

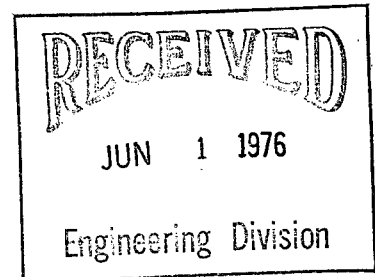
WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 1, 1976

TO Ray Bruggeman, Director of Public Works
FROM Robert A. Lakin, Director of Planning
SUBJECT Towne West Cost Estimates



Attached are Towne West street improvement cost estimates furnished by the Law-Kingdon Company. I haven't had time to review these in depth, but it appears that they are not assigning any cost locally, either to the City or to Towne West, for the Kellogg Street improvements. This, obviously, is not realistic, but I, frankly, do not have any feel for the degree to which the State will participate.

I will be back in touch as soon as I have had a chance to review the material.


Robert A. Lakin
Director of Planning

RAL:ber
Attachment

cc: X Dick Linn, City Engineer
Paul Graves, City Traffic Engineer
Robert Finch, City Manager (Interim)

COPY

METROPOLITAN AREA PLANNING DEPARTMENT

June 4, 1976

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT Towne West Square

Project Review

Over a period of four meetings last year, the Planning Commission considered a zone change request and associated Community Unit Plan on the proposed Towne West Square Shopping Center, generally located between Kellogg and Maple in an area between Taft Street and I-235. The Planning Commission approved the zone change and CUP on June 26, 1975 and the City Commission concurred on July 15, 1975, subject to platting, with solution of drainage problems and provision of adequate street improvements to serve the proposed center.

A series of public meetings has been held regarding the drainage problems in the large area from approximately 300 feet south of Maple down to the I-235 bypass south of 31st Street South, known as the Southwest Industrial Park Storm Drainage Improvement Project. The large drainage problem area has been divided into three subareas (A, B, and C) of which Area "A", bounded by Kellogg, Maple, I-235 and West Street, contains the Towne West Square property. On February 10, 1976, the Board of City Commissioners approved proposed drainage solutions for Areas "A" and "C" and instructed City staff to submit a revised drainage grant application to the Economic Development Administration to secure federal funding for a portion of the drainage improvement costs. Based upon that policy decision, it is assumed that the drainage problems associated with the proposed center have been resolved.

On March 17, 1976, the Metropolitan Area Planning Commission and the Traffic Commission conducted a joint meeting to determine the traffic improvements necessary to accommodate the proposed center. The action of the MAPC was to concur in the general traffic proposals as submitted, provided, however, that additional revisions and corrections on the method and manner of circulation around the Town and Country Motel and the final design and method of payment for construction of Tracy adjacent to K-Mart. The Traffic Commission approved the plans in concept, with further consideration given to designing Kellogg to meet freeway standards, elimination of street terminations north of Maple, and to negotiate objections raised during the hearing from business concerns to the mutual satisfaction of all involved.

March 17 issues

Basically, the issues raised during the meeting of March 17, 1976, were as follows:

- 1) Development of Kellogg as a freeway at this time.
- 2) Use of the Texas U-turn concept on Kellogg or perhaps an overhead ramp.
- 3) Transition areas or merging lanes on Kellogg, Maple, and West Street.
- 4) Necessity for a third northbound lane on Tracy adjacent to Kellogg and resolution of who pays for such a lane.
- 5) Solution of access problems to the Town and Country Motel.
- 6) Right-of-way needs for Tracy which would involve the structure of the Precision Pattern Company at 607 South Tracy.
- 7) Right-of-way needs - cost estimates.
- 8) Construction cost estimates and funding obligations.

Since March 17, 1976, the following work has been done regarding these problems:

- 1) Kellogg as a Freeway - Preliminary estimates of the improvement of Kellogg to freeway standards from I-235 to West Street have been prepared, including modification of the Kellogg/I-235 interchange, construction of an interchange at Kellogg and West Street and construction of mainline Kellogg. Approximately \$15,000,000 (see attachment A), would be needed for the project at this time, however, ultimate right-of-way costs for the West Street interchange could greatly inflate that figure, but without actual appraisal, only a rough estimate may be given.

On April 14, 1976, Ralph Wulz, Dick Linn, Bill Stockwell and myself met with the Kansas Secretary of Transportation, Jack Turner, Bill Ogan, and John McNeal. They indicated that there was no State funding available to assist in freeway construction of that segment of Kellogg. We then asked for assistance to upgrade the facility to high level arterial standards. Two possibilities discussed for partial assistance on the West Street/Kellogg intersection were a signalization demonstration project or a high accident intersection assistance grant (under Section 209). Further investigation revealed that the project would probably not qualify for the signalization demonstration project funding, however, a letter from John McNeal on May 13, 1976, indicated that Section 209 Safety Project Funds may be available in July or October, and

requested that the City draw up preliminary cost estimates and sketches on the project. Although the development of this section of Kellogg to freeway standards is not feasible at this time (assuming all local cost), it may be possible to get some State assistance on improvement of Kellogg to permit greater capacity.

- 2) Use of the Texas U-turn Concept or an overhead ramp - Preliminary investigation by our staff and that of the Traffic Engineer estimate that an overhead ramp to provide direct left turns from eastbound traffic into the center would cost approximately \$1,400,000 and would require the construction of an additional eastbound lane in the Kellogg¹ median west of Tracy. The travel distance for a Texas U-turn¹ would conflict with the ramp locations at I-235 and Kellogg, and would have to be located some place east of Tracy, thereby requiring eastbound traffic on Kellogg to proceed by the site and turn around to go back to the site by way of the frontage road system on the north and south sides of Kellogg. Either type of improvement would require expenditures and right-of-way needs far in excess of those presently estimated for the improvements for the Towne West site. Although capacity could be increased by the use of either the ramp or Texas U-turn, the costs at this time would be prohibitive without State aid (see attachment B.)
- 3) Transition areas on Kellogg, Maple and West Street - At the suggestion of the Traffic Engineer, the proposed sketches for the traffic improvements have been modified to provide longer transition areas for the merging of lanes on Maple east of West Street, Kellogg east, and West Street south of Kellogg. These problems have been solved. (See revised geometrics, the Law-Kingdon Company.)
- 4) Third northbound lane on Tracy north of Kellogg - The sketches for Tracy Street Section have been modified to eliminate the third northbound lane on Tracy, which was primarily to serve the K-Mart site. The lane was eliminated (Sketch 4 on geometric sheets), after representatives of K-Mart informed us by letter that they had no need or desire for such a lane as long as they can have an additional curb cut at the location of the medial break on Tracy south of Taft. Traffic Engineering concurs with the geometrics as drawn, providing for a transition lane at the south end of Tracy.

1

A grade separation design whereby there would be no signalization at Kellogg and Tracy with eastbound traffic on Kellogg exiting at Tracy and making a sharp left turn into a tunnel or grade separation under Kellogg to flow into the center by means of another left turn onto the frontage road.

- 5) Solution of access problems to the Town and Country Motel - At the March 17, 1976 meeting, the owner of the Town and Country Motel protested that access to the motel would be so restricted as to ruin his business. The developers of Towne West were encouraged to meet with representatives of the Town and Country and attempt to work out an equitable solution. It is our understanding that three such meetings have occurred and that the developer has provided an alternate access proposal (see attachment C). However, agreement has not been reached regarding this matter and representatives of both the developer and the Town and Country Motel will be available to present their position for improvement of motel access.
- 6) Right of way needs for Tracy which would eliminate parking for Precision Pattern Company - At the March 17, 1976 meeting, the owner of Precision Pattern Company protested the additional right-of-way necessary for Tracy because of the loss of six off-street parking spaces adjacent to Tracy. It was suggested that perhaps if the third lane adjacent to K-Mart could be eliminated, then the entire Tracy right-of-way could be shifted east and not require so much off the Precision Pattern Company property. At this time, the consultant for the developer of Towne West has modified the sketch to show the location of Precision Pattern and negotiations are still underway to resolve the problem. Earlier proposals involved acquisition of building, but the revised design now misses the building.

In addition to geometric changes necessitated by problems identified at the March 17, 1976 meeting, the consultant for the developer has also modified sketch number 5 on the geometric sheets to reduce the right-of-way required for two lanes on Maple east of West Street from 50 feet to 40 feet in an attempt to avoid significant acquisition costs of the marine shop located at the southeast corner of Maple and West. The City Engineer has concurred in the amount of right-of-way now needed which has been reduced.

- 7) Right-of-way Cost Estimates - Some 25 parcels (or part thereof), have been identified as needed to construct the street improvements previously proposed to the MAPC and Traffic Commission. These do not include the lands owned by the Kansas Highway Commission, which must be acquired in order to build the Kellogg entrances. It is assumed that these will be acquired by the developer and included (as needed), as dedicated right-of-way in the plat.

Estimates of costs for right-of-way have been prepared for the developer by an M/A appraiser. The amount of right-of-way to be acquired is the minimum needed for the projects. As such, it does not reflect in all instances the desired or normal right-of-way standard. As lands are platted or as additional improvements are made in the future, additional right-of-way will be needed.

Eight tracts are needed on Maple for an estimated cost of \$20,085.50. Taft and Tracy have three tracts at a cost of \$14,910.79. West Street has fourteen tracts for an estimated cost of \$48,621.08. Total estimated acquisition cost is estimated at \$83,617.37.

It is recommended that costs for right-of-way be distributed in the same proportion as may be arrived at for assigning costs for construction of any given street.

- 8) Construction Costs and Funding Allocation - Revised construction costs have been submitted by the developer (see attachment E), based on an evaluation of estimates proposed by the Law Company and a commercial road builder. These estimates are as April 16, 1976 and do include revised geometrics agreed to by the Department of Public Works since the March 17 public hearing. Total costs for construction is estimated to be as follows:

U. S. 54	\$ 1,092,483	- 443,000
Maple Street	570,826	
West Street	301,134	
Tracy Street	340,542	1460
Taft	105,359	1460

\$ 2,410,344 ✓

With right-of-way the
total is: \$ 2,493,961

The principles for distribution of these costs have been discussed with the developer by city staff on several occasions. The MAPC should make its recommendation, which will be forwarded to the Board of City Commissioners for specific determination. This will be done before commencing the preparation of the "plat" for Towne West.

In the early stages of the development proposals, I have suggested one funding formula which was to:

1. Assess to adjacent property the equivalent of a regular street where there is now none or where it is substandard (i.e., Tracy, Taft to Maple).
2. City of Wichita participate in the Kellogg/West Street intersection improvement (50-50?).
3. The developer assuming all other costs (assume that the City of Wichita would not otherwise make the improvements at this time or within the near future; 5-10 years).
4. Obtain whatever federal/State financing as may be available for Kellogg.

Based on these assumptions, costs would be distributed approximately as follows:#

City at Large	\$	202,705
Benefit District		98,907
Developer		2,108,732

#Does not include right-of-way.

At a meeting held on March 31, then City Manager Wulz agreed to recommend a funding formula as follows:

Maple Street - All developer cost except south half of intersection of Tracy and Maple, plus signalization at Maple and West which would be City.

Tracy - Maple to Taft - Assess 20 1/2 feet along east side to a benefit district. The remaining 20 1/2 feet plus channelization would be the developers.

Tracy - Taft to Kellogg - Assess 5 feet to east (K-Mart) plus 5 feet to benefit district to West (including Towne West and Precision Pattern). The developer would pay the balance of channelization and transition lane.

Taft - West to Florence - Assess 5 feet to north and assess 5 feet to south. Balance of cost to developer.

Taft - Tracy to Florence - Assess 20 1/2 feet to north and 20 1/2 feet to south, with balance to developer. Intersection of Taft and Florence would be developer cost. Signalization at Taft/Tracy if installed would be developer cost. The east half of the Taft/Tracy intersection would be City of Wichita.

West Street - Entire length (except the Kellogg intersection) would be split 50% City at large, 50% developer. Signals at West and Taft would be city at large.

U. S. 54 - Attempt to get the State to participate to the degree possible. Subsequent meeting by Wulz and State officials indicate a possible contribution as to "safety" improvements at the West and Kellogg intersection. The amount is unknown at this time but will not be what could be considered significant in terms of the one million dollar Kellogg improvement cost.

Assuming no federal/State monies, Wulz agreed that the City should pay for the transition improvements east of West Street on Kellogg, the signals at Kellogg and West, the intersection construction costs at Kellogg and West, and the south half of Kellogg and Tracy intersection. The balance would be the developer's cost.

Based on the Wulz recommendation, the costs would be allocated as follows#

\$ 98,907	Special Assessment
681,479	City at large*
1,629,958	Developer*

#Does not include right-of-way

*(minus state/Federal contribution, if any)

The developers have submitted an alternate proposal on June 3. This suggests a similar proposal to the Wulz suggestion, but with the State assuming a far larger share of U. S. 54 improvement than we have yet been able to obtain confirmation on. Although these may (or they may not be) realistic figures, for the purposes of evaluating the project, I don't believe for initial allocation purposes, the State funds should be counted on.

The developer has submitted these figures based on the premise that he is willing to provide a total of not to exceed 1.1 million towards street improvements. Backing this off from the 2.5 million total cost and following the essential lines of Wulz's suggestion on other streets, this results in the State (or if they will not, the city) funding 775 thousand of the U. S. 54 improvements. In summary, the developer is suggesting the following:

\$ 98,907	Special Assessment
506,032	City at large
775,203	State/Federal
1,030,202	Developer

\$ 2,410,344

Action Required

The Board of City Commissioners, after reviewing the minutes of the MAPC/TC of March 17, 1976, requested that the street/cost issues be brought before them at an early date for the review and input. The City Manager has tentatively set June 22 for this item. Inasmuch as the Planning Commission has been working on this also precedent to a plat being processed, I believed it important to have the MAPC's more definitive position on the street improvement projects to submit to the Board of City Commissioners when they consider the matter. The action on March 17 was general and directive in nature. At this time, it would be appropriate to take action which, if concurred in by the Board of City Commissioners, would be the basis of submitting the plat. A motion or motions addressing the following issues would be appropriate:

A. Kellogg

1) Design

- a. West Street intersection
- b. Tracy intersection south of Kellogg
- c. Young/Anna intersection north of Kellogg (Town and Country issue)

2) Cost allocations

B. West Street

- 1) Design
- 2) Cost

C. Maple Street

- 1) Design
- 2) Cost

D. Taft Street

- 1) Design
- 2) Cost

E. Tracy

- 1) Design
- 2) Cost

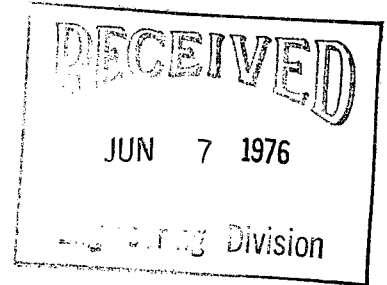
F. Status of Streets north of Maple (any design modification from existing status)

- 1) Elder
- 2) Young
- 3) Anna
- 4) Tracy.



Robert A. Lakin
Director of Planning

RAL:ber



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202
268-4421

June 4, 1976

NOTICE TO ADJOINING PROPERTY OWNERS AND OTHER INTERESTED PARTIES

Subject: DP-71 - Towne West Square C.U.P.

The matter of street improvements in the Towne West Area will be discussed by the Metropolitan Area Planning Commission at its regular meeting of June 10, 1976. This item will not be taken up prior to 4:00 p.m. The meeting will be held in the City Commission Room, City Hall, First floor, 455 North Main Street, Wichita, Kansas.

Discussion will include reviewed geometric of the various streets (Kellogg, West, Maple, Taft and Tracy), as well as any intersecting streets north of Maple. Also to be discussed is the cost of the various improvements and the method of paying for them. A staff report has been prepared and is available on request from my office, Tenth floor, City Hall.

Robert A. Lakin
Secretary

THE CITY OF WICHITA
OFFICE OF Director of Public Works

DATE June 15, 1976



TO Robert G. Finch, City Manager (Interim)

FROM R. W. Bruggeman, Director of Public Works

SUBJECT West Street - Kellogg - Maple Traffic

Attached are nine copies of the "Towne West Square Traffic Study" prepared by the Traffic Engineering Division of the Department of Public Works.

Included in the Appendix is an estimate of off-site street improvements prepared by the Law/Kingdon, P.A. and their proposed apportionment of cost. This estimate has been reviewed by the Engineering Division of the Department of Public Works and it is their opinion that the unit costs are accurate.

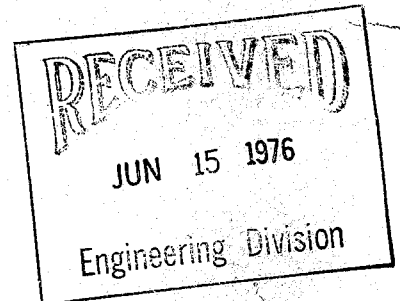
However, the total estimate has been prepared without the benefit of construction plans and should be considered as such.

R. W. Bruggeman
Director of Public Works

RWB:gr

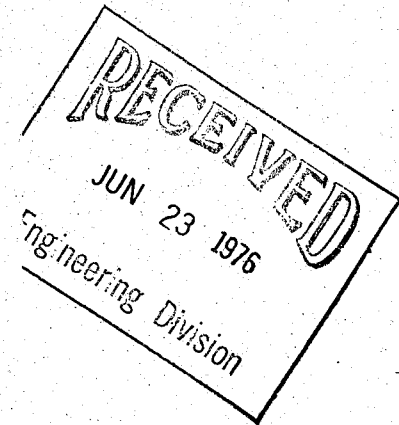
Attachments

cc: Robert A. Lakin, Director of Planning
R. W. Linn, City Engineer ✓
Paul B. Graves, City Traffic Engineer



June 21, 1976

TO Robert Finch, City Manager (Interim)
FROM Robert A. Lakin, Director of Planning
SUBJECT Towne West Square - Traffic
Plans and Financing



History

Since the City Commission approved for Towne West the changes in zoning and Community Unit Plan, subject to platting (working out traffic and drainage problems), considerable effort by the developer and City staffs has been made to arrive at workable solutions. Traffic Engineering reports have been submitted to the Traffic Commission and Metropolitan Area Planning Commission at their March 17 joint public hearing. As a result of that hearing, the Traffic Commission recommended U. S. 54 be developed as a freeway. The Metropolitan Area Planning Commission asked that further effort be made to resolve several design issues that surfaced at the March 17, 1976 public hearing, while in general approving the concept of the proposed traffic improvements submitted to them at that meeting, plus asking for information on financing.

As detailed in the staff report (contained in the June 10, 1976, Planning Commission minutes), Wulz and staff met with the State concerning freeway status, as well as State participation in any upgrading of existing U. S. 54.

At a public hearing on June 10, 1976, the Metropolitan Area Planning Commission considered both design and financing of street improvements needed for the Towne West project.

MAPC Action

Several issues were discussed at length by the Planning Commission. They were -

- 1) Impact of special assessments on Taft, Florence to Tracy;
- 2) Access to the Town and Country Motel;
- 3) Financing, the developer's share vs. City at large financing.

The minutes contain a detail description of these issues. Attachments to the staff report (Freeway cost estimates; Texas U-Turns), are reproduced as attachments to this memo.

The Planning Commission, in several motions (see minutes), approved the proposed geometrics of the various improvements (see attachments), except that mountable medials are recommended to be used to the greatest extent possible on the improvement of Tracy. They have also recommended that financing be as follows:

City of Wichita	\$ 500,000
Special Assessments	98,907
Developer	<u>1,811,437</u>
	<u>\$2,410,344</u>


Right-of-way (\$83,617 est.), was not included in the motion. Also, any Federal/State monies which become available would be used to reduce the developer's and City's share of costs. The State has been asked to officially respond by June 22, to what degree they will participate in the improvement of U. S. 54.

A comparison of the alternate financing proposals is attached for informational purposes.

Requested Action

In order to proceed in the preparation of the plat for Towne West, it would be helpful to know in what manner the street improvements are to be financed and to what design they are to be built. Therefore, it is requested that the Board of City Commissioners give tentative approval (final approval would be at plat approval and/or project initiation), to both the financing and design of the following street improvements.

U. S. 54	-	area east of West to I-235
Maple	-	I-235 to an area east of West Street
West St.	-	Area south of McCormick to north of Maple
Taft	-	West to Florence
Taft	-	Florence to Tracy
Tracy	-	Maple to Taft
Tracy	-	Taft to Kellogg
R/W Costs	-	


Robert A. Lakin
Director of Planning

RAL:ber

Attachments: Minutes - MAPC 6-10-76 (Excerpt of Towne West)
Memo to Robert A. Lakin - re Freeway Estimates
Memo to Robert A. Lakin - Texas U-Turns
Site Map and key to projects
Comparative Cost Allocation - Street Improvements
Geometrics/Towne West Street Improvements

Page 3 - Robert Finch, City Manager (Interim)
June 21, 1976

cc: James R. Schaefer, Attorney, 800 Brown Building 67202
Harry Pollock, c/o Grey Dresie, Attorney, 435 N. Main 67202
Tom Borniger, Attorney, 830 1st Nat'l Bank Bldg. 67202
Ferd Evans, Attorney, 200 West Douglas 67202
Ray Bruggeman, Director of Public Works
X Dick Linn, City Engineer
Paul Graves, City Traffic Engineer
Don Anderson, Director of Administration
Glen Dockery, Budget and Research Director



KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING - TOPEKA, KANSAS 66612

O.D. TURNER, Secretary of Transportation

ROBERT F. BENNETT, Governor

June 24, 1976



Mr. Robert A. Lakin, Director
Wichita-Sedgwick County Metropolitan
Area Planning Department
City Hall, 10th Floor
455 North Main Street
Wichita, Kansas 67202

Dear Mr. Lakin:

We recently have discussed with you the over-all plan for improvements to the street and highway system in the vicinity of the proposed Towne West shopping center. It also has been brought to our attention that a meeting is to be held this coming Tuesday at which details of the improvements are to be discussed.

Previous items discussed with the Department of Transportation included the intersection of Kellogg and West Street, and in particular, the funding of the total street improvements. It has been our position that as the improvements do not benefit the highway system, our participation would be limited. It was also our position that the intersection of Kellogg and West Street would develop capacity and safety problems unless some specific improvements were made.

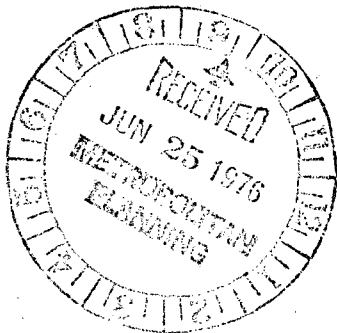
Since our earlier discussions, it has tentatively been determined that the work proposed would qualify for funding through the Highway Safety Program. Specifically, based upon FHWA approval, we will plan to make available to the City Federal funds in an amount equal to 90% of the cost of the intersection improvements. Based upon the estimates available to us, this would amount to approximately \$285,000.00.

If you have further questions on this matter, please don't hesitate to call upon me.

Yours very truly,

W. H. OGAN
State Transportation Engineer

WHO/us

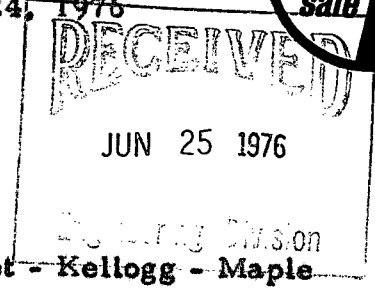


THE CITY OF WICHITA
OFFICE OF Director of Public Works

DATE June 24, 1976



TO Robert G. Finch, City Manager (Interim)
FROM R. W. Bruggeman, Director of Public Works



SUBJECT West Street - Kellogg - Maple
Traffic (Supplementary Information)

As requested, the following information is being submitted in regard to constructing Maple Avenue, from Elder Street to Ridge Road, as a four lane facility, including the widening or replacement of the Maple - Floodway Bridge with a four lane facility.

The Engineering Division has reviewed the Maple - Floodway Bridge and because of its design, have estimated the removal and replacement thereof at \$1,000,000. The estimated cost of constructing Maple Avenue, from Elder Street to Ridge Road, as a four lane facility is \$550,000.

The improvement of Kellogg Avenue (U.S. 54), from Hoover Road to Seville includes the reconstruction of Ridge Road from Kellogg Avenue (U.S. 54) to a point north of Maple Avenue.

The total cost, therefore, of this improvement would be \$1,550,000.

R. W. Bruggeman
Director of Public Works

RWB:gr

cc: Robert A. Lakin, Director of Planning
R. W. Linn, City Engineer ✓
Paul B. Graves, City Traffic Engineer

COMMISSIONERS PROCEEDINGS

June 29, 1976

responses of emergency vehicles, such as ambulances and tow trucks, in monitoring police and fire broadcasts to seek to provide service in the event of accidents resulting in multiple responses and confusion. The Department of Law has prepared an ordinance regulating the responses of certain emergency vehicles to police and fire emergency calls. Copies of the ordinance and memoranda outlining the scope of the ordinance and documentation supporting the need for the ordinance have been provided to the Commission.

City Manager recommended that the ordinance be adopted.

Fred Linde

Fred Linde, Grievance Officer, reviewed the board's recommendations and answered questions by the Commission.

Ronald Badger

Ronald Badger, Attorney representing Auto Inn Wrecker Service, spoke concerning Item Number 4 above and expressed opposition to the proposed ordinance change as he felt such changes would be detrimental to the tow-in companies and would be discriminatory.

Motion--
--carried

Donnell moved that Mr. Badger be granted 1 additional minute for his presentation. Motion carried 4 to 0.

Ray Hodge
Jim Woods

Ray Hodge, Attorney representing Red Ball Wrecker Company and Jim Woods, owner, both spoke in favor of adoption of the ordinance changes proposed and noted that other wrecker companies are soliciting business at accident scenes.

John Dekker

John Dekker, Director of Law, explained the proposed provisions to the ordinance and their applicability.

Motion--

Peters moved that the staff reports be received and filed; the City Attorney be instructed to prepare an ordinance concerning illegal dump sites; and the emergency vehicle ordinance be placed on first reading and also to amend Section 3.49.040 of the proposed ordinance by inserting additional wording so as to read "no person shall solicit in any manner business at or near the scene of an accident or collision".

Mayor Donnell

Mayor Donnell expressed dissatisfaction with the entire ordinance, but spoke specifically against Section 3.49.050.

Amendment--

Donnell moved that the motion be amended and that Section 3.49.050 be deleted from the ordinance.

Ronald Badger

Mr. Badger requested that the matter be deferred to allow them to make suggestions regarding the ordinance and also to speak to the merits of the matter.

The Commission also discussed the possibility of eliminating the contract for tow-in service and throwing it open to all.

Substitute motion--
--carried

Donnell moved a substitute motion that Item 4 be referred back to the Grievance Board for a hearing and reconsideration of this item. Motion carried 4 to 0.

Motion--
--carried

Peters moved that the staff reports be received and filed and the City Attorney be instructed to prepare an ordinance concerning illegal dump sites. Motion carried 4 to 0.

Motion--
--carried

Donnell moved that the rules be suspended to consider a matter off the agenda. Motion carried 4 to 0.

Motion--
--carried

Donnell moved that the Commission recess into executive session to be held during the noon hour concerning industrial prospects. Motion carried 4 to 0.

LUNCH RECESS

Commission recessed for lunch at 12:05 p.m. and reconvened at 1:33 p.m. with Mayor Donnell in the Chair. Commissioners Casado, Peters, Shanahan, present. Commissioner Stevens, absent.

TOWNE WEST SQUARE
TRAFFIC STUDY

Towne West Square Traffic Study, presented.

NOTE: Hearing on this item was set for 1:30 p.m.

June 29, 1976

At the meeting of May 11, 1976, the City Commission received and filed a joint MAPC - Traffic Commission report on traffic in the vicinity of the proposed Towne West Shopping Center. At that time the Commission requested that a report be provided which would reflect the anticipated street system in the area for a period of 10-15 years with and without the proposed Towne West development along with costs for projected improvements for the area. The Commission indicated that a policy statement regarding cost of improvements necessitated by major developments could result from this study.

Two reports have been prepared for review by the Commission. The Traffic Engineering Division has submitted a general overall review of the impact of the proposed Towne West Shopping Center forecast through 1985. Estimated cost of the street improvements for the area is \$2,493,961. A second report detailing Planning Commission consideration of the street improvement plan has also been provided to the Commission.

The Planning Commission has approved the proposed geometrics of the various street improvements, except that mountable medials are recommended to be used to the greatest extent possible on the improvement of Tracy. The Planning Commission further moved to recommend financing of the proposed im-provements as follows:

City of Wichita	\$ 500,000
Special Assessments	98,907
Towne West Developer	<u>1,811,437</u>
	\$2,410,344

Right-of-way (\$83,617) was not included in the motion of the Planning Commission. Any Federal/State monies which become available would be used to reduce the City's and developer's share of the cost.

As of preparation of this agenda, the State has not yet advised the City as to the amount of funds it would be willing to contribute to this project.

The Commission has also been provided with a copy of the revised analysis of the Towne West Square Shopping Center prepared by the Arthur Roberts Consulting Firm.

Recommendation

The Director of Planning recommended that in order for this project to proceed, the City Commission give tentative approval to the street improvement design and to the recommended funding. City Manager concurred.

Robert Lakin

Robert Lakin, Director of Planning, presented the general site plan and preliminary geometrics for the proposed street improvements and intersection treatments on Kellogg, West Street, Maple Street and the major entrances to Towne West and in the vicinity of this project. He stated that a proposal was received from the State regarding the improvement of West Street and Kellogg intersection for funding a portion of the cost, but he anticipated that when the detailed plans were finished it could be as much as \$443,000. During the discussion of the cost relative to the City regarding the planned development, it was pointed out that the Maple Street Bridge nor the drainage was included.

COMMISSIONERS PROCEEDINGS

June 29, 1976

3492

Dick Linn	Dick Linn, City Engineer, stated that the consultant's estimated cost for the West Street-Kellogg intersection seemed reasonable, however, it could vary when construction plans are developed.
Ferd Evans	Ferd Evans, representing Westport Drive-In Theatre, spoke concerning the cost to his client, which they felt would be deleterious to their business.
Harry Pollock	Harry Pollock, representing Town and Country Lodge and Restaurant, spoke concerning the problem of access to the motel from Kellogg, and he maintained that the proposed geometrics would not be profitable for their business. He felt the developer should be willing to compensate the motel in the event this does damage their business.
Motion-- --carried	Casado moved that Mr. Pollock be granted an addition 3 minutes for his presentation. Motion carried 4 to 0.
Bill Goebel	Bill Goebel, Star Lumber Company, spoke in favor of the proposed development.
Tom Borniger	Tom Borniger, representing the lessor of the property on which the K-Mart Store is located, reiterated their objection to assessments against their property for street improvements.
James Schaefer	James Schaefer, Attorney representing the developer of Towne West Square, spoke in support of the street design and geometrics presented.
Motion-- --carried	Donnell moved that Mr. Schaefer be granted an additional 20 minutes for his presentation. Motion carried 4 to 0.
James Schaefer	Mr. Schaefer reviewed the history of the project and presented their cost estimates of off-site street improvements and stated that Towne West was willing to assume \$1,100,000 of those costs.
Motion-- --carried	Donnell moved that Mr. Schaefer be granted an additional 10 minutes following a 10 minute recess. Motion carried 4 to 0.
RECESS	Commission recessed at 3:25 p.m. and reconvened at 3:45 p.m.
James Schaefer	Mr. Schaefer contended that street improvements and drainage were necessary for this general area to aid the existing development and future development, which will increase the tax base and will in turn benefit the entire City of Wichita.
Motion-- --carried	Casado moved that Mr. Schaefer be granted an additional 10 minutes for his presentation. Motion carried 4 to 0.
James Schaefer	Mr. Schaefer stated that the proposed development would benefit the City in jobs because of the increased retail outlets. He requested the Commission's favorable consideration of the proposed street geometrics.
Paul Graves	Paul Graves, Traffic Engineer, reviewed with the Commission the projected vehicular traffic volume which will occur on Kellogg due to the proposed development.
B. J. Kingdon	B. J. Kingdon, representing Towne West, also spoke regarding their traffic projection.
Mike Weigand	Mike Weigand spoke in support of the center development and stated that they do not rely entirely on local trade for business generation, but anticipate this center competing with a center to be built in Oklahoma City, as well as competing with Denver, Omaha, Tulsa and Kansas City.
Carl Wettig	Carl Wettig, representing W.W.C.C., requested that an early decision be made so that his client would know what to expect.
Comm. Casado	Commissioner Casado stated that he could not at this time support the proposed geometrics unless the developer can make some changes to provide better access to those businesses which might be hurt economically.
Bill McKinley	Bill McKinley, Assistant Traffic Engineer, answered questions by the Commission as to the traffic projected for the streets providing access to the shopping center site.
Discussion	Discussion was had regarding the City's legal debt margin and the City Manager stated that the 8% legal limit for 1976 is \$879,000 and then goes to \$6,597,00 in 1977 and continues to escalate dramatically thereafter. It was indicated by the Commission that the debt margin for this year would limit the City's participation in the improvement costs.

COMMISSIONERS PROCEEDINGS

June 29, 1976

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Motion--

Donnell moved that the project proceed, that the Commission give tentative approval to the street improvement design and to the funding recommended by MAPC with the following exceptions, that the City of Wichita pick up the right-of-way costs (\$83,617), and that any state funds received be applied to reduce the cost to the developer (estimated to be \$443,000), resulting in the funding to be as follows:

City at large	\$ 583,617
Special Assessments	98,907
Developer	<u>1,368,437</u>

Amendment--

--carried

--motion as amended carried

Casado moved an amendment to the motion that it also be subject to something satisfactory to both parties being worked out by the Town and Country Lodge and the developer regarding access. Amendment carried 4 to 0.

Motion, as amended, carried 4 to 0.

RECESS

Commission recessed at 5:50 p.m. and reconvened at 6:45 p.m.

*Commissioner Shanahan, absent.

CPO RECOMMENDATION RE
DROP BOX FOR PAYING
CITY BILLS

Citizen Participation Organization Recommendation Relating to a Drop Box for Paying City Bills, presented.

City Manager

City Manager stated that the CPO has withdrawn their request.

Motion to strike--
--carried

Donnell moved that the item be stricken from the agenda. Motion carried 3 to 0.

USD 259 SPEDY WORKSITE
CONTRACT

USD 259 SPEDY Worksite Contract, presented.

On May 25, 1976, the City Commission approved a standard format Summer Program for Economically Disadvantaged Youth (SPEDY) Worksite Contract between the City and Wichita's non-profit employers for the placement of the City's "economically disadvantaged youth in summer employment". Subsequently, USD No. 259 requested revisions in the SPEDY worksite contract. As a result, the City's Law Department and USD 259's legal staff negotiated a revised contract incorporating the following changes:

- (1) The wording, "authorized by the City" has been removed from Section 3.
- (2) The wording, "that the City and Delivery Agent agree that it is the objective of this contract to provide work experience for SPEDY eligible youth" has been removed from Section 4 and placed in the preamble.
- (3) Section 5 has been amended to incorporate the SPEDY payroll procedure issued by the Manpower Coordination Center.

Recommendation

The School Board approved the revised SPEDY worksite contract for execution on June 21, 1976. The Director of Economic Development recommended the approval of such contract. City Manager concurred.

*Commissioner Shanahan, present.

Motion--

--carried

Peters moved that the revised SPEDY worksite contract be approved for execution by USD No. 259 and the Mayor be authorized to execute on behalf of the City. Motion carried 4 to 0.

REPORT ON PAYMENT
OF SCKEDD MEMBERSHIP
FEE

Report on Payment of South Central Kansas Economic Development District (SCKEDD) Membership Fee, presented.

At the meeting of June 8, 1976, the City Commission approved payment

6. DEPARTMENTAL RESPONSES TO THIRTEENTH QUARTERLY REPORT OF THE COMMUNITY GRIEVANCE ADVISORY BOARD.

At the meeting of May 4, 1976, the City Commission received and filed the Grievance Board 13th Quarterly Report and requested the City Manager to provide a staff review of the recommendations contained therein. Set out below are the Grievance Board recommendations, department responses and City Manager's recommendations.

- (1) Imperfect Dedications - The Grievance Board suggested searching the records to find imperfect dedications to have them perfected and avoid future problems. The Department of Public Works reports that present procedure is to identify imperfect dedications as same arise. A search of all appropriate City and County records for imperfect dedications would be a long and costly process. It is further reported that Public Works will be implementing a street inventory system which would make location of all imperfect street dedications feasible at the time the system would be completely operationalized.

City Manager recommends that no change be made in current procedures.

- (2) Illegal Dump Sites - The Grievance Board suggests a revision to the dumping ordinance making property owners liable to prevent dumping, or to clean property should illegal dumping occur. The Director of Community Health has provided a proposed change to the present ordinance which would clarify present liability for removal of illegally dumped solid waste.

City Manager recommends that the City Attorney be instructed to prepare an ordinance effecting the change recommended by the Director of Community Health.

- (3) Construction Debris - The Grievance Board suggests an amendment to the Building Code which would provide for possible revocation of a contractor's license for failure to control the disposal of wastes created as a result of the construction. The Central Inspection Division reports that no changes in the Code are necessary to adequately control debris on construction sites. Central Inspection is, however, implementing additional procedures to monitor construction sites and remind contractors of their responsibilities in this area.

City Manager recommends that the action of CID be approved as satisfying the concern of the Grievance Board.

- (4) Responses of Private Emergency Vehicles to Accidents - The Grievance Board suggests that a new code be developed in order to control the responses of emergency vehicles, such as ambulances and tow trucks, in monitoring police and fire broadcasts to seek to provide service in the event of accidents resulting in multiple responses and confusion. The Department of Law has prepared an ordinance regulating the responses of certain emergency vehicles to police and fire emergency calls. Copies of the ordinance and memoranda outlining the scope of the ordinance and documentation supporting the need for the ordinance have been provided to the Commission.

City Manager recommends that the ordinance be adopted.

ACTION: Receive and file the staff reports; instruct the City Attorney to prepare an ordinance concerning illegal dump sites; and place the emergency vehicle ordinance on first reading.

7. TOWNE WEST SQUARE TRAFFIC STUDY.

NOTE: Hearing on this item has been set for 1:30 p. m.

ITEM # 7 Continued

At the meeting of May 11, 1976, the City Commission received and filed a joint MAPC - Traffic Commission report on traffic in the vicinity of the proposed Towne West Shopping Center. At that time the Commission requested that a report be provided which would reflect the anticipated street system in the area for a period of 10-15 years with and without the proposed Towne West development along with costs for projected improvements for the area. The Commission indicated that a policy statement regarding cost of improvements necessitated by major developments could result from this study.

Two reports have been prepared for review by the Commission. The Traffic Engineering Division has submitted a general overall review of the impact of the proposed Towne West Shopping Center forecast through 1985. Estimated cost of the street improvements for the area is \$2,493,961. A second report detailing Planning Commission consideration of the street improvement plan has also been provided to the Commission.

The Planning Commission has approved the proposed geometrics of the various street improvements, except that mountable medials are recommended to be used to the greatest extent possible on the improvement of Tracy. The Planning Commission further moved to recommend financing of the proposed improvements as follows:

City of Wichita	\$ 500,000
Special Assessments	98,907
Towne West Developer	<u>1,811,437</u>
	\$2,410,344

Right-of-way (\$83,617) was not included in the motion of the Planning Commission. Any Federal/State monies which become available would be used to reduce the City's and developer's share of the cost.

As of preparation of this agenda, the State has not yet advised the City as to the amount of funds it would be willing to contribute to this project.

The Commission has also been provided with a copy of the revised analysis of the Towne West Square Shopping Center prepared by the Arthur Roberts Consulting Firm.

The Director of Planning recommends that in order for this project to proceed, the City Commission give tentative approval to the street improvement design and to the recommended funding. City Manager concurs.

ACTION: Take such action as the Commission deems to be in the best interest of the public.

SECTION III

8. CITIZEN PARTICIPATION ORGANIZATION RECOMMENDATION RELATING TO A DROP BOX FOR PAYING CITY BILLS.

At its meeting of June 22, 1976, the Citizen Participation Organization Central Council voted to request that the City immediately cease the construction of a bill-paying facility on the first floor of the City Hall. The Council recommended that a drive-by facility be constructed instead of the first floor facility.

Construction of the first floor facility is currently under contract with action work to begin in the immediate future.

Since this recommendation was not received by the City Manager until just before the deadline for agenda items there has not been sufficient time to prepare a report on

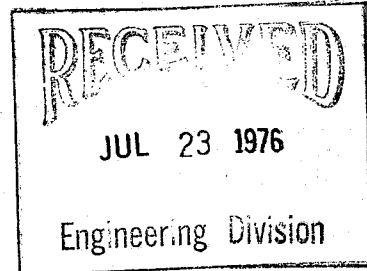
WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 22, 1976

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Towne West



I have contacted Bill Ogan, State Highway Engineer, relative to design alternates that would relate to the Town and Country Motel. He is of the same opinion as I am, that given two major entrances as currently proposed to Towne West from Kellogg, that there is no physical way to provide direct access from the main slab to the service road and the Town and Country Motel. To me this means either another answer in terms of alternate access and/or a financial arrangement between parties concerned must be found to answer the problem.

Relative to the degree of participation in the project for Kellogg and West, the State is unable at this time to comment further other than their original letter (\$286,000), until they receive new and revised information. I still have not received this material from the developer.

A handwritten signature in cursive script, appearing to read "Robert A. Lakin".

Robert A. Lakin
Director of Planning

RAL:ber

cc: Ray Bruggeman, Director of Public Works
* Dick Linn, City Engineer
Paul Graves, City Traffic Engineer

1976 AND
1978 AND 1985 FORECASTED TRAFFIC

Wichita, Kansas

	1976	1978			1985		
	<u>Highway</u>	<u>Highway</u>	<u>Center</u>	<u>Total</u>	<u>Highway</u>	<u>Center</u>	<u>Total</u>
Kellogg, east of West Street	28,456	33,274	13,462	46,736	43,786	13,462	57,248
Kellogg, west of West Street	25,151	32,017	11,539	43,556	42,132	11,539	53,671
West Street, north of Kellogg	17,079	19,211	2,693	21,904	25,281	2,693	27,974
West Street, south of Kellogg	11,227	16,196	770	16,966	21,312	770	22,082