does not permit concerts only swimming
and picnic related activities.

SIGNED

Art

DATE

Reply

SIGNED



47-223
Made in U.S.A.

SENDER RETAIN THIS COPY

To *Bill Jung*
1355 North W. 10
Wichita KS 67303

From *Art Chamber*
NAPP

Subject *Revised Landscape Plans for DP 95 Fantasia C.U.P.*

Date *3/10/81*

Message

*Attached is a copy of the approved landscape
plan for DP 95 for your files*

SIGNED *Art*

DATE

Reply



47-223
Made in U.S.A.

SIGNED _____

SENDER RETAIN THIS COPY

To	<i>Robert Feldner Superintendent of Central Inspection</i>	From	<i>Art Chambers MPACD</i>
Subject	<i>landscape plan for DP 95 Fantasia CUP</i>	Date	<i>3/10/81</i>
Message	<i>Attached are 2 copies of the revised landscape plan for DP 95. The approved copies of the landscape plans in your files should be marked "superseded".</i>		
Reply	SIGNED: <i>Art</i> DATE: _____		
NATIONAL 47-223 Made in U.S.A.			
SENDER RETAIN THIS COPY			

February 24, 1981

Bill G. Yung
1355 North Waco Street
Wichita, Kansas 67203

Re: DP-95 - Fantasea Commercial C.U.P.
Generally located on the north side
of 32nd Street North, in an area
between Woodlawn and Rock Road.
Revised Landscape Plan.

Dear Mr. Yung:

We have received and reviewed your revised landscape plan for the Fantasea Community Unit Plan, (DP-95) located north of 32nd Street and east of Woodlawn. Upon review, we find the location and selection of plant materials acceptable.

In previous correspondence the question of maintenance, especially the water supply system, was brought up. It is our opinion that the high loss rates of several of the plant species was due in large part to improper planting and/or the lack of adequate watering and care. You have indicated that an underground watering system with hose bibs is to be installed to provide water for the landscaping. We have yet to receive a final layout of that plan and it should be shown on the landscape plan.

In revising the landscape plan for Fantasea, we would like to see the following changes. One) revise the legend for readability, i.e., inclusion of the living plant material; two) include the condition of the replacement plant materials you are specifying, i.e. bare root, balled and burlapped, and location of the watering system.

Upon the completion of these revisions, please forward four (4) copies of the plan for our files. If you have any questions concerning this project, please contact our office.

Sincerely,

ADC
Arthur D. Chambers, AICP
Senior Planner

ADC:el

DP-95

Art File

THE CITY OF WICHITA

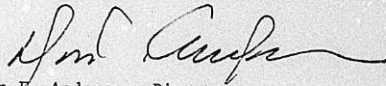
OFFICE OF Housing and Economic
Development

DATE January 13, 1981

TO Robert Feldner, Superintendent of Central Inspection
FROM Don E. Anderson, Director of Housing and Economic Development
SUBJECT Fantasea Commercial C.U.P.

I recently had an inquiry from Comotara representatives regarding the landscaping plan of the Fantasea Commercial C.U.P. Apparently it is their view that there is a possibility the neighbors shortly will be making complaints as to the current condition of the fantasea area. Attached is a copy of a letter from Jack Galbraith to Larry Reynolds, Architect, on this subject. Apparently Mr. Mobley has been involved in these discussions.

I would like for you to provide me with a report on this subject and how we plan to ensure that the provisions of the C.U.P. are carried out by the owners of this property. Please submit your report on this subject by January 16, 1981.



Don E. Anderson, Director
Housing and Economic Development

DEA/st

Attachment

cc: Jack H. Galbraith, Chief Planner
Sam Mobley, Building Codes Administrator

RECEIVED

JAN 14 1981

METROPOLITAN PLANNING

ROUTE 20

ROUTING:	
<input type="checkbox"/>	DEA _____
<input type="checkbox"/>	PM _____
<input type="checkbox"/>	JM _____
JAN 12 1981	
<input type="checkbox"/>	JB _____
<input type="checkbox"/>	BW _____
<input type="checkbox"/>	FILE _____

October 2, 1980

Larry Reynolds, Architect
 221 North Main Street
 Wichita, Kansas 67202

Re: DP-95 - Fantasea Commercial C.U.P.
 Generally located on the north
 side of 32nd Street North, in an
 area between Woodlawn and Rock Rd.

Dear Larry:

We reviewed the "as planted" landscape plan submitted on the above captioned C.U.P. last week and were curious as to why it was submitted in that form. In reviewing the matter with Sam Mobley, he advised that their inspector found materials planted at substantially different locations than the approved plan and several areas where no materials had been planted at all. He said that he had advised you that he needed an "as planted" landscape plan. Apparently, that is the reason that you submitted the plans to me.

The "as planted" landscape plan is not adequate, as submitted, for us to approve as an alternate plan to the original approved plan. Since the approved plan was apparently not followed, you may want to submit a new plan for review and approval. Such plan should use the same format as the one originally approved. However, in this instance, you would first locate all existing living plants and label them much as was done on the "as planted" landscape plan. Then indicate the location, type, etc., of materials remaining to be planted and specify when it is expected that the plantings will be finished. It may be that you will want to suggest more than one phase for completing the plantings, but that should be a reasonable proposal so that the issuance of additional permits can be done without any delay. It is important that the materials that have been planted be properly cared for and replaced where necessary, as you are responsible for replanting and maintaining the plan as approved.

*Bob: Discussed this with
 Sam Mobley today 1-9-81 and
 he said he would follow up with Reynolds.*

JHG

Page Two
Larry Reynolds
October 2, 1980

The plan as submitted last week is not in a form that we can approve as a substitute for the plan originally approved. If you have any questions on what is needed, please advise.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:el

cc: Bill Yung, 1355 North Waco, 67203
Sam Mobley, Building Codes Administrator

DP-95
LANDSCAPE

Appaned	Asbuilt	
	20	Parsons Pine
39	36	Scotch Pine
11	39	Cottonless Cottonwood
	9	Rose Hill Ash
6	12	Hopa Crab
	19	Sycamore
12	3	Pin Oak
11	11	Purple Leaf Plum
13	13	Redbud
9	8	Russian Olive
	6	Silver Maple
10 DUNDEE RED	29	Cedars, Dundee Red, Oxford Gum
17	20	Austrian Pine
22		Canada Red Cedar
3		Fruitless Mulberry
6		Green Ash
6		Golden Pintree
5		Hackberry
14		Honey Locust
22		London Plane
6		Radiant Crab
8/		Sugar Maple
2/20		

October 2, 1980

Larry Reynolds, Architect
221 North Main Street
Wichita, Kansas 67202

Re: DP-95 - Fantasea Commercial C.U.P.
Generally located on the north
side of 32nd Street North, in an
area between Woodlawn and Rock Rd.

Dear Larry:

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Page Two
Larry Reynolds
October 2, 1980

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Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:el

cc: Bill Yung, 1355 North Waco, 67203
Sam Mobley, Building Codes Administrator

DP-95
LANDSCAPE

Approved	Asbuilt	
	20	Ponderosa Pine
39	35	Scotch Pine
11	39	Cottonless Cottonwood
	9	Rose Hill Ash
6	12	Hopa Crab
	19	Sycamore
12	3	Pin Oak
11	11	Purple Leaf Plum
13	13	Redbud
9	8	Russian Olive
	6	Silver Maple
10 DUNDEE RED	29	Cedars, Dundee Red, Oxford Gum
17	20 ¹	Austrian Pine
22		Canadent Red Cedar
3		Fruitless Mulberry
6		Greenash
6		Golden Rain Tree
5		Hackberry
14		Honey Locust
22		London Plane
6		Radiant Crab
8		Sugar Maple
230		

Grievance Office

July 8, 1980

Bob Feldner, Central Inspection Division

Fredrick A. Linde, Grievance Officer

Fantasea Amusement Park
CUP-DP 95
File #A-2557

People living immediately south of the Fantasea Amusement Park have made complaints about the noise emanating from a loudspeaker system installed this Spring. As part of the background the park broadcasts music popular with teenagers and young people. The amplified music is proving disruptive to people living in the housing development south of 32nd Street immediately east of N. Woodlawn. Fantasea Park is addressed at 3330 N. Woodlawn. The park manager is Mr. Bruce Brown.

The subject CUP does not control noise generation, however, it does include among its other provisions articles on landscaping and on the hours of operation. The latter requires closing no later than 12:00 midnight daily. I believe this provision must be enforced by your department rather than the police. Also, the landscaping clause was written in order to provide a reasonable amount of isolation from the park to residential areas. If you have not already done so, I believe both of these provisions should be examined by your group and the requirement of the closing be emphatically emphasized to Mr. Brown. Reportedly, the park frequently operates well past midnight.

This is a matter of some urgency with the residential area and for this reason I request a response no later than July 21 in order for this office to properly advise Mr. Ellis as to his best procedures.

jal
Fredrick A. Linde,
Grievance Officer

cc: Kendall Ellis, 6727 32nd Street, Wichita, Ks.
Jack Galbraith, Planning Department ✓
Major Troy Hampton, Police Department
Captain Floyd Powell, Baker 1, Police Department

RECEIVED

JUL 9 1980

METROPOLITAN PLANNING
ROUTE *16*

May 29, 1979

Robert B. Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

DP-95 - Fantesea CUP - North side of 32nd Street North,
in an area between Woodlawn and Rock Road.

The Board of City Commissioners on April 24, 1979, considered the above captioned CUP. Their action was to approve the CUP subject to the following conditions:

- a. Platting of subject property within one year from the date of approval by the City Commission; or the application be considered denied and closed.
- b. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- c. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the proposed development.
- d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

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

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

Jack H. Galbraith
Chief Planner

JHG:GLS:e1
Attachments

May 15, 1979

Mr. Bill G. Yung
1355 N. Waco
Wichita, Kansas 67203

Re: Landscape plan for
Fantasea C.U.P. (DP-95)

Dear Mr. Yung:

We are in receipt of and have reviewed your proposed landscape plan for the Fantasea Community Unit Plan (DP-95) located north of 32nd Street and east of Woodlawn. On the basis of our review, we find your selection of plant materials and their intended locations to be acceptable. As indicated to you previously, the method by which an adequate supply of water is to be provided to the plant materials is not shown on the face of the plan. You have indicated that an underground watering system with hose bibs on 200 foot centers is to be installed to provide water to the landscape materials. The landscape plan is, therefore, approved on the condition that such a system is installed. Upon completion, please send four copies of the final layout of the water system to our office for distribution and our files.

We will by copy of this letter, notify the Superintendent of Central Inspection of the approval of your landscape plan. Please be advised that the Code of the City of Wichita requires the installation of proposed plant materials on approved community unit plans prior to the issuance of occupancy permits on the site. If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:RLY:el

cc: Robert B. Feldner, Superintendent
of Central Inspection

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONING
AND APPROVAL OF COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. Z-2109 & DP-95

CONSIDERED BY MAPC: 3-29-79

REQUEST FOR: Change from "AA" to "R-5" & "C"
Approval of Commercial Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT): None given.

GENERAL LOCATION: North side of 32nd Street North, in an area between
Woodlawn and Rock Road.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
March 29, 1979)

APPLICANT: Comotara Properties, Inc., 2225 Hathway Circle.

AGENT FOR APPLICANT: Bill G. Yung, Engineer, 1355 N. Waco.

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, East and West, "R-1"; South, "AA".

LAND USE: Existing, North, East, South and West, Undeveloped.

CPO RECOMMENDATION: CPO Council Area "I" voted 5-0 to recommend
approval of the applications.

PLANNING COMMISSION RECOMMENDATION:

That Z-2109 be approved, and the associated DP-95 be approved subject to
conditions as shown in excerpt from Planning Commission minutes of March 29,
1979. Jones moved, Bayouth seconded and it carried unanimously. Savina
and Taylor were absent.

NOTE: The percentage of the protest petitions received on this application
will be pointed out at the time the case is considered by the City Commission.

ACTION: 1. Approve the zone change and CUP as recommended by the Metro-
politan Area Planning Commission, subject to the recommended conditions,
and instruct the Planning Department to forward the ordinance for first
reading when the plat is forwarded to the City Commission; or
2. Return the applications to the Metropolitan Area Planning
Commission for its reconsideration. The City Commission states the
following reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 29, 1979:

16a. Case No. Z-2109 - Comotara Properties, Inc., requests zone change from "AA" to "R-5" & "C" beginning at a point on the east line of the southwest quarter, Section 31, T 26 S, R 2 E of the 6th P.M., 452.67 feet south of the center of said section; thence southerly along said east line bearing S 0° 58' 40" E, 315.00 feet; thence S 88° 55' 01" W, 865.00 feet; thence N 1° 04' 59" W, 140.00 feet; thence N 43° 55' 01" E, 247.49 feet; thence N 88° 55' 01" E, 690.58 feet to the point of beginning. AND beginning at the intersection of the north right of way line of 32nd Street North and the east right of way line of Woodlawn Boulevard, also known as the northwest corner of Cottonwood Village Second Addition to Wichita, Sedgwick County, Kansas; thence northerly along said east line of Woodlawn Boulevard bearing N 1° 14' 30" W, 321.44 feet; thence N 88° 55' 01" E, 200.00 feet; thence N 56° 45' 10" E, 1037.72 feet to the north line of the southwest quarter, Section 31, T 26 S, R 2 E of the 6th P.M.; thence easterly along said north line bearing N 89° 3' 12" E, 1345.31 feet to the center of said Section 31; thence southerly along the east line of said southwest quarter bearing S 0° 58' 40" E, 452.67 feet; thence S 88° 55' 01" W, 690.58 feet; thence S 43° 55' 01" W, 247.49 feet, thence S 1° 04' 59" E, 140.00 feet; thence S 88° 55' 01" W, 27.75 feet to the northeast corner of said Cottonwood Village Second Addition; thence westerly along the north line of said addition bearing S 88° 55' 01" W, 1006.22 feet; thence along a curve to the left having a central angle of 30° 0' 0", a radius of 408.21 feet, and a length of 213.74 feet; thence S 58° 55' 01" W, 6.00 feet; thence along a curve to the right having a central angle of 30° 0' 0", a radius of 338.21 feet, and a length of 177.08 feet; thence S 88° 55' 01" W, 144.10 feet to the point of beginning. All generally located on the north side of 32nd St. North, in an area between Woodlawn and Rock Road.

16b. Case No. DP-95 - Comotara Properties, Inc., requests approval of a Commercial Community Unit Plan for: (See legal description above for Case No. Z-2109).

LAKIN stated that this matter was discussed in connection with litigation involving the City. He said that at the last meeting, Mr. Higgins, attorney, asked that this item not be heard, and the legal counsel for the Planning Department suggested that it not be heard. Since that time, it has been discussed with Mr. Kuhn, Assistant City Attorney, and he found no problem with the Commission hearing this matter today. He mentioned that he did receive a letter from Mr. Higgins indicating that he would be out of town today, and stated that his position was the same as stated at the last Planning Commission meeting, of postponing the hearing until the ruling had been handed down by the Supreme Court. He asked again for a two week deferral. LAKIN said that Mr. Greene, attorney, informed him also that his contact with the Kansas Supreme Court indicates that the ruling on this case would be handed down Saturday.

GALBRAITH showed slides of the area and surrounding area and pointed out that the staff report failed to point out that the C.U.P. does require a masonry wall along the north and east adjacent to residential districts, and staff has suggested some wording that would be appropriate for waiving that wall until the land to the north or east might be developed for residential purposes. The staff suggested submission of landscaped plans with anticipation that K-96 would be developed to the north. The staff also suggested that the direction of lights be directed away from the residential area to the south.

BAYOUTH asked how far west does the earth berm go.

BILL YUNG, architect representing the applicant, stated that they agreed that if the parking lot was extended that the earth berm would also be extended. He said that there were two things that he felt were critically important in this application. A substantial piece of this ground was in the flood plain unless it is altered through extensive fill. It creates a maintenance problem, and the City has not provided direction as to how to handle natural drainage patterns maintenance-wise once they are developed. He said that the earth berm was an attempt to show that sound could be controlled. With the highway noises to the north, they have totally minimized any potential objections to that being related to a single family neighborhood. He mentioned that if the stipulation of the Community Unit Plan was not carried through, that the property can be changed back to "AA" single family zoning. They have provisions within the C.U.P. that states that the Planning Commission could, after one year, return the "C" Commercial zoning to single family.

There was no one present in opposition to these applications.

MOTION: That the Planning Commission recommend to the City Commission that Z-2109 be approved, and the associated DP-95 be approved subject to the following conditions:

- a. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
- b. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- c. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the proposed development.
- d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
- e. General provision #15 shall be expanded to add the following:
"Because of the anticipated future development of the northeast circumferential and the large picnic area proposed on the plan, the wall which would normally be required on the north line of parcel A is waived until such time as the area to the north is developed residentially. The required wall on the east line of parcel A is also waived subject to the provision of a 10-foot landscape buffer".
- f. The plan shall be amended to reflect a 10-foot landscape strip on the east and west lines of parcel A.
- g. A general provision shall be added as follows:

"The applicants shall guarantee, at the time of platting, the construction of the deceleration lane and major entrance on Woodlawn as depicted on the plan".

- h. General provision #9 shall be amended to reflect that light shall be directed away from the residential area to the south.

Jones moved, Bayouth seconded and it carried unanimously. Savina and Taylor were absent.

April 2, 1979

Bill G. Yung
1355 N. Waco
Wichita, Kansas 67203

Re: Z-2109 & DP-95 - "AA" to "R-5"
& "C" - north side of 32nd St.
North in an area between Woodlawn
and Rock Road

Dear Mr. Yung:

At its regular meeting on March 29, 1979, the Metropolitan Area Planning Commission considered the above-captioned requests. The action of the Planning Commission was to recommend that the zone change and Community Unit Plan be approved subject to the following conditions:

- a. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
- b. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- c. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the proposed development.

April 2, 1979 - Bill G. Yung
Re: S-2109 & DP-93

- d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
- e. General provision #15 shall be expanded to add the following:

"Because of the anticipated future development of the northeast circumferential and the large picnic area proposed on the plan, the wall which would normally be required on the north line of parcel A is waived until such time as the area to the north is developed residentially. The required wall on the east line of parcel A is also waived subject to the provision of a 10 foot landscape buffer".
- f. The plan shall be amended to reflect a 10 foot landscape strip on the east and west lines of parcel A.
- g. A general provision shall be added as follows:

"The applicants shall guarantee, at the time of platting, the construction of the deceleration lane and major entrance on Woodlawn as depicted on the plan".
- h. General provision #9 shall be amended to reflect that light shall be directed away from the residential area to the south.

This matter will be forwarded to the Board of City Commissioners for consideration at their regular meeting on April 24, 1979, this meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbo

cc: Bob Fox, Project Director, Comotara Properties, Inc.,
2225 Hathway Circle 67226
Jack H. Green, Attorney, 216 N. Waco 67202
Wm. P. Higgins, Attorney, Sutton Place Bldg. 67202

March 19, 1979

Bill G. Yung
1355 N. Waco
Wichita, Kansas 67203

Re: Z-2109 & DP-95 - "AA" to "R-5"
& "C" - north side of 32nd St.
North in an area between Woodlawn
and Rock Road

Dear Mr. Yung:

At its regular meeting on March 15, 1979, the Metropolitan Area Planning Commission considered the above-captioned zone change and Commercial Community Unit Plan requests. Inasmuch as the Planning Commission was requested to defer this matter pending the Supreme Court decision on a case to the northwest, the action of the Planning Commission was to defer these cases for two weeks.

Subject cases will be scheduled for the Planning Commission meeting of March 29, 1979.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc

cc: Comotara Properties, Inc., 2225 Hathway Circle 67226
Jack H. Green, Attorney, 216 N. Waco 67202
Wm. P. Higgins, Attorney, Sutton Place Bldg., 67202

LAW OFFICES
OF
WILLIAM P. HIGGINS, P.A.

March 13, 1979

PENTHOUSE/SUTTON PLACE
WICHITA, KANSAS 67202
316/263-6148

Mr. Robert Lakin
Wichita-Sedgwick County
Metropolitan Area Planning Commission
City Hall
455 North Main Street
Wichita, Kansas 67202



RE: MAPC Case No. 2-2109
Date of Hearing: 3/15/79
Zoning Change to "C" for Comotara area
and CUP approval

Dear Bob:

I am writing this letter and requesting that you provide the Planning Commissioners with a copy thereof, relating to the above captioned agenda item. I hope that what I have given you is the correct designation of the agenda item. The item has to do with an amusement park concept in the Comotara development east of Woodlawn, wherein they are requesting approval of a CUP and a commercial zoning classification for the amusement park. My clients have not gotten copies of the notice to me at the time of my writing this letter but have verbally advised me of the above.

My clients are Ventures in Property I, who own real estate west of Woodlawn and within the notification area of this requested zone change and CUP application, said property being zoned for residential type uses. I am unable to appear for the Thursday hearing because of a prior commitment in Chicago regarding serious litigation in that jurisdiction and I am unable to have the matter continued. I am hereby requesting the Commission to continue consideration of this matter until I have had an opportunity to appear and discuss with them some rather serious considerations and objections my clients have regarding the application before the Commission.

Mr. Robert Lakin
March 13, 1979
Page Two

It should further be pointed out that my clients are in a rather unusual position of being engaged in litigation with the City of Wichita on the property immediately west of Woodlawn, within the notification area of these applications, which case was argued in the Supreme Court on the 19th day of February, 1979, and the decision on said case should be forthcoming. It would appear that the outcome of that case would have a definite effect on our position regarding this zoning should the Supreme Court determine that our land has been taken by the actions of the City and thereby eliminate any possibility of future development by us on that side. It would further appear that to force us to argue against this unusual zoning classification at this time might have the effect of prejudicing our position as to value of our property should the Supreme Court opinion have the effect of declaring that the property of my clients had been taken without compensation.

It is therefore respectfully requested that this Commission either hear the applicant's side of the application and withhold any action until my clients have had an opportunity through me to present their side of the matter, or that the total hearing be continued in any one of the follow ways, preferably the first:

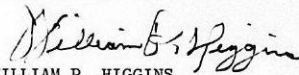
1. until the Supreme Court has handed down its decision on the case presently before it, which case has been argued;
2. until Thursday, April 19; or
3. until Thursday, March 22.

The March 22 setting is offered as an alternative to arguments by the applicant that time is of the essence to their application. The April 19 date is the first hearing date after Easter and would hopefully be subsequent to the receipt of the Supreme Court ruling on the case of Ventures in Property I vs. The City of Wichita, et al. The obvious preference would be that we not be forced to compromise our position by arguing this matter until such time as the Supreme Court decision has been handed down.

Mr. Robert Lakin
March 13, 1979
Page Three

I wish to thank you in advance for your attention in
this matter.

Respectfully submitted,



WILLIAM P. HIGGINS

WPH/jsp

THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE March 9, 1979

TO Jack Galbraith, Chief Planner

FROM Gail Williams, CPO Administrative Aide

SUBJECT DP-95 and Z-2109: "Fantasea"

At its March 6, 1979, meeting, CPO Council "I" voted 5-0 to recommend approval of the "Fantasea" development plan and associated zoning change.

Discussion of the proposal was brief, and consisted mainly of a presentation by a representative of the applicant. The primary concern expressed by Council members and residents of the area was that the proposed park should not contain mechanical amusement rides.

The park's impact on traffic in the area, although not discussed at length, was to be of little concern, due to the variety of directions from which visitors will approach.

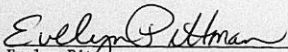
Please provide this recommendation to the Planning Commission for their consideration on March 15.



Gail Williams
CPO Administrative Aide

GW:al

Noted:



Evelyn Pittman
Assistant CP Coordinator

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-15-79

Case No. Z-2109 PP-95	Request: "AA" to "R-5" & "C" Approval of Commercial Community Unit Plan
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Location: North side of 32nd Street North in an area between
Woodlawn and Rock Road

Acres: 34.7	Size: 700' x 1500' (irregular)
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1" (soon to be "AA")
North	Undeveloped	"R-1"
East	Undeveloped	"R-1" (soon to be "AA")
South	Undeveloped	"AA"
West	Undeveloped	"R-1"

Adequate street rights-of-way to be secured at time of platting.

Platted: No	History: A79-1 BCC BCC	Annexation 2-13-79 approved 2-20-79 second reading
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COMMENTS:

1. The applicants are requesting a zone change from the "AA" Single Family Dwelling District to the "R-5" General Residence and the "C" Commercial Districts for subject property located on the north side of 32nd Street North in an area east of Woodlawn. In compliance with Section 28.04.190 of the Code of the City of Wichita which requires a development plan to be submitted on commercial ownerships in excess of six acres, the applicants have submitted a development plan for review and comment. This property was approved for annexation to the City of Wichita by action of the Board of City Commissioners on February 13, 1979. The ordinance effectuating said annexation will be published on April 4, 1979.

Page 2
Case No. E2109 & DP-95
MAPC AGENDA
3-15-79

2. The development plan proposes a two parcel development consisting of a 23.3 commercial recreational parcel and a 5.9 acre duplex/townhouse parcel at a maximum density of 12 dwelling units per net acre. The commercial recreational area will include a water slide, wave pool, bath house, picnic facilities, boat dock facilities on a lake, playground equipment and other associated uses (not including commercial amusement rides). Included in the development plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, number of points of ingress and egress, sign limitations, landscaping provisions, and proposed general land use on two specific designated parcels.
3. The applicants have proposed in general provision #11 that should construction of this recreational development not commence within one year of the date of final plan approval or if the facilities are closed and not successfully reopened within a year of closing, the commercial zoning shall be changed back to the "AA" Single Family Dwelling District. The MAPC is given the consent of the owners to initiate the rezoning to "AA" at the end of the year's time.
4. Should the Planning Commission determine that the development plan and zoning are appropriate, the following are recommended conditions of approval:
 - a. Platting of subject property within one year from the date of approval by the City Commission; or the applications be considered denied and closed.
 - b. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and commercial development and be binding upon the present owners, their successors and assigns, unless amended.
 - c. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the proposed development.

Page 3
Case No. Z2108 & DP-65
MAPC AGENDA
3-15-70

- d. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
- e. General provision #15 shall be expanded to add the following:

"Because of the anticipated future development of the northeast circumferential and the large picnic area proposed on the plan, the wall which would normally be required on the north line of parcel A is waived until such time as the area to the north is developed residentially. The required wall on the east line of parcel A is also waived subject to the provision of a 10 foot landscape buffer".

- f. The plan shall be amended to reflect a 10 foot landscape strip on the east and west lines of parcel A.
- g. A general provision shall be added as follows:

"The applicants shall guarantee, at the time of platting, the construction of the deceleration lane and major entrance on Woodlawn as depicted on the plan.

Z-2109 & }
DP-95 } 5 - "Notice to Adjoining Property Owners" mailed 3/1/79 for
the MAPC meeting for 3/15/79
1 (including map) to CPO Office
-
6 TOTAL

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

March 1, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN THAT ON Thursday, March 15, 1979, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for a COMMUNITY UNIT PLAN - PLANNED RESIDENTIAL AND COMMERCIAL DEVELOPMENT, known as "FANTASEA", for property legally described as follows:

DP-95- Boundary of a tract of land in the SW 1/4, Section 31-26-2E; Beginning at the intersection of the north right of way line of 32nd Street North and the east right of way line of Woodlawn Boulevard, also known as the northwest corner of Cottonwood Village Second Addition to Wichita, Sedgwick County, Kansas; thence northerly along said east line of Woodlawn Boulevard bearing N 1° 14' 30" W, 321.44 feet; thence N 88° 55' 01" E, 200.00 feet; thence N 56° 45' 10" E, 1037.72 feet to the north line of the SW 1/4, Section 31, T 26 S, R 2 E of the 6th P.M.; thence easterly along said north line bearing N 89° 3' 12" E, 1345.31 feet to the center of said Section 31; thence southerly along the east line of said SE 1/4 bearing S 0° 58' 40" E, 767.67 feet; thence S 88° 55' 01" W 892.75 feet to the northeast corner of said Cottonwood Village Second Addition, thence westerly along the north line of said addition bearing S 98° 55' 01" W, 1006.22 feet; thence along a curve to the left having a central angle of 30° 0' 0", a radius of 408.21 feet, and a length of 213.74 feet; thence S 58° 55' 01" W, 6.00 feet; thence along a curve to the right having a central angle of 30° 0' 0", a radius of 338.21 feet, and a length of 177.08 feet; thence S 88° 55' 01" W, 144.10 feet to the point of beginning. AND:

Beginning at a point on the east line of the southwest quarter, Section 31, T 26S, R 2 E of the 6th P.M., 452.67 feet south of the center of said section; thence southerly along said east line bearing S 0° 58' 40" E, 315.00 feet; thence S 88° 55' 01" W, 865.00 feet; thence N 1° 04' 59" W 140 feet; thence N 43° 55' 01" E, 247.49 feet; thence N 88° 55' 01" E, 690.58 feet to the point of beginning. Generally located on the north side of 32nd Street North, in an area between Woodlawn and Rock Road.

This property was approved for annexation to the City of Wichita on February 20, 1979, by action of the Board of City Commissioners. The ordinance effectuating said annexation shall be published on April 4, 1979. Should the development plan and associated zone change be approved, the associated ordinance will be held for publication until after publication of the annexation ordinance.

Page Two
Case No. DP-95

The Development of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file at the Planning Department Office, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, and is available for public inspection and review.

The Development Plan on file proposes a two parcel development consisting of a 20.0 commercial recreational parcel and a 5.9 acre duplex/townhouse parcel at a maximum density of 12 dwelling units per net acre. The commercial recreational area will include a water slide, wave pool, bath house, picnic facilities, boat dock facilities on a lake, play-ground equipment and other associated uses (not including commercial amusement rides).

Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, number of points of ingress and egress, sign limitations, screening provisions, and proposed general land use or two specific designated parcels.

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

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

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

Robert A. Lakin
Secretary

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

March 1, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a zoning change in your area. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support or in opposition to this request for a zoning change. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on Mar. 15, 1979, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

CASE NO. Z-2109

Zone Change from the "AA" One Family Dwelling District
to the "R-5" General Residence District

AND

Zone Change from the "AA" One Family Dwelling District
to the "C" Commercial District

SEE LEGAL DESCRIPTION ATTACHED HERETO

The following is a sequence of events in the processing of a request for zone change: Notification of adjoining property owners (this notice); then Neighborhood Citizen Participation Organization CPO meeting; then Metropolitan Area Planning Commission (MAPC) meeting (scheduled above); and then Board of City Commission (BCC) meeting to concur with MAPC action, defer, or refer back to MAPC. On a return of the case to the BCC, they may approve or deny or modify the change requested.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

It should be noted that the MAPC meeting constitutes the 'Public Hearing' on this matter, and therefore the City Commission has adopted the following policy with regard to consideration of zoning change requests:

"All applications for change of zoning or amendments to the zoning text shall be based on the written record of the Planning Commission, including staff recommendations, which shall be forwarded to the City Commission. The Commission may inquire of staff, proponents or opponents for clarification of any matter before the Commission. Requests for introduction of new evidence or facts shall be in writing and filed with the City Clerk prior to the closing of the City Manager's Agenda (by 5:00 p.m., on the Wednesday preceeding the scheduled Tuesday BCC hearing). In all cases where such requests are submitted, the Board of City Commissioners may refer said case to the Planning Commission for rehearing."

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

Robert A. Lakin
Secretary

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" One-Family Dwelling District
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" Two-Family Dwelling District
Permits two-family dwellings and uses permitted in "AA".
- "RB" Four-Family Dwelling District
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "R-5" General Residence District
Permits Multiple-family dwellings at a density of 12.4 dwelling units per acre, off-street parking areas and uses permitted in "A".
- "R-6" General Residence District
Permits Multiple-family dwellings at a density of 29 dwelling units per acre, and uses permitted in "R-5".
- "B" Multiple-Family Dwelling District
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" Office District
Permits apothecaries, clinics, hospitals; medical, business and professional offices; hotels and motels under certain conditions; and all residential uses.
- "LC" Light Commercial District
Permits all purely retail businesses conducted within enclosed building; service stations, all residential and office uses.
- "C" Commercial District
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" Central Business District
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" Light Industrial District
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" Heavy Industrial District
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District
Permits mobile home parks and associated uses.
- "U" University District
Permits Universities, Colleges, Seminaries and other institutions of learning and related uses.

CASE NO. Z-2109

Zone Change from the "AA" One Family Dwelling District
to the "R-5" General Residence District

Beginning at a point on the east line of the southwest quarter, Section 31, T 26 S, R 2 E of the 6th P.M., 452.67 feet south of the center of said section; thence southerly along said east line bearing S 0° 58' 40" E, 315.00 feet; thence S 88° 55' 01" W, 865.00 feet; thence N 1° 04' 59" W, 140.00 feet; thence N 43° 55' 01" E, 247.49 feet; thence N 88° 55' 01" E, 690.58 feet to the point of beginning. AND

Zone Change from the "AA" One Family Dwelling District
to the "C" Commercial District

Beginning at the intersection of the north right of way line of 32nd Street North and the east right of way line of Woodlawn Boulevard, also known as the northwest corner of Cottonwood Village Second Addition to Wichita, Sedgwick County, Kansas; thence northerly along said east line of Woodlawn Boulevard bearing N 1° 14' 30" W, 321.44 feet; thence N 88° 55' 01" E, 200.00 feet; thence N 56° 45' 10" E, 1037.72 feet to the north line of the southwest quarter, Section 31, T 26 S, R 2 E of the 6th P.M.; thence easterly along said north line bearing N 89° 3' 12" E, 1345.31 feet to the center of said Section 31; thence southerly along the east line of said southwest quarter bearing S 0° 58' 40" E, 452.67 feet; thence S 88° 55' 01" W, 690.58 feet; thence S 43° 55' 01" W, 247.49 feet; thence S 1° 04' 59" E, 140.00 feet; thence S 88° 55' 01" W, 27.75 feet to the northeast corner of said Cottonwood Village Second Addition; thence westerly along the north line of said addition bearing S 88° 55' 01" W, 1006.22 feet; thence along a curve to the left having a central angle of 30° 0' 0", a radius of 408.21 feet, and a length of 213.74 feet; thence S 58° 55' 01" W, 6.00 feet; thence along a curve to the right having a central angle of 30° 0' 0", a radius of 338.21 feet, and a length of 177.08 feet; thence S 88° 55' 01" W, 144.10 feet to the point of beginning. All generally located on the north side of 32nd St. North, in an area between Woodlawn and Rock Road.

February 22, 1979

Mr. Bill Yung
Bill Yung Design
1355 N. Waco
Wichita, Kansas 67203

Re: DP-95 - FANTASEA C.U.P. -
Generally located on the north
side of 32nd Street North, in
an area between Woodlawn and
Rock Road.

Dear Mr. Yung:

We have reviewed the 34.7 acre commercial Community Unit Plan proposed for the north side of 32nd Street North, in an area between Woodlawn and Rock Road. The following comments are a result of that review, as well as a result of consultation with other City Departments regarding the plan.

We are still in the process of reviewing the land use compatibility of this proposal and our comments at this stage are merely intended to strengthen the CUP proposal as such and do not reflect a recommendation of staff support for the proposal. A staff position on the land use itself shall be formulated by the time of staff recommendations to the M.A.P.C.

The Flood Control/Maintenance Division of the Department of Public Works advises that they cannot comment on the plan until such time as the requirements of general provision #5 are complied with in that the lake design could substantially alter the design of the plan.

General provisions number 7 and 8 are acceptable regarding the landscaping; however, it is our feeling that the entire 35 foot berm or mound should be moderately landscaped and covered by the landscape plan instead of just the 10 foot of landscaping proposed on the plan. Certainly, we don't require dense landscaping and would not even want it on the part used as a utility easement, but the entire berm should be covered by the landscape plan.

Page Two
Mr. Bill Yung
February 22, 1979

The proposed helicopter pad on Parcel A concerns us and we would note that such uses are not permitted except by special license or permit from the Board of City Commissioners. Are fueling and maintenance facilities for the helicopters to be located on the site? We would prefer that helicopter pad be deleted as a proposed use, but if it is necessary, the use list should indicate that such is only permitted by formal action of the Board of City Commissioners. The reference to signs, flags and graphics should clearly note that off-site signs are not permitted.

The proposal for 12 buildings on Parcel A with the parking determined by water surface concerns us. It is our feeling that the buildings should provide offstreet parking as required by the zoning ordinance. The proposal for 12 buildings should be amended to reflect the number of picnic shelters proposed as a separate item from the other proposed buildings.

The proposal for termination of the zoning and C.U.P. after one year as provided by general provision #11 should also be amended to provide for termination of such if development doesn't occur within a specified time from the date of final plan approval by the Board of City Commissioners. The Office of Central Inspection has also requested that wording be added to the plan which provides for fire hydrant installation and paved streets prior to the start of each phase of construction.

In addition to the foregoing comments, the following additions/changes should be made in the plan:

1. The 10 foot landscaping buffer proposed adjacent to 32nd Street North should be expanded to include the entire 35 foot berm and included in the landscape plan.
2. An additional general provision should be added to the plan as follows:

"The approval of this plan shall constitute a waiver of the wall which would normally be required on the north and west lines of Parcel B. This waiver is made subject to provision of the landscape buffer as indicated on the plan."

Page Three
Mr. Bill Yung
February 22, 1979

3. *ob* The proposed use list for Parcel A shall be amended to either delete "helicopter pad" as a permitted use, or to indicate that such is only permitted with the approval of the Board of City Commissioners. The use list should also reflect that off-site signs are not a permitted use.
4. *oh* The parking ratio proposed for Parcel A shall be amended to reflect that parking for all structures shall be in accordance with the provisions of the zoning ordinance.
5. *oh* The 12 buildings proposed on Parcel A shall be amended to reflect how many picnic shelters are proposed with a separate figure given for other buildings.
6. *oh* An additional general provision should be added as follows:
"Fire hydrant installation and paved access to all building sites shall be provided for each phase of construction prior to the issuance of building permits."
7. *oh* The proposed number of duplex units on Parcel B should be amended to reflect an even number.

These are the items which we have at this time. We have scheduled this item for consideration by the Metropolitan Area Planning Commission on Thursday, March 15, 1979, and it is necessary that we receive 14 amended copies of the plan by Monday, March 5, 1979.

Should you have any questions or if you would like to meet with us and discuss this matter, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:MM:el

cc: Comotara Properties, Inc.
2225 Hathway Circle
Wichita, Kansas 67226

meek

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE February 16, 1979

TO Mike Meek, Senior Planner

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Fantasea Community Unit Plan

The above listed CUP has been reviewed and the following comments are listed below for your consideration:

1. Are the walkways and other site accessory items which do not require building permits required to be completed when an occupancy permit is issued for the buildings?
2. What provisions have been made for water supply, fire hydrants, etc.?

Robert B. Feldner

Robert B. Feldner
Superintendent of Central Inspection

RBF:bg



GENERAL PROVISIONS

Fantasea Community Unit Plan

1. This proposed development contains 34.7 acres gross and 34.7 acres net.
2. Setbacks are as noted in parcel descriptions below and as shown on the plan.
3. All utilities shall be installed underground.
4. Signs or monuments designating the name of this development shall be permitted adjacent to the entry drives providing they follow appropriate city codes.
5. A lot grading plan shall be prepared and submitted for approval by the Department of Public Works at the time of platting. The proposed lake shall be designed in conformance with the hydrology study as prepared by Van Doren, Hazard, Stallings - Consulting Civil Engineers and submitted for approval by the Department of Public Works at the time of platting.
6. All drives indicated on the plan shall be private drives.
7. An earthberm and landscaped buffer shall be provided as shown on the plan along 32nd Street to screen proposed parking areas and the internal facilities. The intent of this sculptural earthwork and plantings is to create a passive park-like setting for the proposed development.
8. The area indicated as landscape buffer shall be seeded to grass and moderately landscaped in conformance with intent described above. A landscape plan for this area shall be submitted to the Planning Department for approval and shall be prepared at the time of platting. Said plan shall be installed during the first planting season following the construction of the proposed facilities. Failure to do so or properly maintain this planting area as determined by the Director of Planning and the Superintendent of Central Inspection, jointly shall constitute a violation of the C.U.P. A financial guarantee for the plant material approved for the landscape plan shall be required prior to the issuance of occupancy permits if the required landscaping has not been planted.
9. Overhead lights shall be permitted providing they are directed downward so as to confine concentration of light to the surfaces or facilities concerned.

10. 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, and their lessees until amended.
11. If for any reason or event, termination of occupancy of these facilities occurs and is not successfully re-opened after one year within the approved conditions and uses permitted by the C.U.P.; the Community Unit Plan and related commercial zoning shall expire and the zoning shall revert back to AA Single Family zoning. This shall be accomplished by the approval of the present owners, their successors and assigns and their lessees to this reversal of zoning as stated and as a specific condition of approval of this Community Unit Plan and related Commercial Zoning. It shall further be accomplished by the granting of the reversal to be initiated by the Metropolitan Planning Commission if not initiated by the owners at the end of the one year clause.
12. Hours of operation - closing time no later than 12:00 p.m.
13. Parking shall be provided as follows:
 - Parcel A - standard for parking based on water surface area - 1 space/75 sq. ft. of water surface area constructed (does not include lake)
 - Parcel B - 2 spaces/dwelling unitAll parking shall be surfaced with either concrete or asphalt. Additional parking above that specified shall be installed as expansion dictates.
14. Parcel descriptions:

PARCEL A

Proposed uses: wave pool, water slide, bath house, entry structure, parking, security fencing, concession facilities, picnic facilities, pool playground, equipment and maintenance building, swimming pools, fountains, family pavillion, helicopter pad, umbrella tables and trellis structures, boat dock facilities on lake, tensil structures, toilet facilities, ice skating (indoor & outdoor), sledding and tubing runs, ski run, tow lift, warming house, curling courts, kiosk, signs, flags, graphics and playground equipment (no commercial amusement rides)

PARCEL A (Con't)

Gross area - 28.8[±] acres
Net area - 28.8[±] acres
Maximum building coverage - 75,000 s.f.
Maximum gross floor area - 85,000 s.f.
Floor area ratio - N/A
Maximum building height - 35'
Maximum number of buildings shall not exceed 12
Setbacks - Woodlawn - 100'
 32nd Street - 100'
 North property line - 50'
 East property line - 50' from KG&E Easement
 From Parcel B - 50'
Parking - 1 space/75 sq. ft. of water surface

PARCEL B

Proposed uses - single family attached (duplex) or townhouse
Number of dwelling units - Duplex - 47
 Townhouse - 70
Gross area - 5.9[±] acres
Net area - 5.9[±] acres
Density - Duplex - 8 DU/acre
 Townhouse - 12 DU/acre
Maximum building coverage - 30%
Maximum building height - 35'
Parcel setbacks - Front (32nd Street) - 25'
 Side - 20'
 Rear - 20'
Parking ratio - 2.0

ROUTE SLIP
(PLEASE CIRCLE DESTINATION)

City Manager	Comm. Development	Municipal Court
City Clerk	C. D. A.	Park Department
Fed. Aid Coord.	C. A. A.	<u>Planning Dept.</u>
Office of Human Res.	E. E. D. C.	Police Dept.
Dir. of Administration	L. H. A.	Motor Pool
Auditing	Manpower Coord.	Dir. of Public Works
Budget	Community Facilities	Administration
Data Processing	Community Grievance	Central Inspection
Safety Office	Credit Union	Engineering
Community Arts	Economic Development	Flood Control
Personnel	Industrial Dev.	Maintenance
Public Information	Energy Resources	Sanitation
Purchasing	E.E.O./A.A.P. Office	Traffic Engr.
Duplicating	Fire Department	Urban Renewal
Ret. & Ins.	Health Department	Water Department
Treasury	Director of Law	Water Pol. Control
	Library	

For: Mike Meek

For your information Reply sending me _____ copies
 For your comments Prepare reply for my signature
 Note and return You handle. No report required.

MESSAGE:

Signed James F. Control Date 2-13-79
000-013

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

February 6, 1979

Max Greene, Flood Control Engineer ✓
Dick Linn, City Engineer
Paul Graves, Traffic Engineer
TO Robert Feldner, Superintendent of Central Inspection
FROM Mike Meek, Senior Planner
SUBJECT Fantasea Community Unit Plan

Attached is a copy of a Commercial/Recreational Community Unit Plan proposed for the northeast corner of Woodlawn and Thirty-Second Street North. The large parcel (A) is proposed for a "wave tech" commercial swimming pool and a myriad of other related activities. Would appreciate any comments which you might have by Friday, February 23, 1979.

Mike Meek
Mike Meek, Senior Planner

MM:bbc.
Attachment

2-13-79

Mike -

When they comply with Item 5 we can then analyze the validity of this C.U.P. The lake hydrology is the key to the ~~whole~~ plan.

Shane



Received

FEB 7 1979

February 6, 1979

Max Greene, Flood Control Engineer
Dick Linn, City Engineer
Paul Graves, Traffic Engineer
Robert Feldner, Superintendent of Central Inspection

Mike Meek, Senior Planner

Fantasea Community Unit Plan

Attached is a copy of a Commercial/Recreational Community Unit Plan proposed for the northeast corner of Woodlawn and Thirty-Second Street North. The large parcel (A) is proposed for a "wave tech" commercial swimming pool and a myriad of other related activities. Would appreciate any comments which you might have by Friday, February 23, 1979.

Mike Meek, Senior Planner

MM:bbc
Attachment

When plat is submitted, 10
copies of C.U.P. should be
furnished to utility advisors
members.

Office
Copy

GENERAL PROVISIONS

Fantasea Community Unit Plan

1. This proposed development contains 34.7 acres gross and 34.7 acres net.
2. Setbacks are as noted in parcel descriptions below and as shown on the plan.
3. All utilities shall be installed underground.
4. Signs or monuments designating the name of this development shall be permitted adjacent to the entry drives providing they follow appropriate city codes.
5. A lot grading plan shall be prepared and submitted for approval by the Department of Public Works at the time of platting. The proposed lake shall be designed in conformance with the hydrology study as prepared by Van Doren, Hazard, Stallings - Consulting Civil Engineers and submitted for approval by the Department of Public Works at the time of platting.
6. All drives indicated on the plan shall be private drives.
7. An earthbern and landscaped buffer shall be provided as shown on the plan along 32nd Street to screen proposed parking areas and the internal facilities. The intent of this sculptural earthwork and plantings is to create a passive park-like setting for the proposed development.
8. The area indicated as landscape buffer shall be seeded to grass and moderately landscaped in conformance with intent described above. *Earth Berns should have landscape plan not just for the 10'*
landscape plan for this area shall be submitted to the Planning Department for approval and shall be prepared at the time of platting. Said plan shall be installed during the first planting season following the construction of the proposed facilities. Failure to do so or properly maintain this planting area as determined by the Director of Planning and the Superintendent of Central Inspection, jointly shall constitute a violation of the C.U.P. A financial guarantee for the plant material approved for the landscape plan shall be required prior to the issuance of occupancy permits if the required landscaping has not been planted.
9. Overhead lights shall be permitted providing they are directed downward so as to confine concentration of light to the surfaces or facilities concerned.

Need landscape
plan for
greater area
than 10'
for bern
area.

10. 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, and their lessees until amended.
11. If for any reason or event, termination of occupancy of these facilities occurs and is not successfully re-opened after one year within the approved conditions and uses permitted by the C.U.P.; the Community Unit Plan and related commercial zoning shall expire and the zoning shall revert back to AA Single Family zoning. This shall be accomplished by the approval of the present owners, their successors and assigns and their lessees to this reversal of zoning as stated and as a specific condition of approval of this Community Unit Plan and related Commercial Zoning. It shall further be accomplished by the granting of the reversal to be initiated by the Metropolitan Planning Commission if not initiated by the owners at the end of the one year clause.

Read Carefully.

12. Hours of operation - closing time no later than 12:00 p.m.

13. Parking shall be provided as follows:

Style - please comment
 + 1. picnic area
 2. bleachers?
 3. events?
 4. deer habitat

- Parcel A - standard for parking based on water surface area - 1 space/75 sq. ft. of water surface area constructed (does not include lake) *How about the buildings?*
- Parcel B - 2 spaces/dwelling unit

All parking shall be surfaced with either concrete or asphalt. Additional parking above that specified shall be installed as expansion dictates.

14. Parcel descriptions:

PARCEL A

Proposed uses: wave pool, water slide, bath house, entry structure, parking, security fencing, concession facilities, picnic facilities, pool playground, equipment and maintenance building, swimming pools, fountains, family pavillion, helicopter pad, umbrella tables and trellis structures, boat dock facilities on lake, tensil structures, toilet facilities, ice skating (indoor & outdoor), sledding and tubing runs, ski run, tow lift, warming house, curling courts, kiosk, signs, flags, graphics and playground equipment (no commercial amusement rides)

no off-site signs

5951
31-26-2E
N-R-1
S-AA
E-AA+R-1
W-R-1

MAPC
3-15-79

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

DP-95
(assess 2-2109)

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

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

a. Applicant Comotara Properties Inc.

Address 2225 Hathway Circle, Wichita, KS 67226 Phone 686-7451

Agent Bill G. Yung Design

Address 1355 N. Waco, Wichita, KS 67203 Phone 264-0676

b. Applicant _____

Address _____ Phone _____

Agent _____

Address _____ Phone _____

c. Applicant _____

Address _____ Phone _____

Agent _____

Address _____ Phone _____

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

II.A The applicant hereby requests Community Unit Plan approval on

property zoned AA-currently and legally described as Lot(s)
requested for change to C
N/A, Block(s) N/A

N/A Addition.

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

(see attached sheet)
for legal

II.B There are 34.7 acres (round to nearest tenth) in the above described property.

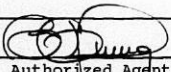
III. This property is located at (address) N/A.

The general location is (use appropriate section)

a. at the N/A corner of N/A
and N/A; or

b. on the North side of 32nd St. No. (Ave.,
in an area
Street) between Woodlawn (Ave., Street) and
Rock Road
~~the half section line~~ (XXXXXXXXXXXX).

IV. I (we), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (we) realize that this application cannot be processed unless it is completely filled in and accompanied by a current abstractor's certificate as required in the instruction sheet.

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

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

V. OFFICE USE ONLY

This application was received at the Planning Department at
4:00 (AM, PM) on February 5, 1979 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ None required

L. Lynn Shirley Name
Planner Title

Boundary of a tract of land in the SW 1/4, Section 31-26-2E:

Beginning at the intersection of the north right of way line of 32nd Street North and the east right of way line of Woodlawn Boulevard, also known as the northwest corner of Cottonwood Village section addition to Wichita, Sedgwick County, Kansas; thence northerly along said east line of Woodlawn Boulevard bearing $N 1^{\circ} 14' 30'' W$, 321.44 feet; thence $N 88^{\circ} 55' 01'' E$, 200.00 feet; thence $N 56^{\circ} 45' 10'' E$, 1037.72 feet to the north line of the SW 1/4, Section 31, T 26 S, R 2 E of the 6th P.M.; thence easterly along said north line bearing $N 89^{\circ} 3' 12'' E$, 1345.31 feet to the center of said Section 31; thence southerly along the east line of said SE 1/4 bearing $S 0^{\circ} 58' 40'' E$, 767.67 feet; thence $S 88^{\circ} 55' 01'' W$, 892.75 feet to the northeast corner of said Cottonwood Village Section Addition, thence westerly along the north line of said addition bearing $S 88^{\circ} 55' 01'' W$, 1006.22 feet; thence along a curve to the left having a central angle of $30^{\circ} 0' 0''$, a radius of 408.21 feet, and a length of 213.74 feet; thence $S 58^{\circ} 55' 01'' W$, 6.00 feet; thence along a curve to the right having a central angle of $30^{\circ} 0' 0''$, a radius of 338.21 feet, and a length of 177.08 feet; thence $S 88^{\circ} 55' 01'' W$, 144.10 feet to the point of beginning, ~~containing 26.406 acres, more or less.~~

OK for legal

Security
ABSTRACT AND TITLE CO., INC.
434 NORTH MAIN
Phone 267-8371

Deliver to Metropolitan Planning
Attn: Mike Meek

from Wichita Development Company

O W N E R S H I P L I S T

Tract	Property Owner
The South half of the SE $\frac{1}{4}$ except the West 550 feet of the South 970 feet, Section 36-26-1E	Board of Park Commissioners 455 North Main 67202
The North half of the SE $\frac{1}{4}$ of Section 36-26-1E	Board of Park Commissioners 455 North Main 67202
The South half of the East half of the NE $\frac{1}{4}$ of Section 36-26-1E and The South half of the East half of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36-26-1E	Harry Litwin, Nathan Schafer, H. Fred Levine, Harvey Katz, N. Lee Aronfeld, Barry A. Staub Litwin Building, Market at Douglas 67202
The SW $\frac{1}{4}$ of Section 31-26-2E except that portion platted as Cottonwood Village First Addition and Cottonwood Village Second Addition	Wichita Development Co. 2225 Hathway Circle 67226
The South half of the NW $\frac{1}{4}$ of Section 31-26-2E	Wichita Development Co. 2225 Hathway Circle 67226
The NE $\frac{1}{4}$ of Section 31-26-2E	Wichita Development Co. 2225 Hathway Circle 67226
The SE $\frac{1}{4}$ of Section 31-26-2E	Wichita Development Co. 2225 Hathway Circle 67226
lots 1 thru 18, Block 1, Cottonwood Village First Addition	Crane Homes of Kansas Inc. 2148 N. Old Manor 67208
lots 1 thru 7 Block 2	Cottonwood Village First Addition Crane Homes of Kansas Inc. 2148 N. Old Manor 67208
lots 1 thru 15 Block 1	Cottonwood Village 2nd Addition Wichita Development Co. 2225 Hathway Circle 67226
lots 1 thru 26 Block 2	Same Same
lots 1 thru 17 Block 3	Same Same
lots 1 thru 27 Block 4	Same Same
lots 1 thru 20 Block 5	Same Same



We hereby certify the foregoing to be a true and correct list of the property owners of:

1000 foot radius of:

Beginning at the intersection of the north right of way line of 32nd Street North and the east right of way line of Woodlawn Boulevard, also known as the northwest corner of Cottonwood Village Second Addition to Wichita, Sedgwick County, Kansas; thence northerly along said east line of Woodlawn Boulevard bearing N 1° 14' 30" W, 321.44 feet; thence N 88° 55' 01" E, 200.00 feet; thence N 56° 45' 10" E, 1037.72 feet to the north line of the southwest quarter, Section 31, T 26 S, R 2 E of the 6th P.M.; thence easterly along said north line bearing N 89° 3' 12" E, 1345.31 feet to the center of said Section 31; thence southerly along the east line of said southwest quarter bearing S 0° 58' 40" E, 837.67 feet; thence S 88° 55' 01" W, 713.42 feet to the east line of Cottonwood Village Third Addition to Wichita, Sedgwick County, Kansas; thence northerly along said east line bearing N 1° 14' 30" W, 70.00 feet to the northeast corner of said addition; thence westerly along the north lines of Cottonwood Village Second and Third Additions bearing S 88° 55' 01" W, 1185.22 feet; thence along a curve to the left having a central angle of 30° 0' 0", a radius of 408.21 feet, and a length of 213.74 feet; thence S 58° 55' 01" W, 6.00 feet; thence along a curve to the right having a central angle of 30° 0' 0", a radius of 338.21 feet, and a length of 177.08 feet; thence S 88° 55' 01" W, 144.10 feet to the point of beginning, containing 35.496 acres, more or less. (proposed plat of Fantasea Addition)

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 9th day of February, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable

Vice President

Order No. 273501
wh

*

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

Roll # 1

*