

201
6-7-77

6/7/77

Beq at a pt on the North line of lot 4,
Star Lumber Co. 4th Addn, sd pt. being 35 ft.
East of the N. W. cor. of sd lot 4; thence West
along the N. Line sd. lot 4 ~~a dist of 35 ft.~~ to
the N. W. cor. of sd lot 4; thence south along
the West line of sd lot 4 ~~a dist of 280 ft.~~
to the S. W. cor. of sd lot 4; thence east along
the South line of sd lot 4 a dist. of 11.8 ft;
thence Northerly to a point 16.7 ft E and 20 ft
South of the N. W. cor. of sd lot 4; thence Northeastly
to the p. o. b.

~~pt.~~

Star Lbr 4th
Coebel

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, _____

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

Beginning at a point on the North line of Lot 4, Star Lumber Company 4th Addition, said point being thirty-five (35) feet East of the Northwest Corner of said Lot 4; thence West along the North line said Lot 4 to the Northwest Corner of said Lot 4; thence South along the West line of said Lot 4 to the Southwest Corner of said Lot 4; thence East along the South line of said Lot 4 a distance of eleven and eight tenths (11.8) feet; thence Northerly to a point sixteen and seven tenths (16.7) feet East and twenty (20) feet South of the Northwest Corner of said Lot 4; thence Northeasterly to the point of beginning.

do hereby dedicate the above described real estate to the public for street purposes.

Executed this _____ day of _____, 19 _____.

STATE OF KANSAS)
SEDGWICK COUNTY) SS

BE IT REMEMBERED, that on this _____ day of _____, 19 _____, before me a Notary Public in and for the said County and State came _____

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed by official seal, the day and year last above written.

Notary Public

My Commission Expires: _____

- H. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- I. The applicant shall guarantee the construction of sidewalks adjacent to all streets.
- J. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of required drainage easements and ponding area to be provided on the parking lot.
- K. The applicant shall guarantee all the drainage improvements associated with the plat.
- L. Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- M. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- N. Recording of the plat within 30 days after approval by the Board of City Commissioners.

check S.W.S. location with Engr. Div.
easmt

RESOLUTION

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF
PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS. IN THE CITY OF WICHITA, KANSAS,

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE
FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING _____
HEREBY MADE TO-WIT: _____ IN THE CITY OF WICHITA, KANSAS, ARE

SECTION 1. That it is necessary and in the public interest to construct _____
_____, in the City of Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is
estimated to be _____ payable by the
improvement district. Said estimated cost as above setforth is hereby increased at the pro-
rata rate of 1% per month from and after the date of approval of this resolution.

SECTION 3. That all costs of said improvements attributable to the improvement
district, when ascertained, shall be assessed against the land lying within the improvement
district described as follows:

SECTION 4. No part of the cost of said improvement shall be charged against the City
of Wichita at large except the cost of pavement constructed in street and alley intersections.

SECTION 5. That the method of apportioning all costs of said improvement attributable
to the owners of land liable for assessment shall be _____

Where the ownership of single lot is or may be divided into two or more parcels, the assessment
to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That the City Engineer shall prepare plans and specifications for said
improvement and a preliminary estimate of cost therefor, which plans, specifications, and a
preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. This proceeding is made without notice and hearing pursuant to the provi-
sions of 12-6a04 for intervening street connections.

SECTION 8. Be it further resolved that the above described improvement is hereby
authorized and declared to be necessary in accordance with the findings of the Governing
Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution,
which shall be published once in the official City paper and which shall be effective from
and after said publication.

ADOPTED at Wichita, Kansas, this _____ day of _____, 19

MAYOR

ATTEST:

CITY CLERK

(SEAL)

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 77-24 Name TOWNE WEST SQUARE ADDITION
Date Application Rec'd. 3-1-77 Preliminary Approval _____
Scheduled S/D Meeting 3-10-77

DESCRIPTION

General Location Between Maple and Kellogg and I-235 and Tracy Street.

Owner Towne West Mall Company, and Myrtle A. Rogers
Surveyor/Engineer Campbell and Castle
Address P. O. Box 1835 Phone 263-5044

1. Gross Acreage of Plat 90±
2. Number of Lots:
 - Residential _____
 - Commercial 6
 - Industrial _____
 - Other _____
3. Total Number of Lots 6
4. Minimum Lot Frontage 150 ft.
5. Minimum Lot Area 31,050 sq. ft.
6. Existing Zoning LC
7. Proposed Zoning LC
7. Lineal Feet of New Streets:
 - a. 15 R/W 2050 ft.
 - b. 30 R/W 1990 ft.
 - c. 280 R/W 156 ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
8. TOTAL 4196 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply Yes (Yes-No), Name City of Wichita
10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
11. Health Department Approval (where applicable) N/A (Yes-No)
12. City of Wichita X: Three-Mile Area _____

STAFF COMMENTS:

NOTE: Associated cases Z-1700 - AA, B & E to LC and Commercial Community Unit Plan DP-71 have been approved by the Board of City Commissioners subject to platting.

- A. Approval of the final plat will be subject to the approval of the revised C.U.P. being submitted by the applicant.
- B. It appears that the street rights-of-way indicated on the preliminary plat for Kellogg Drive, Tracy and Maple are as approved with the associated C.U.P. DP-71. However, the applicant and the Department of Public Works shall be prepared to discuss the street right-of-way requirements at the Subdivision Committee meeting.
- C. The street rights-of-way being dedicated by this plat shall be properly indicated on the final plat.
- D. Access controls as approved on the C.U.P. shall be indicated on the plat.
- E. ~~Complete access control to Maple shall be indicated on Lots 2, 3 and 4. Complete access control to Tracy shall be indicated on Lots 4, 5 and 6.~~
- F. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of required drainage easements.
- G. The applicant shall guarantee drainage improvements associated with the plat.
- H. Any abandonment or relocation of existing utilities required by this plat shall be at the sole expense of the applicant.
- I. The applicant shall guarantee the construction of sidewalks adjacent to all streets.

- J. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- K. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- L. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Sanitary Sewer relocation

& other streets (Anna, Westdale Dr.,)

November 2, 1977

TO Jack H. Galbraith, Chief Planner
FROM Curtis L. Newby, Junior Planner
SUBJECT S/D 77-24 Towne West Square Addition

As per your request to me as to what plat approval requirements were yet to be complied with on the Towne West Square plat, please note the following:

- Engg
D. Div.
Letter*
- C.** The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the plattor's text.
- B.** The rights-of-way being dedicated by this plat for Maple, Tracy and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.
- C.** The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing, change of pavement type, etc., where the public right-of-way ends and the private entrance drive begins, at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department.
- D.** The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.
- E.** The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- F.** As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of the required drainage easements and ponding area to be provided on the parking lot.

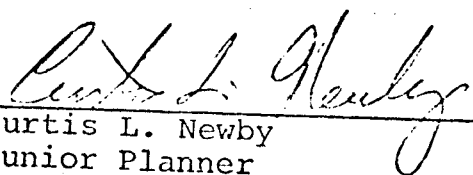
Jack H. Galbraith
Re: S/D 77-24 Towne West Square Addition
November 2, 1977
Page Two

res. to C.C.
with plat

- G. The applicant shall guarantee all the drainage improvements associated with the plat.
- H. Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- I. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- J. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- K. Submission of a title report by an abstract or title insurance company, or an attorney's opinion that fee title is vested in the plat.
- L. Certification that all taxes due and payable for 1977 and prior years have been paid.

Also, it should be noted that in addition to the above plat requirements, the applicant was required to guarantee the construction of sidewalks adjacent to Maple, Tracy, Kellogg Drive and Westdale Drive. However, under the new sidewalk policy, no sidewalk guarantees are required because all the aforementioned streets are existing streets.

At such time as the applicant has fulfilled all these requirements, we will be able to schedule the plat for final consideration and approval by the City Commission after which the plat can be recorded and building permits issued. If you have any questions, please advise.


Curtis L. Newby
Junior Planner

CLN:et

May 11, 1977

Mr. James R. Schaefer
800 Brown Building
Wichita, Kansas 67202

Re: DP-71 - Amendment of Commercial
Community Unit Plan for Towne
West Square - South side of Maple
in an area between I-235 and
Tracy

Dear Mr. Schaefer:

The Board of City Commission at its regular meeting of May 10, 1977, considered the above captioned case. Their action was to approve the amendments to the CUP, subject to the conditions as recommended by the Planning Commission and, in addition, the following condition.

- j. The legal instrument shall be submitted agreeing that the owner and subsequent owners in title will not object and request damages by virtue of changing U.S. 54 (Kellogg) from expressway-arterial standards to freeway standards.

It is necessary that this instrument be submitted prior to the associated plat being forwarded to the City Commission.

If you have any questions on this condition of approval, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Myrtle A. Rogers, % Towne West Mall Co.
1712 N. Meridian, Indianapolis, Indiana 46202

B. J. Kingdom, Law Company, 313 S. Market, 67202

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSREQUEST FOR AMENDMENT TO CUP

CASE NO. CP-71

CONSIDERED BY MAPC: 4-14-77

REQUEST FOR: Amendment to Towne West Square Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

GENERAL LOCATION: South side of Maple in an area between I-235
and Tracy

LEGAL DESCRIPTION: See attached excerpt of Planning Commission minutes

APPLICANT: Towne West Mall Company, 1712 N. Meridian, Indianapolis,
Ind. 46202

COUNSEL FOR APPLICANT: James R. Schaefer, 800 Brown Building 67202

PROTESTORS (LIST COUNSEL) IF ANY:

SURROUNDING ZONING: North, "AA" & "LC"; East, "E"; South, "AA", "B",
"LC" & "E"; West, "AA", "E"LAND USE: Subject land, manufacturing, vacant residential, undeveloped;
North, school, church, single family, mobile homes; East, office, discoun
store, drive-in theater; South, offices, motel, U.S. 54 (Kellogg); West,
CPO RECOMMENDATION: I-235 Highway R.O.W., offices.

PLANNING COMMISSION RECOMMENDATION:

That this amended C.U.P. be approved subject to the conditions as noted on the attached excerpt of the Planning Commission minutes of 4-14-77. Kamen moved, Greider seconded, and it carried unanimously. Savina was absent, Porter resigned.

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- ACTION
1. Approve the CUP as recommended by the Metropolitan Area Planning Commission, subject to the recommended conditions; or
 2. Take such action as the City Commission deems appropriate.

EXCERPT FROM PLANNING COMMISSION MINUTES OF 4-14-77

28. Case No. DP-71 - Towne West Mall Company requests amendment to Towne West Square Community Unit Plan, legally described as:

A Tract in the North Half of Section 26, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said Section 26; thence 208.48 feet on a bearing of North 89 degrees 39 minutes 40 seconds East along the north line of said Northeast Quarter;

thence 630.00 feet on a bearing of South 00 degrees 02 minutes 20 seconds East;
thence 726.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 160.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
thence 150.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 470.00 feet on a bearing of North 00 degrees 02 minutes 20 seconds West;
thence 242.00 feet on a bearing of North 89 degrees 39 minutes 40 seconds East;
thence 1304.15 feet on a bearing of South 00 degrees 02 minutes 23 seconds East;
thence 40 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 787.51 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
thence 170.89 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
thence 250.00 feet on a bearing of North 00 degrees 04 minutes 05 seconds West;
thence 190.00 feet on a bearing of South 89 degrees 41 minutes 53 seconds West;
thence 530.73 feet on a bearing of South 00 degrees 04 minutes 05 seconds East;
thence 256.40 feet on a bearing of South 88 degrees 27 minutes 20 seconds West;
thence 185.00 feet on a bearing of North 00 degrees 08 minutes 07 seconds West;
thence 100.48 feet on a bearing of North 88 degrees 27 minutes 20 seconds East;
thence 591.99 feet on a bearing of North 00 degrees 16 minutes 03 seconds West;
thence 100.00 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 21.70 feet on a bearing of South 00 degrees, 00 minutes 57 seconds East;
thence 169.12 feet on a bearing of South 89 degrees 42 minutes 17 seconds West;
thence 489.95 feet on a bearing of South 00 degrees 08 minutes 07 seconds East;
thence 289.61 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
thence 377.93 feet on a bearing of North 00 degrees 08 minutes 30 seconds West;
thence 204.85 feet on a bearing of South 89 degrees 41 minutes 45 seconds West;
thence 8.90 feet on a bearing of South 00 degrees 08 minutes 30 seconds East;
thence 215.96 feet on a bearing of North 89 degrees 45 minutes 40 seconds West;
thence 111.60 feet on a bearing of North 75 degrees 05 minutes 35 seconds West;
thence 335.40 feet on a bearing of South 89 degrees 42 minutes 00 seconds West;
thence 91.30 feet on a bearing of South 00 degrees 09 minutes 50 seconds East;

to a point on the easterly right of way line of Highway I 235; thence 198.07 feet on a bearing of North 35 degrees 26 minutes 50 seconds West along said easterly right of way line; thence 931.00 feet on a curve to the left along said easterly right of way line said curve having a radius of 3017.29 feet with a long chord of 927.31 feet, the bearing of said long chord is North 20 degrees 53 minutes 40 seconds West; thence 210.60 feet on a bearing of North 31 degrees 46 minutes 51 seconds West along said easterly right of way line; thence 711.50 feet on a bearing of North 33 degrees 44 minutes 17 seconds West along said easterly right of way line to the north line of the Northwest Quarter of said Section 26; thence 1605.26 feet on a bearing of North 89 degrees 48 minutes 05 seconds East along said north line to the point of beginning. Generally located on the south side of Maple between Tracy and I-235.

GALBRAITH showed slides of the subject area and reviewed the following staff report:

Comments:

1. On July 15, 1975, a Commercial Community Unit Plan, Towne West Square, was considered and approved by the Board of City Commissioners. The applicants have now submitted a revised development plan proposing the following general amendments to the plan:
 - a) A reduction in the number of parcels from seven to six and subsequent changes in parcel configuration and location.
 - b) A reduction in total gross floor area permitted on the C.U.P. from 1,202,034 square feet down to a revised maximum of 1,000,000 square feet.

c) Changes in access controls as follows:

- 1) reduction in the number of access points to Kellog drive from three to one.
- 2) reduction in the number of access points to Tracy Street from eight to six.
- 3) no change in the number of access points to Maple.
- 4) addition of one access point to Westdale Drive.
- 5) reduction of the number of access points to Anna Street from two to one.

d) A reduction in total site size from 92.7 acres to 83.48 acres.

e) Changes in permitted uses as follows:

- 1) the addition of "hotel and motel" as permitted uses on parcel one.
- 2) the addition of "restaurant, theaters, and service station" as permitted uses on the site of parcel 3 (formerly the location of parcel 7) and the deletion of "flower shops and branch library" as permitted uses at that location.
- 3) the addition of "restaurant" as a permitted use on the site of parcel 4 (formerly the location of parcel 3) and the deletion of "service station" as a permitted use at that location.

f) The addition of a Reserve A on the southern portion of the site proposed for a pylon sign and landscaping.

2. The applicant has proposed an alternate design for the southeast portion of the site to provide for possible future land acquisitions without formal amendment of the C.U.P. However, even though that property is included within the confines of the present approved C.U.P., such was not included in the legal description provided in conjunction with the proposed amendments and has not been advertised for public hearing. In order to conform to State Statutes requiring notice and advertisement of C.U.P. and zone changes, the proposed alternate would either have to be included in a revised legal description and consideration of the amended plan deferred until it is advertised, or deleted from the amended plan and becoming a separate formal C.U.P. amendment at some future date.

3. It should be noted that parcels two (2) and three (3) do not have direct access to a public street and, as such, there should be some public record of internal circulation patterns proposed for the property.

4. The two major areas of concern when the original Towne West Square C.U.P. was considered were drainage and street improvements. Both items have been considered by the Board of City Commissioners and cost allocations made as follows:

a) Drainage - On February 10, 1976, the Board of City Commissioners approved the following cost allocations for drainage "area A" of the Southwest Industrial Storm Drainage Improvement Project. Drainage "area A" is an approximate 150 net acre tract bounded by I-235, Maple, West, and Kellogg.

Total cost of drainage improvement	2,250,000
Pump station (City-at-Large)	985,550
Total for "area A" to pay	1,264,450
Federal Funds (EDA grant)	466,050
Total Assessment	788,400
Towne West Assessment	413,400
Additional payment by Towne West	125,000
Total Towne West Payment	<u>538,400</u>

Other properties in drainage area assessed at approximately \$3,500/net acre; Towne West Area drainage improvement costs approximately \$5,900/net acre.

- b) Street improvements - Based on approved design and geometrics, the street improvements in the area will be as follows:

U. S. 54 (Kellogg)	1,092,483
Maple Street	570,826
West Street	301,134
Tracy Street	340,542
Taft Street	105,359
Construction Costs	2,410,344
Right-of-way Costs	83,617
Total Cost Estimates	2,493,961

On June 29, 1976, the Board of City Commissioners allocated these cost estimates as follows:

City-at-large	583,617
Special Assessments	98,907
Towne West Developer	1,368,437
State	443,000
Total	2,493,961

On July 27, 1976, the developers of Towne West again appeared before the City Commission and requested that to satisfy their financial lenders that a maximum developer participation of \$1,400,000 be established for street improvements. The Board of City Commissioners approved that proposal subject to State funding participation in the amount of \$443,000 and further subject to the accuracy of the street improvement cost estimates as prepared by the developer with the stipulation that in the event cost estimates and/or state participation are not as estimated that the scope of the intended improvements be resubmitted to the City Commission for further review.

5. Should the Planning Commission recommend approval of the amended C.U.P., the following are suggested conditions of approval:
- Approval of these proposed C.U.P. amendments shall in no way be construed as altering the financial agreements regarding drainage and street improvement which have previously been made by the City Commission and Towne West Developers.
 - Recording of the associated plat of Towne West Square within one year of the date of C.U.P. approval by the Board of City Commissioners.
 - The deletion of the proposed alternate design for the southeast portion of the site and the deletion of general provision #13.
 - Submission of an internal circulation site plan prior to the issuance of building permits.
 - The proposed half street right-of-way on Maple adjacent to parcel four (4) shall be increased to 60 feet rather than the proposed 50 feet.
 - The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

- g. 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 building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

GALBRAITH stated that the amendment basically is to reduce the total site size and the gross square footage of floor area. He said that the applicant had promised the City Commission to reduce the gross square footage from 1,200,000 plus/minus to 1,000,000 square feet. He also pointed out that the amendment included some rearrangement of parcel descriptions and some changes in proposed uses, as well as reducing the number of curb openings. He further commented that the staff had outlined in Comment #4 all the fiscal responsibilities, and said that the staff supported all the amendments but had listed a number of conditions of approval under Condition #5.

LAKIN pointed out that there had been some proposed acquisition and possible land trade with the State Highway Department which had not been included in the description for advertising purposes. GALBRAITH, referring to the slides, stated that the State Highway Department was not a party to the application and their legal description had not been incorporated in the legal advertisement. He felt since it had not been included, the alternate proposal should be eliminated from the site plan.

LAKIN stated that during the break this afternoon the representative of the Westport Theater had asked about a condition which had appeared in the original 1975 recommendation to the City Commission insuring that the lights on the shopping center and parking lot should be reflected away from the drive-in theater area. He said that somewhere that seemed to have been dropped out of the approved documents of the C.U.P. when it went forward to the City Commission. LAKIN further remarked that he had spoken with Mr. Schaefer about it and he was generally in agreement with that condition and had no objections that the same condition be reinserted. LAKIN recommended that it be placed back in the approved conditions and said that staff would see that it gets onto the C.U.P.

JAMES R. SCHAEFER, agent for the applicant, said that the name of the Department of Transportation does not appear on the application for the approved C.U.P., but that the applicant had an agreement with DOT in Topeka. He said that essentially what the agreement says is that in the event that Towne West should ever acquire additional property, there would be a trade with the Highway Department. He pointed out on the map where the trade would be made.

SCHAEFER stated that the agreement was a valid binding agreement on both DOT and the applicant and should be left in the approved C.U.P. and, if the trade is made, incorporated as a secondary design into the C.U.P. without having to come back through the amendment process again.

TAYLOR stated that she concurred with staff comments and since this was not included in the advertising she suggested that for today the Commission proceed on the portions that were advertised and another hearing be held for that portion not included.

SCHAEFER said that if that was the position of the majority of the Planning Commission he would suggest that that portion be deleted at this stage as the trade might never take place.

RUSSELL BOIHOFF, 607 South Tracy, said that this was the first time he had seen this and questioned where the property trades to the state was located.

SCHAEFER pointed out the land in question.

No one appeared in opposition.

MOTION: That the Planning Commission recommend to the City Commission that this amended C.U.P. be approved subject to:

- a. Approval of these proposed C.U.P. amendments shall in no way be construed as altering the financial agreements regarding drainage and street improvement which have previously been made by the City Commission and Towne West developers.
- b. Recording of the associated plat of Towne West Square within one year of the date of C.U.P. approval by the Board of City Commissioners.
- c. The deletion of the proposed alternate design for the southeast portion of the site and the deletion of general provision #13.
- d. Submission of an internal circulation site plan prior to the issuance of building permits.
- e. The proposed half street right-of-way on Maple adjacent to parcel four (4) shall be increased to 60 feet rather than the proposed 50 feet.
- f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- g. 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 building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.
- i. All lights shall be shielded to reflect or direct light away from the drive-in theater to the east.

Kamen moved, Greider seconded, and it carried unanimously. Savina was absent, Porter resigned.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 10, 1976:

24. Report on Towne West Street Improvements - Design and Financing Consideration.

LAKIN showed slides of subject property and the surrounding areas, as well as of the geometrics of the highway planning done up to this time, and reviewed the following staff report:

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 Tracy 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 Kellogg 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

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.

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.

- 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 MIA 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 of 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
Maple Street	570,826
West Street	301,134
Tracy Street	340,542
Taft	105,359
	<u>\$ 2,410,344</u>

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	
	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 dollars 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 their 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 believe 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

LAKIN reported that as to Freeway construction for Kellogg, there appears to be no money available in the short range. However, the State did mention the possibility of re-shuffling of obligations for improvement of Kellogg, such as not building the segment from I-235 to the Cowskin Creek (which is considerably farther along in terms of right-of-way acquisition), and moving the monies to this section. He pointed out that the Commission has been furnished a memorandum from the Traffic Engineering Division concerning Texas U-turns, and/or ramps from U. S. 54 to the shopping center. The costs involved, together with operational problems, preclude this as a feasible alternate. LAKIN then reviewed the general geometrics for the various projects, including the method of access to reach the Town and Country Motel. Although the Towne West developer has not reached agreement with the State re acquisition of the shops and yard, he had talked to the State about the design, which assumes there will be no direct access to that property from U. S. 54.

Maple Street plans, LAKIN said, are the same as previously considered, and there has been no additional comment from residents north of Maple as to closing of any of the north-south streets north of Maple. LAKIN traced the additional right-of-way needed for various street improvements.

LAKIN recalled that one of the earlier issues was whether or not there should be three lanes northbound along the west side of the K-Mart property on Tracy. He reported that he had received a letter from K-Mart indicating they had no desire for a third lane. However, a third lane for a 1/3 to 1/4 the distance is required to merge the Kellogg and service road traffic into the Tracy northbound traffic.

Next reference related to the proposal of the applicant for service to the Town and Country Motel, which LAKIN said was agreeable to the Traffic Engineer as being able to provide adequate service. It provides for left turns into the Tracy intersection for eastbound traffic, to the north on Tracy a short distance, then a "jug handle" left movement to the motel, and the exiting route would be just the reverse and out through the major intersection at Tracy.

LAKIN said he had received a letter from the attorney for Town and Country Motel stating that the proposed access was unacceptable and a revised drawing (slide was shown), was submitted. The revised drawing would eliminate the second entrance (most westerly), to the shopping center and operate, basically, on a set of "slip-offs" from mainline U. S. 54 into the two-way service road. This proposal (as submitted), is unacceptable to the Traffic Engineer and it is felt that the State would also reject this as drawn.

LAKIN referred next to financing of the project. He said there has been no difference on Maple as to financing by the developer. He had been contacted by residents north of Maple who fear they would have to pay special assessments for new and added improvements; however, it is proposed that the developer of Towne West (and the City to some minor degree), share in the costs. The City would pay the cost of intersection improvements at West and Maple and a portion at Tracy and Maple.

LAKIN discussed in more detail the breakdown of estimated costs as related to various segments of the various streets involved, to result in the total estimated cost as shown in the staff report.

Reference was made to the possibility of State or Federal financial assistance, and LAKIN said that Section 209 funding relates to improvement of traffic safety, which it is hoped might be utilized for improvement of the West/Kellogg intersection. He reported that Mr. Turner, Secretary of Transportation, Kansas Department of Transportation, had promised to supply his decision as to the degree they would participate in this type of funding not later than June 18, so the information will be available by the time the City Commission considers this project. He stated that the total amount available to the State from such funding is \$1,500,000 for programming purposes after October of this year. The funding ratio is 90/10.

LAKIN said the developers have indicated they are in a position to contribute to the projects (overall street improvements), for a total of \$1,100,000; with the balance being paid through special assessments, city-at-large funds and State/Federal funds to the extent that they are available.

LAKIN said it was his hope that the Planning Commission would make a recommendation as to changes that will or will not be needed relative to the geometrics and design of the highway improvements, and a recommendation as to financing for the various improvements, which recommendations could be submitted to the City Commission on June 22. LAKIN stated that notification of this meeting had been sent to all property owners who received notice on the CUP, as well as other individuals who have shown an interest.

HENNESSY asked concerning the Highway Department property in the area, and LAKIN said that Mr. Schaefer, attorney for the developers, has been negotiating with the State for acquisition

of the property, which is needed in order for the second major entrance to be built, and while negotiations may not have been completed, the property will have to be acquired in order to develop the center. LAKIN said it was pointed out that the State officials understand that regardless of the results of the negotiations, direct access from the property to the highway will have to be eliminated and the State people are in agreement.

Reference was made by one of the Commissioners to the Town and Country Motel access problem. LAKIN pointed out again that the proposal submitted by the motel owner is unacceptable to the Traffic Engineer because of the location of the slip ramps in relation to the merge movements onto the highway.

SAVINA had questions about the drainage problems generally, and LAKIN said the City Commission, after a series of public hearings, has come to an agreement to proceed with the drainage improvements, based on a financing formula involving the city-at-large, special assessments, and with the developer bearing a double share compared to other special assessment financing, and to seek a Federal grant from the Economic Development Administration. The funding from EDA has not been completely consummated, but from a policy standpoint has been reasonably well worked out, and the drainage issue would be considered at the time of platting.

SAVINA had questions about medials, some being shown as mountable and some as non-mountable. LAKIN explained that the non-mountables are shown right at the intersections, and mountables a short distance beyond. It was brought out that West and Maple are major arterials, but that Tracy is not, but is the same in this area as a collector or major commercial streets. SAVINA also pointed out that West and Maple had mountable medials while Tracy as a lesser street had non-mountable medials. SAVINA favored mountable medials on Tracy. GRAVES said he favored non-mountable medials on Tracy due to the expected operational characteristics. LAKIN did not think such had been discussed particularly about whether they would be mountable or non-mountable; that K-Mart officials have not objected to non-mountable medials as long as the medial break aligns with the entrance to their parking lot. LAKIN said the intent would be that any opening serve both Towne West and K-Mart.

SAVINA asked if Tracy was a dedicated street south from Maple to the drive-in theater ownership. LAKIN said some dedication would be acquired through this project, but that there is already some of Tracy dedicated north of Taft, and there are petitions for paving, but they have not been honored because of the unsolved drainage problems.

JAMES R. SCHAEFER, attorney for the applicant, said he did not have a great deal of comment in that Lakin has done an excellent job outlining the current position. He commented that at the joint meeting of the Planning and Traffic Commissions, the developer was asked to obtain cost estimates as to right-of-way, which was done and which has been outlined by Lakin as being around \$86,000.

They were also asked to discuss with the motel owner a possible resolution of access problems. In this respect, SCHAEFER said they have had several meetings and viewed the plan submitted by the motel owner. He pointed out that he submitted the plan to the Traffic Engineer for the City, who was not satisfied with the proposal.

From the developer's standpoint, SCHAEFER said, the elimination of the westerly major entrance was a situation that could not be "lived" with. In discussing the matter with the motel people, SCHAEFER recalled their attempts to obtain a slip off from the highway into the frontage area of the motel. However, there is a 4-foot difference in elevation between the highway and motel frontage, and in order to have such a slip off, it would require 14 to 18 feet of the motel parking lot, which they are not willing to give

up. This was an attempt to answer the motel owner's request for some direct access, but it is not acceptable to them, nor to the Traffic Engineer because of traffic conflicts which would occur between the motel and shopping center traffic movements.

SCHAEFER referred to a slide showing automobiles drawn in to scale on the present plan for access to the motel, the purpose of showing cars being to indicate the relative distances involved, which he did not consider to be great, in that a car going north, crossing to the left and then back to the motel, travels about 200 feet only, which is less than the distance from one end of the building to the other.

SCHAEFER recalled that the other major problem to be considered as an outcome of the joint meeting, was financing arrangements, which has already been covered by Lakin. He said they had hired Jesse Johnson, a MIA appraiser, to provide cost estimates (\$86,000) for right-of-way needed. The estimated cost of building the streets and upgrading Kellogg is \$2,410,344. SCHAEFER said, as stated by Lakin earlier, that the developer will pay \$1,000,000 toward street improvements in the area, plus \$100,000 toward acquisition of right-of-way, the offer on acquisition having been made prior to the appraisal; however, the offer of \$100,000 toward right-of-way still stands. The balance of the anticipated cost would be spread between the other property owners in the area (who would have upgraded streets constructed by their properties), and the City of Wichita, and State, although State participation is unknown at this time. SCHAEFER thought that in all probability the Section 209 safety funds for the West/Kellogg intersection would be available but, again, as stated by Lakin, it will not be known definitely until hearing from the State by June 18, as to the percentage to which funds will be available, and the distance determined to be interchange in all directions.

SCHAEFER summarized the cost as being \$1,030,202 attributable to Towne West and \$98,907 to other owners in the area. It was brought out by SCHAEFER that in developing the estimates, several people had been involved, including a road builder, who was asked to work up costs the same as if he was bidding on the job. When asked if he concurred with Lakin's financing formula, SCHAEFER said he did not concur, and that their proposal is that they will contribute a total of \$1,100,000 toward street improvements in the area.

When questioned further as to specifics, SCHAEFER said they do not essentially agree on the intersections leading out to Kellogg or with the south half of Tracy as it goes south, being assessed to the developer. The prime disapproval, however, is probably the West Street improvements, including West/Kellogg intersection. He noted that the intersection needs upgrading now and the developer doesn't feel he should be responsible to pay for a street 1/4 mile away, nor are some of the other improvements on West Street necessary as far as the operation of the shopping center is concerned. He agreed improvements would be nice, but did not believe the necessity can be contributed to the center, when the necessity presently exists.

As for the third lane on Tracy, SCHAEFER said it did not make any difference to the developer whether there was a third lane or not, and the attorney for K-Mart has indicated they don't really want a third lane if they have to pay for it.

BARRIER had questions about the possibility of State funds for West/Kellogg intersection improvement, and LAKIN said it is anticipated it would be about 90% of the project cost, which includes reconstruction. The intersection itself shows \$315,703, plus at least \$60,000 more for transition to the east, so a total of about \$375,000. In round figures, the cost has been indicated as \$400,000, and 90% would be about \$360,000 State funds. Depending on what was included in intersection costs, it would be more or less.

PORTER commented that one could envision the change at this intersection just by observing the situation at Rock Road and Kellogg after development of Towne East, and she felt Towne West would cause a tremendous change in the intersection of West and Kellogg.

SCHAEFER said West Street proper contains a lot of proposed improvements not necessary for the shopping center, and the intersection needs upgrading right now, so the center is not responsible for what is there presently, and he did not feel that portion which is attributable to what needs to be done anyway, is shopping center problem. Any increased traffic produced through the intersection, which requires an even higher upgrading due strictly to the shopping center, would be their responsibility.

CHAIRMAN BAYOUTH asked Paul Graves, City Traffic Engineer, to speak on the matter of the intersection.

PAUL GRAVES said this intersection improvement was contained in the Capital Improvement Program two or three years ago, but the matter became involved with funding for drainage improvements, and it was withdrawn from the CIP, and it was determined that the money could be better spent on other projects, but the intersection does need improving. GRAVES, in answer to a question, commented that with completion of the post office facility near the Airport, there will be increased traffic at the intersection.

BARRIER preferred to have a recommendation from the Traffic Commission on matters being discussed before action of the Planning Commission, and she had questions about the turn bays. She said at the joint meeting, the possibility of Texas U-turns was to be investigated, but apparently the costs therefor would be too excessive, however, no other attempt apparently has been made to solve this problem.

LAKIN pointed out that at the joint meeting, the Traffic Commission had requested that an attempt be made to develop Kellogg as a freeway facility. Cost estimates have been provided, roughly indicating 15 million dollars to build it as a freeway from an area just east of West Street to I-235. This amount of money is not available from the State or Federal governments, nor locally, in his opinion. In view of that situation, there appeared no purpose in trying to design a freeway facility for immediate construction.

HENNESSY asked Barrier if she was suggesting the need for another joint meeting with the Traffic Commission. BARRIER felt that many of the problems are traffic problems and she would like the Traffic Commission's reaction to what is proposed at this time.

GRAGG read the following statement and asked that it be included in full in the minutes.

"As you observed in the public hearing, in regards to Towne West Traffic Study, I am opposed, at this time, to a partial solution of the traffic problem even though I am in full support of the Towne West Shopping Center. I feel it is a complete waste of taxpayers' money to spend approximately \$3,000,000 to meet the requirements for only seven years as the traffic report indicated. If we are going to spend that many dollars of taxpayers' money, we should go ahead and do the freeway part of that section at this time rather than waiting seven years and tearing out all the improvements that we have just spent approximately \$3,000,000 to put in. Secondly, when the proposed improvements now are put in we will be back almost immediately dealing with the same businesses and landowners again rather than completely solving our problem at this time.

In addition, the region post office is under construction, which will generate additional truck traffic once it is completed. The Wichita Area Chamber of Commerce is negotiating for three more flights into Wichita Mid-Continent each day along with negotiating a contract with Eastern Airlines which has not yet served Wichita.

Some \$100,000.00 of monies in a cooperative effort has been spent by the City of Wichita/Sedgwick County/Wichita Area Chamber of Commerce/Wichita Airport Authority to improve air service. Before deciding to build a new international office in Wichita, Pizza Hut looked at several other cities and one of their concerns about Wichita was the poor quality air service to the southern part of the United States.

When NCR and Metropolitan Life were looking for sites several years ago, executives of both companies mentioned one of the plus factors for Wichita was the short length of time it takes from the airport to the downtown financial district.

To the south of Highway 54 is a great deal of industrial zone land that will probably be developed to cause high density manufacturing or industrial operations. If another company were to locate in this area the size of Lear Jet, this proposed traffic plan would be obsolete before completion.

When we were in Washington, three of us met with the Department of Transportation and it was indicated to us by that department that they felt mass transportation would not work in the Midwest. They also stated that we could not let happen to our highway system what we have let happen to our railroads because of distribution. We were also told that if the % of traffic in this area became mostly local, Wichita, in the future, could be refused federal highway money to complete Kellogg from Topeka to I-235.

I would like to read part of a letter from Senator Robert Dole to the Project Control Engineer of the Kansas Department of Transportation.

'At this time, I would like to communicate my own concern about the potential need for modification at this intersection and at other points along Kellogg Avenue in the same vicinity in order to accommodate anticipated traffic congestion within the next ten years. I understand that a major shopping center is to be located in this area on the western edge of the City and that the expected increase in traffic at a rate of 4% per year will result in extreme congestion along Kellogg in that area.

While I recognize the current backlog of "priority" projects in Kansas eligible for funding with Urban Extension Funds, and while I realize that very long-range plans exist for modification along Kellogg Avenue, it nevertheless seems to me that serious consideration should be given to a more immediate means to prevent severe traffic complications in that area for the residents of Wichita. Those of us who endure the near-unbearable traffic congestion in large urban areas along the East coast are acutely sensitive to the need for adequate preparation to prevent similar problems in the Midwest. I know that you and your capable staff share that concern.

I am sure that you will give this matter every consideration as you continue your efforts to facilitate the flow of traffic within the growing urban areas of our State. Please be sure to let me know if I can be of assistance in any way as you consider this matter.'

All of the above reaffirms my conviction that this portion of Highway 54 should be elevated to freeway status as a condition of Towne West Shopping Center being built. However, I am not proposing that the developers of Towne West be assessed for the difference in money for elevating it from what would be the seven year stop gap plan to freeway status.

In a report received Monday from the Planning Department they indicated it would cost roughly \$15,000,000 to develop Kellogg to freeway standards at this time.

I am told this type of funding will not be available until, at the earliest, 1985.

What are the options:

- (1) Do not build a Towne West Shopping Center
- (2) Build it at some other location
- (3) Have the city pay for the difference by:
 - (a) Putting parking meters in the shopping center parking lot
 - (b) Have a toll gate for using that portion of Kellogg similar to the 18th Street Expressway in Kansas City
 - (c) A county sales or gasoline tax for the express purpose of building freeways and expressways for the Wichita Sedgwick County Area.

In closing, may I again repeat, I am completely opposed to a partial solution that will cause a near-unbearable traffic congestion, make Wichita less attractive for new business to locate here, and cost taxpayers more money in the long run. Fiscal responsibility starts at home and not in Topeka or Washington."

CHAIRMAN BAYOUTH asked Graves if the improvements proposed now would make traffic conditions unbearable.

GRAVES said the proposed improvements shown on the screen will improve traffic conditions until the shopping center is opened and at full capacity, at which time the traffic conditions will revert back to much what they are now - level of service D. Then by 1985 we will have intolerable conditions, but surely by 1985, he felt, there would be freeway standards, but if not, level of service E could be expected, and it would operate at that level until traffic has been drained off.

BAYOUTH commented that according to Gragg's statement, more development on West Kellogg should not be allowed. GRAVES said he had no comment as to Gragg's statement.

BAYOUTH remarked that building for 20 to 30 years cannot be done if it is not economically feasible at this time. He commented that five years ago the Federal government had money to build such a highway, and he asked Lakin just when funds were available.

LAKIN answered that funds have never been available to build U. S. 54 to freeway standards, although it deserves to be built to freeway standards. Funding the Intersates, such as I-235, is from a "different pot of money." LAKIN observed further that the State allocates money for urban extension primary systems (such as U. S. 54), and this community has received very little compared to other areas. Currently, the whole State receives something like \$1.2 million a year for this fund.

GRAVES pointed out that highway construction related to Towne East was not done to the design level some would liked to have seen it done. He would have preferred it much better, but the decision was made to build the best possible with the money and right-of-way that was available.

SAVINA asked what the service level was at Rock Road and Kellogg before it was rebuilt. GRAVES said he didn't have those figures with him, but it was probably between Level C and D during peak hours, but based on the present improvements, he thought it would serve until about 1985 or a point beyond, considering no more expansion or development on Rock Road. SAVINA said he did not find

Rock Road and Kellogg very difficult so far as traffic conditions. GRAVES pointed out that Towne East has not reached full capacity, and on opening day and some special days, traffic has generated to the volume projected for when the center was at its full capacity, and yet at that time it was only 48% occupied.

HENNESSY asked if the peak traffic on opening day had dropped the intersection to Level C or D, and GRAVES said it was probably D or E level for opening day only.

HENNESSY asked Lakin if he personally felt that Federal funds could be obtained through the State. LAKIN said he did not think there were any funds available for freeway construction. State Freeway funds have been allocated for other projects. Federal monies placed in the primary system and urban primary extension systems amount to only \$1,200,000/year, therefore, unless there are major new sources of highway revenue made available, or a complete change in highway priorities in the State Freeway fund, he did not believe there would be outside funding for a freeway.

HENNESSY asked if the State officials had made any comment about gasoline tax, and LAKIN said they had not, and the State itself has not seen fit to significantly increase this tax. He commented further that if a change was made from a flat rate gasoline tax to a percentage tax to take advantage, it would begin to produce revenue of the magnitude needed to build highways.

HENNESSY stated the gasoline tax in Kansas is as high or higher than other states, and he could not understand how other states have continued to increase their highways, but without an increase in gasoline tax.

BAYOUTH commented that apparently relying on federal money would be a waste of time until after 1985. LAKIN said he could offer no hope that there would be federal monies made available for a freeway within the next 5 or 6 years for this project.

GRAGG agreed that the desire is to see Wichita be a viable community and to grow, but if Towne West is developed with stop-gap highway facilities, it will be detrimental to the expansion of the industrial base. He considered this a different situation than Towne East because of the large industrial businesses on the highway and the airport, etc. If highway facilities are clogged up with local traffic, State and Federal funding will be allocated elsewhere and the city will not get any further financial help.

CHAIRMAN BAYOUTH commented that "we cannot stop growth waiting on federal funds." GRAGG answered that Towne West could be built somewhere else. BAYOUTH reminded the Commission that Towne West is willing to participate in financing the streets and drainage, and he felt was taking an enormous burden from the City, and that Federal funds cannot be relied upon. GRAGG responded that his statement contained suggestions of how the local community could do it alone, such as gasoline tax, relocation of Towne West completely, etc.

FERD EVANS, attorney representing the Westport Drive-in Theater, owner of land north of Taft and east of what is proposed as an extension of Tracy Street, pointed out that of the \$98,000 proposed to be assessed against landowners, his client would be assessed \$4,600 per acre for drainage purposes. The suggestion is made that his client pay for 1/2 of Taft and 1/2 of Tracy and it is a situation where not only do they not want the streets, but the establishing or improvement of such streets will be deleterious to their business. They do not want or intend to use any of the access on the proposed new streets; their business is not one where they want a lot of openings where people can get into the business.

From the experience of his client, and other such theater operators, streets (nearby or surrounding), are very harmful no matter how much care is taken, and even if street lights are shaded, there will be a general aura of light behind and along side the screen.

EVANS commented further that no doubt the streets would go in whether or not, but "fair is fair," and he maintained that asking them to pay for streets which in the end would be harmful to their business is certainly unfair. It appeared to EVANS that the principal function of Taft would be to get from West Street to Towne West, and the center will be benefitting, but the theater will definitely not be benefitting, and he asked that the financing proposals be changed in such a way other than for the theater people to pay for such street improvements.

He pointed out that the same situation exists so far as Tracy Street to the west; it will not be of benefit to them; they will not have access (Ed. note: legal access would be available.), and to expect the theater owner to pay for such improvement is unfair. It appeared to EVANS that the principal need for Tracy is to funnel traffic from Kellogg to the north part of the shopping center. It was his suggestion that Tracy from the south stop at Taft and if Tracy was needed to serve adjoining properties south of Maple, it could be paved as a cul-de-sac to the north line of the drive-in theater, thus eliminating the need for paving on the west side of the drive-in. EVANS said he had not had time to calculate just what street improvements would cost his client under the present plan, but it appeared quite evident that it would be more than \$3,000 per acre for this small business, and this, in addition to \$4,600 per acre for drainage improvements.

BAYOUTH observed that no matter how the area is developed, there would be the necessity for streets, and the theater owner would be faced with the same situation whether apartments or other development occurred. The problem will have to be faced sooner or later, and some future developer may not be willing to participate to the extent this developer is willing to.

EVANS spoke again to say that he did not intend to even suggest doing away with Towne West, nor did he suggest not building the streets, his point being that the streets will hurt their business and yet they are being asked to pay for something that will be very harmful to their business. EVANS said his arguments would be the same regardless of who develops or what is proposed for development.

GRAGG asked if the street assessments would be on a 10-year basis, and GALBRAITH answered that they normally are. GRAGG pointed out to Evans that within the next 10 years, the theater land may be too valuable to continue as a drive-in operation, and could be in demand for redevelopment. EVANS agreed that might be the case, but that his client is not a real estate developer, but a drive-in theater operator.

SCHAEFER spoke again to say that the drainage cost to the theater area is only \$3,600 per acre and not \$4,600 as indicated by Mr. Evans, and solving of the drainage in the general area will improve the theater area immensely. SCHAEFER said the developer is being charged at the rate of \$5,300 per acre, plus \$125,000. SCHAEFER thought the West Street frontage of the theater site is not owned by Mr. Evans' client at this time, but was sold off 400 feet in depth west of West Street; it is zoned "C" so it could be developed in a manner that might not be desirable to the theater operation.

SCHAEFER also brought out that there are two drive-in theaters near the East Harry Mall and such theaters are still operating. The developer of the Harry Street Mall is also the developer of Towne West, and he had changed lighting at the center to eliminate any adverse conditions at the drive-in theaters. He said they have already had discussions with the owner of the theater involved in subject case.

EVANS said that his client has never owned the 400 feet of West Street frontage, and he pointed out the area owned by his client. As for the drainage assessment per acre, he said the basic figure is \$3,600, but he had added interest based on a 10-year period for payment.

TOM BORNIGER, attorney for the owner of the K-Mart building (not the land), said they want to see Towne West developed; however, they are being asked to pay \$3,600 per acre on storm sewers, or

\$46,800, to have Towne West at this location. They are asked to pay for paving the one block immediately behind K-Mart, and an additional \$12,743 for Tracy Street widening, and by the time right-of-way is included, they are being asked for another \$43,994 for streets. It appeared to the attorney that they are being asked to pay \$90,000, plus interest, in order to have Towne West developed. While they are happy to have the development, they are not willing to contribute \$90,000.

Another item is Taft from Florence to Tracy, which is not paved at this time and normally with the area developed, property owners on both sides would be expected to pay for at least a part of it. In this case, there are really three owners vitally interested in having it improved and should be involved in payment - being Towne West, K-Mart and the theater. K-Mart is being asked to pay \$72,000, plus another \$4,000 for right-of-way.

On Tracy Street along the west side of K-Mart, the attorney said at the time K-Mart was built, they had improved Tracy to a width of 30 feet but now the standard has changed, and it is proposed for improvement to 40 feet. He was opposed to an assessment to K-Mart of any cost of widening such street, in that they had already done what was required earlier when their business was established. He maintained that if extra width is needed because of Towne West, then the developer of Towne West should bear the cost therefor. After all, Tracy will be the principal entrance to the center.

The attorney referred to the third lane on Tracy and said they did not want it, even if the developer paid for its installation.

SCHAEFER said he did not know where Borniger had obtained his figures, but the \$98,000 is the amount of street improvements attributable to all special assessment funding. There was brief discussion of the ownership of the K-Mart property and lease arrangement, the attorney for the owner of the K-Mart building stating that his client pays everything, and that the lease with the operators of K-Mart is a gross lease. He, too, had computed the cost on the basis of a 10-year period, which included adding on interest over the 10-year period, and had arrived at a figure of around \$90,000.

SCHAEFER commented that it was amazing that when a project lies dormant for a while everyone is optimistic and hopes it doesn't "die," but when it is revived, everyone jumps on the developer to let him pay everything. SCHAEFER said that the ground is only going to be developed one way and that is if the development has sufficient tax base to carry the assessment load. As for putting this development someplace else as suggested by Gragg's statement, SCHAEFER posed the question of just where on the west side could a center of this magnitude be located where a tremendous amount of street work would not be required. Any center of this size requires streets with high volume capacity.

BAYOUTH referred to the joint meeting and what was requested to be done, and SCHAEFER said they were to discuss financing; the traffic plan was essentially approved as submitted by the developer; the Traffic Commission essentially approved it as submitted, with suggestion that the possibility of freeway standards be investigated. They were looked into and it was determined to not be economically feasible at this time, so there is no need to even talk about a freeway. He pointed out that the staff report shows \$15,000,000 as possible construction cost for freeway West/Kellogg intersection, and that doesn't include all right-of-way acquisition.

HARRY POLLOCK, operator of the Town and Country Motel, said the plan they had suggested for direct access slip-off to their property from the highway was general in nature and not specific, but something they felt would be an improvement so far as their operation. He pointed out that a motorist looking for motel facilities notes first the outside appearance and if it appeals to the motorist, he starts looking for an entrance, and in view of the circuitous

access proposed, he has decided to drive on. He agreed the distance is not great, as was brought out by Schaefer with the illustration of automobiles actually on the streets; however, Schaefer had shown the road entering right into the motel property, but POLLOCK said he had never agreed to that because his desire is to get customers to the front door.

POLLOCK related the estimated time involved for a motorist traveling from the west and desiring to utilize the motel facilities to drive from the highway to the motel property under the present plan, and the confusion it could create for someone not familiar with the street pattern. POLLOCK could not visualize a motel customer acquainting the major entrance to the center (Tracy), as being the entrance to the motel. POLLOCK said he has been in the motel business 25 years and owned 11 in Wichita, as well as other states, and in this one area felt he was knowledgeable - that when a potential customer of a motel is put into a difficult situation so far as access, the business is lost. He was sure his business would decrease, and possibly even lead to closing the motel. POLLOCK stated that if what is proposed materializes, he would like to sell and come out with "something" rather than "nothing". If he could operate as he has been, he would like to keep the business.

BAYOUTH asked about the access to Mr. Steak to the west of the motel, and LAKIN traced on the geometrics the access route.

POLLOCK said with respect to the 14 to 18 feet needed from the front parking lot of the motel area if slip-offs are allowed from the highway, that the restaurant facility at the motel is leased, and the elimination of the parking would be of concern to the lessee, and could result in the loss of this source of income to the owner of the motel.

LAKIN was of the opinion that the Federal highway people would not allow a slip off ramp that close to the transition area anyway.

MIKE WEIGAND said they have just completed a deal at the Towne East center for a restaurant costing in excess of a half million dollars and a new motel representing an investment of four million, and access to Mr. Pollock's motel is total simplicity compared to what will exist at Towne East. He related that the only reason the new motel and restaurant are going in is because they feel the benefits of the total activities in the area will far outweigh the traffic problem. WEIGAND said he honestly felt the "blessings" Mr. Pollock would experience will far outweigh any traffic problems caused by the proposed access.

POLLOCK spoke again to point out that one cannot compare a motel in Towne East with one 19 years old, in that the Town and Country Motel which he represents, caters to an entirely different clientele. Too, it is possible that the developers of the new motel in Towne East are making a mistake - maybe they have confidence and are optimistic, but that doesn't mean they are right. He stated again that he was knowledgeable in the motel area and would never build one as being proposed in Towne East.

POLLOCK said the plan he had submitted was just a suggestion and they had never meant it to be the only possibility, but they had been asked for suggestions.

MOTION: That the Commission recess for 30 minutes for dinner. Gragg moved, Greider seconded and it carried unanimously. (Time: 7:40 p.m.)

The Commission reconvened in the City Commission Chambers at 8:20 p.m., with the same members and staff present.

In response to Barrier's request, LAKIN reviewed in detail the various traffic movements, particularly those along Kellogg entering and exiting from the proposed center and other land uses affect-

ed. by the Kellogg roadway, i.e., Town and Country Motel, Mr. Steak, the office building farther west, the industrial area at the northwest corner of West and Kellogg, etc.

GREIDER asked specifically about Lubbers auto accessory business and LAKIN said the entrance to Lubbers would be just to the north of the non-mountable medial and into their parking lot.

RUSSELL BOMHOFF, owner of Precision Pattern Company, pointed out his ownership, and the fact that it is proposed to take his office parking, but to leave the building itself; however, the street curb line would be right against his building. He asked if such could be done.

LAKIN said the City Engineer has gone over the geometrics and established the type of right-of-way needed, and appraisals have been based on that right-of-way (what had been agreed to by the City Engineer). LAKIN commented that right-of-way is anticipated along the front of the building as well as land on both sides of the building, and it would be 3.3 feet from the face of the building to the face of the curb.

BOMHOFF said he has been extremely fortunate and is operating at 100% capacity, and what is proposed would eliminate 8 parking spaces which he needs. GRAVES said he did not see how the right-of-way being taken could consume that much parking space unless Mr. Bomhoff is parking on public property, and judging from sketches he had seen, he felt that parking probably is on what is public property.

HENNESSY recalled that it was discussed at the last hearing and determined that Mr. Bomhoff's parking was on other private property. GRAVES commented further that perhaps the building should be reviewed with respect to the off-street parking to determine if it meets requirements.

BOMHOFF said the last addition was built 3 1/2 years ago, and at that time utilized every square foot the city would allow for the building, and he does not have anyplace else to park.

SCHAEFER pointed out that Mr. Bomhoff not only covered every part of his own property with his building, but also built the building 30 feet over onto Towne West property. They have not been too concerned about it at this stage, but Mr. Bomhoff's parking is also on Towne West property, and Mr. Bomhoff has stated he will continue to use it for parking when it is paved. SCHAEFER commented further that it appears Mr. Bomhoff has been a victim of his own success, and wondered how Mr. Bomhoff obtained a building permit for the last addition to his building in view of the extension of the building and parking onto adjacent land.

SCHAEFER pointed out that the City Engineer feels that possibly the whole alignment of the street could be shifted to move it back another 5 feet.

RALPH VAUTRAVERS, owner of Rand Publishing Company at the corner of Florence and Taft, spoke in support of the center, noting that while he is a small businessman and the specials would cut into his gross income as much as anybody else's, he considered it an advantage to have the center, especially so far as the solution of the drainage, and the fact that the developer will bear a substantial part of the cost therefor. He did not consider that the center would affect his business because it is not a walk-in type of operation, but he considered it would be good for West Wichita and he was optimistic about the entire project. He pointed out that the developer is willing to spend a lot of money and create a lot of jobs, and he would like to see it developed.

BAYOUTH asked Graves if he was aware of similar situations in other cities and how business survives that possibly doesn't have the most desirable access from a highway.

GRAVES said any statement he made would be only conjecture on his part, and that when he is traveling, he usually knows where he will spend the night and doesn't have the problem of locating a motel. He said he has been in Wichita 19 years and other cities seem to have worse problems than apparent here in Wichita.

Referring back to a slide of the area, GRAVES stressed the importance of a non-mountable medial on Tracy as motorists turn left to the motel or other uses, in that it is anticipated there will be 10,000 cars per day just between Maple and Kellogg and he considered a non-mountable medial vital to keep traffic in the right direction. If a mountable medial, there would be cars turning anyplace.

GRAVES thought that at some future time there may be problems on Tracy in squeezing three lanes down to two, and that there might have to be an adjustment, but he did not consider it an insurmountable problem if and when it is necessary.

SAVINA asked for traffic counts on other streets (West and Maple), in the area and GRAVES indicated counts (38,000+, 13,000+ respectively), anticipated by 1985 with full development of the center.

SAVINA expressed concern because a non-mountable medial is proposed on Tracy. GRAVES said he favored non-mountable medials in most cases and that is what is recommended on Tracy, but, of course, the City Commission has the final decision. He pointed out that Tracy is a very short street (this segment), and to handle 10,000 cars per day, to open it up for turns in any number of driveways, will choke it down.

BAYOUTH observed that there are not too many curb cuts on Tracy now from Taft to Kellogg, and he asked if K-Mart or Schaefer objected to non-mountable medials.

The attorney for K-Mart said he did not object as long as there was a break so that traffic coming from the north could make a left turn into the K-Mart parking lot.

SAVINA noted that the non-mountable medials limit access to properties, and it was brought out in the discussion that lower volume traffic streets are more likely to have mountable medials.

TAYLOR suggested the outline in the staff report be followed and action be taken on individual streets separately, and that medials could be considered at that time.

SAVINA pointed out that any earlier approval given was for the developer to resolve the access to the motel property. SCHAEFER said they have spent hours with the motel people and it was his belief that it would never be resolved to the satisfaction of the motel owner.

POLLOCK agreed that they have spent many hours together, but that the developer has not changed his stand materially.

SCHAEFER said a compromise had been suggested which they had hoped would be acceptable to the motel owner, but apparently they feel they must have direct access to the highway.

POLLOCK said he only thought it should have access common to the type of motel he has, and not access so confusing that people will not make use of his facilities.

SAVINA said that was one reason he suggested mountable medials - to facilitate entrance to the motel.

SCHAEFER said he had no concern on that point - that the third lane was eliminated because K-Mart doesn't want it either, so it was taken out. The break is indicated in Tracy for left turns and then back south to the motel entrance.

SAVINA thought there would be a major bottleneck on Tracy because of the turning movements to the motel. SCHAEFER pointed out that the motel has 86 units, and restaurant trade, which is utilized mostly by local people who know where they are going, and he did not think it would create any great problem.

GRAGG asked Lakin for his understanding from the joint meeting of the Traffic and Planning Commissions. LAKIN replied that MAPC sanction was given generally to a high grade arterial, with several problems to be addressed, such as Lubbers and K-Mart properties. As to design approval, he indicated he would like to have something more specific than Mr. Kamen's motion at the joint meeting (March 17), which gave general blessing to the concept, and now it is desirable to approve the specifics.

Relative to Town and Country Motel, LAKIN agreed with Graves, that if there are to be two entrances to the center, the arrangement shown for the motel access is what it will have to be, whether good or bad for the motel. If the motel is granted slip-off privileges, then the second entrance to the center must be eliminated and apparently there is no compromise in between on this point.

GRAGG said he was for the project, but without Kellogg to freeway standards; it will stunt the growth of the City, and the Civil Aeronautics Board has indicated they would not look with favor on a slowed down access street like this, and GRAGG felt that the plan as submitted for U. S. 54 represents a "no growth" policy.

LAKIN observed there were three alternates - do nothing; improve Kellogg as an upgraded arterial or find a way to finance freeway standards, which he said he had not been able to do. If nothing is done, the level of service for the intersection at West and Kellogg will continue to deteriorate; if Kellogg is upgraded as an improved arterial, it will have about 7 years extended life and then the same thing will happen (deteriorated level of service). LAKIN said, in his opinion, the million dollars the developer is asking the City to invest in Kellogg is not worth 7 years of extended life. If the cost to the City was less, then the upgrading of the arterial level would be appropriate.

LAKIN pointed out that some of Gragg's suggested alternates for financing freeway construction would require Legislative action, which would take time, and since it is a federal highway, there would be considerable time necessary for location and design hearings. It could require from 5 to 7 years if Gragg's alternates were to be carried out. The center would be built and operating in 3 to 5 years on the present improvements, and by that time, hopefully, possibly freeway standards could be accomplished (if the financing were found).

SAVINA commented that apparently the taxes on Town East run about \$500,000 and asked what the City spent on streets in the Town East area. SCHAEFER answered about \$300,000 and that the developer paid around \$900,000 for streets at Towne East.

Reference was made to the possible funding under the Safety 209 Federal program so far as West/Kellogg intersection, and LAKIN said it could be 90% of the cost of the intersection of Kellogg and West (and not the total Kellogg improvement). LAKIN said he was optimistic about this possibility of funding.

MOTION: That U. S. 54 be built to freeway standards with the developer paying \$1,000,000 and the City Commission finding funds to pay the remaining cost. Gragg moved and Hennessy seconded.

TAYLOR suggested the outline at the end of the staff report be followed, noting that cost allocations are not included in the above motion, but only Kellogg to freeway standards.

Goebel was excused from the meeting.

VOTE ON ABOVE MOTION: Motion lost by a vote of 3 in favor (Gragg, Hennessy and Barrier) and 6 opposed (Greider, Bayouth, Kamen, Porter, Savina and Taylor). Goebel was absent.

MOTION: That the design of the West Street intersection and Tracy intersection south of Kellogg (a. and b. under Kellogg design), be approved as submitted by the developer and staff. Savina moved, Greider seconded and it carried by a vote of 8 in favor (Savina, Greider, Barrier, Hennessy, Bayouth, Kamen, Porter and Taylor) and 1 opposed (Gragg). Goebel was absent.

On c. under the design along Kellogg, the following motion was made. (This involves access to the Town and Country Motel.)

MOTION: That the developers of Towne West get together with the owner of the motel to make satisfactory arrangements for access, as access arrangements now are not satisfactory and it is a major street. Savina moved and Hennessy seconded and the motion lost by a vote of 4 in favor (Savina, Hennessy, Gragg and Kamen), and 5 opposed (Barrier, Greider, Bayouth, Porter, and Taylor). Goebel was absent.

MOTION: That c. under the design related to Kellogg (the westernmost entrance to the shopping center lying between the Town and Country Motel and the State Highway Division Engineer's Office, be approved as submitted. Porter moved, Barrier seconded and the motion carried by a vote of 5 in favor (Porter, Barrier, Greider, Bayouth, and Taylor), and 4 opposed (Savina, Gragg, Hennessy and Kamen). Goebel was absent.

MOTION: That the design submitted by the staff for West Street, Maple Street, Taft Street and Tracy Street improvements be approved, except that the non-mountable medials shown on Tracy Street be mountable medials to the greatest extent possible. (NOTE: Inference was that some non-mountable medials would have to be used at the intersections of Kellogg, Taft and Maple, but that it should revert to mountable in as short a distance as possible.) Kamen moved, Greider seconded and it carried unanimously. Goebel was absent.

Referring to costs involved, BAYOUTH asked Schaefer if the West/Kellogg intersection was the only one he objected to. SCHAEFER responded that their offer was \$1 million, plus \$100,000, and they were not concerned with how it was allocated to projects. He said the original offer was \$1 million and that the figures submitted (allocation to projects), were justification figures, and that the manner in which the offer is submitted would make it difficult to break it down into each street.

TAYLOR suggested that since at this moment financing from State or Federal funds cannot be anticipated, the figures submitted by Lakin and Wulz be considered, and that costs be allocated with \$98,907 being paid by special assessment, \$500,000 by the City at large; and the remainder (\$1,811,437), by the developer, and any amount forthcoming from State or Federal would reduce the amounts.

SAVINA asked if any Federal funds were eventually received, would it reduce the City's cost.

PORTER suggested taking the State/Federal funds, if any, and combine with the developer's cost for developer's figure. HENNESSY observed that then the benefit district would remain the same.

TAYLOR suggested that the City Commission was in a better position to negotiate than the Planning Commission. Kamen commented that any Federal or State funds received would be equally distributed against City at large and developer, according to the percentage of money each put up.

MOTION: That financing for street improvements be as follows: \$98,907 for special assessments; \$500,000 City at large and the balance of the total cost (\$1,811,437), for the developer, with any State/Federal monies reducing the City's and developer's share in proportion to the money each have otherwise put into the street improvement projects. Taylor moved and Greider seconded.

KAMEN asked if the right-of-way acquisition was included and Taylor said she had not included it.

SCHAEFER said as he understood the motion, the project had just been "killed," and that if the City Commission adopts that plan of cost allocation, there would be no use wasting time on item F. (streets north of Maple), because it would "kill" the project and there is no way for the developer to absorb the costs proposed.

HENNESSY thought the City at large should take a larger responsibility and that the developer should not be expected to bear so much cost, no matter how the costs are divided.

TAYLOR pointed out that while the intersection of West and Kellogg needs improving, except for this development it would not even be discussed at this time.

SCHAEFER pointed out that the Commission is apparently overlooking the fact that a 2 1/4 million dollar drainage project will be solved, not only in this area (Area A), but for the industrial area to the south (Area C). If this project doesn't "go", neither will the drainage around 31st Street South, where there is a great deal of land to be developed. SCHAEFER also pointed out the anticipated tax revenue which could be expected with the coming of the proposed development, noting that the tax assessment for Towne East this year is \$631,000.

HENNESSY asked if there was a large expense for development of drainage facilities associated with Towne East, and SCHAEFER said there was not, which is why the developer has agreed to pick up the tab for drainage in this area.

BAYOUTH referred back to the West/Kellogg intersection and asked why it was removed from the CIP several years ago. LAKIN answered that Mr. Graves earlier had pointed out that even the then minor intersection improvements had presented right-of-way and drainage problems resulting in the dropping of the project.

BARRIER asked what the cost of the drainage would be which the developer would be undertaking, and SCHAEFER answered that their cost would be \$5,300 per acre, plus \$125,000 cash, with a total cost to them of about 1/2 million dollars.

GRAGG commented on the possibility of the tax revenue which would be generated by the development being pledged against the costs involved so far as public improvements. SCHAEFER pointed out that legislation which might have permitted something of this nature had been "killed" in the last session of the Legislature, and LAKIN agreed that there was no such authority.

SUBSTITUTE MOTION: That the developer pay \$1,100,000; that \$98,907 be levied as special assessments, with the City and State/Federal money making up the balance (\$1,295,054). Savina moved and Hennessy seconded.

BARRIER expressed concern for the amount some of the property owners in the area would be expected to pay, which she considered excessive. The streets that are being improved are for the benefit of Towne West and she did not feel it fair for other property owners to have to pay special assessments to the amount anticipated, and suggested their assessments should be reduced to a reasonable figure.

GRAGG, in regard to Barrier's statement, asked if both included \$98,907 special assessment. TAYLOR suggested that would be a question that the City Commission would resolve. BARRIER said if this Commission makes that recommendation, it would mean it favored that method and she was not in favor.

KAMEN said Mr. Savina could include in his substitute motion that the City Commission could reduce the special assessment. SAVINA suggested the developer pay \$1,100,000, keep the specials as recommended, and leave the financing of the balance to the City, \$1,295,054.

BAYOUTH referred back to special assessments and asked if the \$83,000 (right-of-way), was included in the special assessment. LAKIN said the \$83,000 is for right-of-way and was not included in the special assessment figures, and he suggested one way of handling right-of-way costs was to allocate them in the same manner as the street being improved is financed.

HENNESSY suggested the motion be amended, as he felt \$98,907 special assessment for some of the people would be unfair, and let the City Commission decide how the balance of the costs would be paid over and above \$1,100,000, which the developer has agreed to bear.

BAYOUTH said that Commissioner Goebel had abstained from discussion because of a conflict of interest, but CHAIRMAN BAYOUTH recognized Mr. Goebel in the audience and Goebel was prepared to make comments from the audience as a property owner in the area and not as a Planning Commissioner.

PORTER and Taylor objected to Commissioner Goebel speaking on the matter because he would have a conflict of interest. GOEBEL, speaking from the audience, said he does have property in the area and would abstain from voting on the matter. TAYLOR commented that it was strictly out of order for him to speak then.

WM. J. GOEBEL proceeded to speak from the audience with approval from the Chairman. He related that he had purchased land in the area, as had Towne West and the drive-in theater owner, and they had all been required to dedicate right-of-way (at time of platting), for Tracy, so it could be opened. Thus, at present there is a dedicated right-of-way for Tracy extending south from Maple, and paving petitions for its improvement have been submitted to the City, but because of the drainage problems, they have not been processed.

GOEBEL continued that the intersection of Maple and West has been inadequate for sometime, and would be even worse if many of the motorists did not drive through his parking lot (Star Lumber Company). Speaking of the drainage, GOEBEL said he has 6 acres on which platting was turned down four years ago because of the drainage problem and there are others in the same situation, so the drainage needs to be solved. He commented that it is anybody's guess as to what standard U. S. 54 should be improved to, and it is possible some of the traffic now going through the West/Kellogg intersection headed for Towne East, might not travel that intersection with the development of Towne West.

TAYLOR spoke on the substitute motion, and in view of the substantial amount which would be left for the City at large to pay, felt that it should be submitted to the voters for referendum, as she considered it a dreadful amount to be recommended for City at large funding.

SAVINA pointed out that it is possible for the City to obtain federal funding.

PORTER considered it an unrealistic amount of money to expect every citizen in Wichita to "chip in" for the benefit of Towne West, and even if the City does eventually acquire federal funding, it would probably be less than \$500,000.

SAVINA asked that the substitute motion be voted on - \$1,100,000 to be paid by developer; \$1,295,054 City at large; and \$98,907 in special assessments.

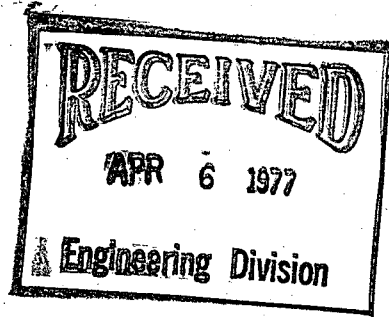
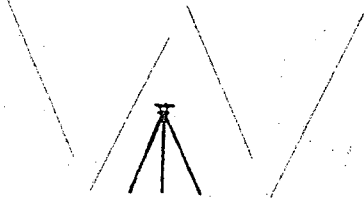
VOTE ON SUBSTITUTE MOTION: Motion lost by a vote of 4 in favor (Savina, Hennessy, Kamen, and Bayouth) and 5 opposed (Taylor, Porter, Barrier, Greider and Gragg). Goebel was absent.

VOTE ON TAYLOR'S ORIGINAL MOTION: Motion carried by a vote of 5 in favor (Taylor, Greider, Porter, Barrier and Gragg) and 4 opposed (Hennessy, Kamen, Savina and Bayouth). Goebel was absent.

GRAGG commented that F. (status of streets north of Maple), could be considered during the platting process.

CHAIRMAN BAYOUTH hoped the City Commission is not as narrow minded as the Planning Commission. HENNESSY considered it ridiculous to expect the developer to take care of so much expense. BAYOUTH commented further that the vote proves that the people that made the motion and voted for it have no concept of business.

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE DIRECTOR
CITY HALL — EIGHTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4266

April 5, 1977

Mr. W. H. Ogan, P. E.
State Transportation Engineer
Kansas Department of Transportation
State Office Building
Topeka, Kansas 66612

Subject: Kellogg Avenue (U.S. 54) and West Street Intersection

Dear Mr. Ogan:

In response to your letter of February 24, 1977 to Mr. Robert A. Lakin, Director of Planning, I am hereby requesting funding for the improvement of this intersection through the use of High Hazard Location Safety Funds.

As discussed with you, I am enclosing a traffic accident print of this intersection and adjacent Kellogg Avenue (U.S. 54) and West Street locations. The accidents shown on the prints are those that have been retrieved from our computerized files and include the data retrieved from the Kansas Department of Transportation files for 1973, 1974 and 1975. The 1976 information is that taken from the City of Wichita files.

Our files reflect all accidents whereas the Kansas Department of Transportation's files do not include those accidents where damages were less than \$200.

It is, therefore, our opinion that the thirty-three accidents occurring during 1976 at the Kellogg Avenue (U.S. 54) and West Street intersection are typical of the number and type occurring.

THE CITY OF WICHITA

Mr. W. H. Ogan, P. E.
State Transportation Engineer
Kansas Department of Transportation

Page 2
April 5, 1977

The 1976 traffic volumes and the 1978 and 1985 forecasted traffic volumes based on data from the Towne West Square Traffic Study by the Traffic Engineering Division of the Department of Public Works are shown on the attachment.

Your expeditious review and approval of this project will permit us to proceed with the street improvements adjacent to Towne West Square.

If you desire additional information, please advise.

Yours truly,



R. W. Bruggeman, P. E.
Director of Public Works

RWB:gr

Enclosures

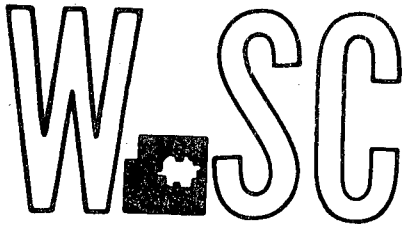
cc: E. H. Denton, City Manager
Robert A. Lakin, Director of Planning
R. W. Linn, City Engineer ✓
Paul B. Graves, City Traffic Engineer

TOWNE WEST
 COST ESTIMATE FOR SANITARY SEWERS

<u>Description</u>	<u>Estimate</u>
Basic site 6"-10" sanitary sewers	\$107,250
Basic site manholes	40,300
30" sanitary sewer	123,750
30" sanitary sewer manholes	27,000
Basic dewatering	43,750
Abandon 8" existing line	700
Abandon 30" existing line	5,040
Remove existing manholes	900
Tap fees	5,600
Out parcel R	15,365
Out parcel S	4,840
Out parcel T	5,905
Out parcel U	2,860
Out parcel V	7,375
Design and GC fees	<u>none</u>
Totals	\$390,635

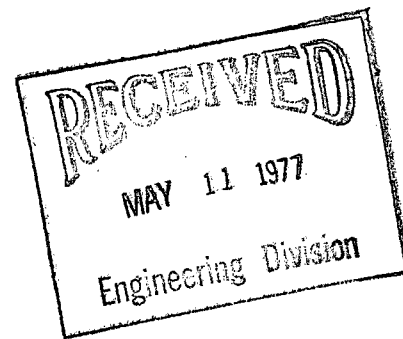
*Furnished in Sept
 by d & D*

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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



May 9, 1977

Campbell & Castle Engineers
P. O. Box 1835
Wichita, Kansas 67201

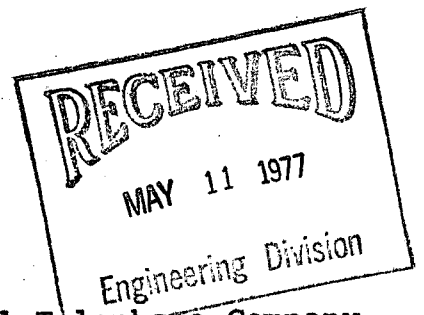
Re: S/D 77-24 - Final plat of
TOWNE WEST SQUARE ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 5, 1977, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. Approval of the final plat will be subject to the approval of the revised C.U.P.
- B. The applicant's engineer shall contact the Planning Department relative to the appropriate access control dedication language which has been omitted from the plattor's text.
- C. The rights-of-way being dedicated by this plat for Maple, Tracy, and Westdale Drive shall be labeled on the face of the plat and the notation "dedicated as public street right-of-way" shall be deleted from the face of the plat.
- D. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing, change of pavement type, etc., where the public right-of-way ends and the private entrance drive begins, at the main entrance to the shopping center and at Anna and Westdale Drive. The applicant shall obtain a letter from said Division stating that satisfactory arrangements have been made. A copy of this letter shall be submitted to the Planning Department.
- E. The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.

S/D 77-24
May 9, 1977
Page 2

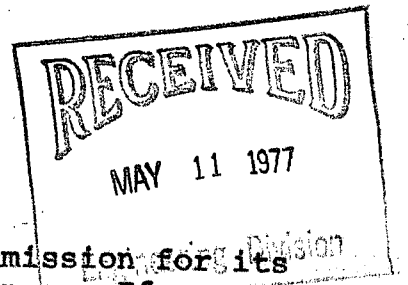


- F. The applicant shall contact Southwest Bell Telephone Company relative to removal and/or relocation of some of their existing service lines on the subject property. A letter from said Company stating said arrangements have been made shall be submitted to the Planning Department.
- G. Any abandonment or relocation of existing utilities required by this plat shall be at the sole expense of the applicant.
- H. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- I. The applicant shall guarantee the construction of sidewalks adjacent to all streets.
- J. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of the required drainage easements and ponding area to be provided on the parking lot.
- K. The applicant shall guarantee all the drainage improvements associated with the plat.
- L. Approval of the plat is subject to the applicant fulfilling the financial agreements regarding drainage and street improvements which have been made by the City Commission and Towne West Developers.
- M. The applicant shall submit an interior site circulation plan for review and approval by the Planning Department and Traffic Engineering Division prior to issuance of any building permits on subject property.
- N. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

S/D 77-24
May 9, 1977
Page 2



This matter will be forwarded to the Planning Commission for its consideration on Thursday, May 12, 1977, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Encl.

cc: Towne West Mall Co., & Myrtle A. Rogers
1712 N. Meridian
Indianapolis, Indiana 46202

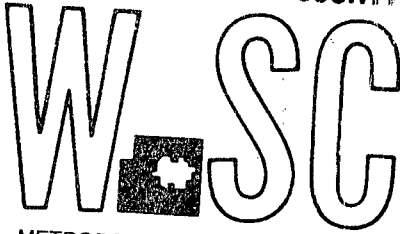
James R. Schaefer, Attorney
800 Brown Building
Wichita, Ks. 67202

✓ Dean Sellers, Assistant City Engineer

Al McClure, P. O. Box 16026, 67216

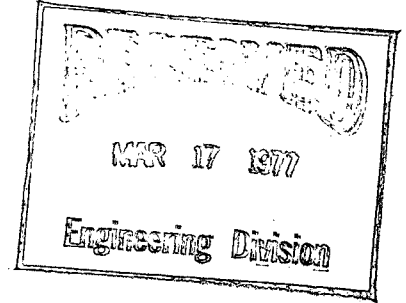
Gary Quick, Westport Drive-In
401 S. West Street, 67213

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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



March 15, 1977

Campbell & Castle Engineers
P. O. Box 1835
Wichita, Kansas 67201

Re: S/D 77-24 - Preliminary
plat of TOWNE WEST SQUARE
ADDITION.

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 10, 1977, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. Approval of the final plat will be subject to the approval of the revised C.U.P. being submitted by the applicant.
- B. 10 feet of additional right-of-way for Maple shall be indicated adjacent to Lot 4.
- C. The street rights-of-way being dedicated by this plat shall be properly indicated on the final plat.
- D. Access controls as approved on the C.U.P. shall be indicated on the plat.
- E. The applicant shall contact the Engineering Division of the Department of Public Works relative to guaranteeing the construction of "hammerhead" type cul-de-sacs at the north ends of Anna Street and Westdale Drive to terminate those streets. The applicant shall also make satisfactory arrangements with said Division for appropriate signing change of pavement type, etc. where the public right-of-way ends and the private entrance drives begin, at the main entrance to the shopping center and at Anna and Westdale Drive.

- F. The applicant shall contact the Water Department and make satisfactory arrangements and guarantee for the abandonment of the existing water main in Anna north of where Anna is proposed to terminate.
- G. The applicant shall contact Southwest Bell Telephone Company relative to removal and/or relocation of some of their existing service lines on the subject property. A letter from said company stating said arrangements have been made shall be submitted to the Planning Department.
- H. Any abandonment or relocation of existing utilities required by this plat shall be at the sole expense of the applicant.
- I. The applicant shall guarantee the street improvements as agreed to in the approval of the C.U.P.
- J. The applicant shall guarantee the construction of sidewalks adjacent to all streets.
- K. As required on the C.U.P., the applicant shall submit a drainage plan for approval which shall indicate location and size of required drainage easements and ponding area to be provided on the parking lot.
- L. The applicant shall guarantee drainage improvements associated with the plat.
- M. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- N. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme
Encl.

cc: Towne West Mall Co., & Myrtle A. Rogers, 1712 N. Meridian
Indianapolis, Indiana 46202
James R. Schaefer, Attorney, 800 Brown Bldg., 67202
Mr. Al McClure, P. O. Box 16026, 67206
✓ Dean Sellers, Assistant City Engineer

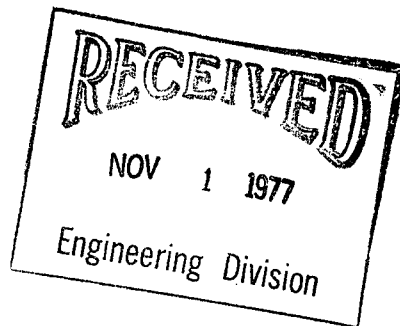
WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

October 31, 1977

TO Dick Linn, City Engineer
FROM Robert A. Lakin, Director of Planning
SUBJECT Towne West



The City Manager has asked that a meeting be convened to review the status of the Towne West project. Accordingly, I have set Friday, November 4, in the 10th Floor Conference Room, at 1:30 p.m. to convene such a meeting.

We would like to review what items remain to be accomplished which is necessary for the center to proceed, and determine who has responsibility for those items and a tentative time schedule for their completion. Please bring whatever other personnel that is needed.

Robert A. Lakin
Robert A. Lakin
Director of Planning

RAL:rme

cc: E. H. Denton, City Manager

- ① paving petitions - completed 11/4/77
- ② Drainage - plans, est, res. 3rd week Nov.
- ③ sanitary sewer - private contract
- ④ Major Streets - letter of credit by Dev. \$ - ?

T. W.	max. \$	inc! in plat req.	\$
Westdale	= 0		1,400,000
Anna	= 30,885	Tracy	200,000 ✓
		Tracy	169,000 ✓
		Toft	30,000 ✓
		Toft	67,000 ✓
			<u>466,000</u>

letter of credit
on Maple, West, US-54, incl.

TOWNE WEST
COST ESTIMATE FOR SANITARY SEWERS

<u>Description</u>	<u>Estimate</u>
Basic site 6"-10" sanitary sewers	\$107,250
Basic site manholes	40,300
30" sanitary sewer	123,750
30" sanitary sewer manholes	27,000
Basic dewatering	43,750
Abandon 8" existing line	700
Abandon 30" existing line	5,040
Remove existing manholes	900
Tap fees	5,600
Out parcel R	15,365
Out parcel S	4,840
Out parcel T	5,905
Out parcel U	2,860
Out parcel V	7,375
Design and GC fees	none
Totals	\$390,635

adm. pa
10/10/77

October 10, 1977

Mr. Robert D. Friesen
Law-Kingdom, P.A.
313 South Market
Wichita, KS 67201

Dear Mr. Friesen:

Subject: Towne West Square Sanitary Relocation Plans

I have reviewed the plans on the above noted project and have made notes, comments, suggestions and questions on the plans. I am returning these plans to you so that you can make any changes which are necessary.

Please contact me if you have any questions or comments.

Very truly yours,

Donald E. Schneider
Sanitary Chief Engineer

DES/dla

Encl.

ATTENDANCE RECORD

Date: 11-4-77
 Time: 1:30 PM
 Place: City Hall
 Meeting Arranged By: MAPD
 Purpose: Towne West Review

Name	Organization	Address
<u>PA LAKIN</u> Phone:	<u>MAPD</u>	
<u>RICHARD D. ERVIN</u> Phone: 317-926-6021	<u>MELVIN SIMON & ASSOC</u>	<u>1712 N. MERIDIAN ST INDIANAPOLIS, IN 46202</u>
<u>MIKE WEIGAND</u> Phone: 262-6404	<u>J.P. WEIGAND & SONS</u>	<u>150 N. MARKET 67202</u>
<u>DON BOECKE</u> Phone:	<u>MELVIN SIMON & ASSOC.</u>	<u>1712 N. MERIDIAN ST INDPLS, INP 46202</u>
<u>DON FAUST</u> Phone:	<u>Melvin Simon & Assoc</u>	<u>1712 N. Meridian St. Indpls., In. 46202</u>
<u>JOE BAKER</u> Phone: 265-8584	<u>THE LAW CO. INC.</u>	<u>313 SO. MARKET WICHITA KNS.</u>
<u>Benny Gegen</u> Phone: 268-4555	<u>water Dept.</u>	<u>City Bldg.</u>
<u>PAUL GRAVES</u> Phone: 268-4591	<u>TRAFFIC ENGR P.W. DEPT</u>	<u>"</u>
<u>M.S. MITCHELL</u> Phone:	<u>FLOOD CONTROL</u>	<u>"</u>
<u>James R. Schuler</u> Phone: 262-4403	<u>atty.</u>	<u>800 Brown Bldg. Wichita, KS 67202</u>
<u>Carl Newby</u> Phone:	<u>MAPD</u>	

Name	Organization	Address
Jack H. Galbraith Phone:	MAPD	
Max Greene Phone: 268-4591	Flood Control	City Hall
Louise Olivarez Phone:	MAPD	
Dick Linn Phone:	Engr. Div. - P.W.	City Hall
Bob Friesen Phone:	Law/Kingdon PA	
H. L. BERGER Phone:	LAW/KINGDON, P.A.	
Robert L. Castle Phone:	Campbell & Castle, P.A.	
RAY TRAIL Phone:	CITY MGR'S OFFICE	CITY HALL
E. H. DENTON Phone:	" "	" "
B. J. KINGDON Phone:	LAW/KINGDON, P.A.	WICHITA, Ks.
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		

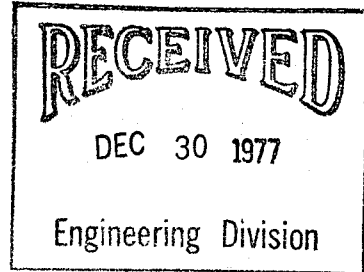
WICHITA-SEDGWICK COUNTY

Linn
DATE

December 29, 1977

METROPOLITAN AREA PLANNING DEPARTMENT

TO Ray Bruggeman, Director,
Department of Public Works
FROM Robert A. Lakin, Director of Planning
SUBJECT Towne West Sq. Addn.




At the request of Melvin Simon and Associates, and the J. C. Penney Company, I have scheduled a meeting for January 19, Thursday, at 9:30 a.m., in our 10th Floor Conference Room to discuss Towne West traffic improvements. All those receiving copies of this memorandum are requested to attend the session. It may be appropriate that we ask Bill Terry from the State also to join with us. Our people will take care of this.

Just before Christmas, Art Roberts called me from New York where he was meeting with officials of the J. C. Penney Company and with people from Melvin Simon and Associates. Art Roberts, as I understand, is acting as Traffic Engineer on behalf of J. C. Penney Company. He indicated that he has some concerns which are shared with the J. C. Penney Company relative to the operation of traffic with the freeway proposal being suggested. Specifically, he indicated some concerns relative to access for K-Mart, Sauder-Lygrisse and others, and the impact of traffic on West Street as it relates to Kellogg freeway operation. He went to some pains to express their support for freeway operation for Kellogg, both from the J. C. Penney standpoint and from his personal standpoint as a Traffic Engineer. Then, however, he places the caveats and this is apparently what he wants to talk to us about before much else proceeds in the way of design studies. I told him that there would be design studies required and undertaken and that the sketches that he had (which are apparently Traffic Engineer's delineation of the urban interchange and the service road configuration laid out on aerial photographs) are preliminary geometrics and are not tied down in any way. The tone suggested for the meeting by Roberts and by Faust of Simon and Associates seems quite friendly and does not appear to be threatening, at least at face value, in terms of the freeway project.

I advised him that we would be pleased to meet them and to receive whatever ideas that they had which might be used to improve the traffic situation in the area.

Ray Bruggeman, Director
Department of Public Works
December 29, 1977
Page 2

I asked Art Roberts that any of ideas that he was able to reduce to paper, which he could send us a copy of prior to the meeting, would be greatly appreciated. He indicated that he would try to get us something the week prior.



Robert A. Lakin
Director of Planning

RAL:rme

cc: E. H. Denton, City Manager
✓ Dick Linn, City Engineer
Paul Graves, Traffic Engineer
Willard L. Stockwell, Chief Planner, Advance Plans Division
Jack H. Galbraith, Chief Planner, Current Plans Division

TheFourth

IV

IRREVOCABLE LETTER OF CREDIT
No. 524

December 7, 1977

City of Wichita
c/o Mr. Donald C. Gisick
City Clerk - City Hall
455 N. Main St.
Wichita, Kansas 67202

Gentlemen:

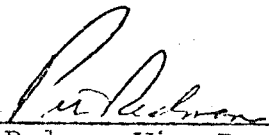
We hereby establish our Irrevocable Letter of Credit in your favor for the account of Towne West Mall Company, an Indiana Limited Partnership, up to the aggregate of Two Hundred Eighty Six Thousand Eight Hundred Ten Dollars (\$286,810.00) available by your drafts drawn at sight on us and accompanied by the Affidavit mentioned below.

All drafts drawn pursuant to the terms of this Irrevocable Letter of Credit when presented for payment must be accompanied by an Affidavit setting forth nonpayment for certain sanitary sewer improvements as shown on the attached Exhibit "A" which Towne West Mall Company has agreed to install.

We hereby agree with bona fide holders that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation and delivery of the documents as specified, if drawn and presented for negotiation on or before December 7, 1979. All drafts must be marked "Drawn under Fourth National Bank and Trust Company, Wichita, Wichita, Kansas, Letter of Credit No. 524 dated December 7, 1977.

Very truly yours,

FOURTH NATIONAL BANK AND TRUST COMPANY, WICHITA
WICHITA, KANSAS

By: 
Peter Redman, Vice President

Fourth National Bank & Trust Co.
Wichita, Kansas 67201

P.O. Box 1090
telephone 316-261-4444

TOWN WEST
SANITARY SEWER RELOCATION

RDF 10-27-77
REV 11-28-77

Item	Quantity	Unit Price	Extension	Total
A. Relocation of Submain 5, SS #22 (Sh 311)				
30" RCP, PVC lined	1530 LF	105	160650	
Reinf. Conc. Manhole	3 Ea	6000	18000	
Struct-Tec Manhole	3 Ea	6000	18000	
Demolish Manhole	6 Ea	200	1200	
Masonry Plug	2 Ea	50	100	
				197950
B. Relocation & Ext. of hat 106, Sub 5, SS #22 (Sh 5)				
8" ABS Truss pipe	303 LF	16	4848	
Type "A" Std. Manhole	3 Ea	1600	4800	
Tap Exist. Manhole	2 Ea	150	300	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
Remove Conc. Pmnt.	12 SY	5	60	
				10508
C. Extension of line 2, Sub 5, SS #22 (Sh. 5)				
8" ABS Truss Pipe	29 LF	16	464	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
Rem & Rep. Conc. Pmnt.	2 SY	25	50	
				2264
D. Extension of hat 16, Sub 5, SS #22 (Sh. 6)				
8" ABS Truss Pipe	387 LF	16	6192	
Type "A" Std. Manhole	3 Ea	1600	4800	
Rem & Rep. Conc. Pmnt.	53 SY	25	1325	
				12317
E. Extension of hat. from Sub 5, SS #22 (Sh 6)				
8" ABS Truss Pipe	74 LF	16	1184	
Type "A" Std. Manhole	1 Ea	1600	1600	
Tap Exist. Manhole	1 Ea	150	150	
				2934
F. Interceptor from hat 20 to hat 1911, Sub 5, SS #22 (Sh 7)				
8" D.I. Siphon	43 LF	43	1849	
10" D.I. Pipe	74 LF	43	3182	
10" ABS Truss Pipe	918 LF	35	32130	
8" ABS Truss Pipe	161 LF	16	2576	
Type "A" Std. Manhole	6 Ea	1600	9600	
Demolish Manhole	2 Ea	200	400	
Masonry Plug	2 Ea	50	100	
				49837
Subtotal				\$ 275,810
City Inspection				11,000
TOTAL				\$ 286,810

Exhibit "A"

COMMISSIONERS PROCEEDINGS

5486

December 13, 1977

Dedication

Contingent Street Dedication from Maudie M. Long, dated December 2, 1977, (Extension of Kessler), presented.

Petition

100% paving petition for Kessler, from SL Pawnee to and including cul-de-sac, presented.

Petition

100% petition for sanitary sewer lateral to serve Lots 1 through 8 inc., Westport Industrial Park 4th Addition (south of Pawnee on Kessler), presented.

Motion--

Donnall moved that the contingent street dedication be accepted, the petitions be approved and the Director of Law be instructed to prepare the necessary resolutions and the City Clerk be instructed to file the contingent dedication and certificate with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.

--carried

S/D 77-24 PLAT OF
TOWNE WEST SQUARE
ADDITION

S/D 77-24 - Plat of Towne West Square Addition located between Maple and Kellogg and I-235 and Tracy Street, presented.

A six-lot, commercial plat containing 90 acres. The Planning Commission recommends approval subject to conditions as outlined in information provided to the Commissioners.

NOTE: All petitions being submitted are 100% except those involving Tracy and Taft. These two petitions have to be acted upon at a subsequent meeting after appropriate notice has been given.

The associated cases DP-71, Commercial C.U.P. and Z-1700, "AA" and "E" to "LC" have been approved by the Commission subject to platting.

Paving

100% paving petition for Anna, from NL Kellogg Drive to the NL of the south 100 feet, Lot 2, Plumb Addition, presented.

Paving

100% paving petition for Tracy, from NL Kellogg Drive to SL Taft, presented.

Paving

100% paving petition for Westdale, from WL Anna to NL Lot 4, W-C Addition, presented.

Paving

100% paving petition for Taft Street, from WL Florence to WL West Street, presented.

Bob Lakin

Director of Planning, reviewed the proposed plat, the access necessary to serve the development, and noted that it is anticipated that approval will be granted for an interchange at Maple. He reviewed the highway design changes and the interim improvements on Highway 54 to avoid extra construction costs, estimates and financing of the construction, and answered questions by the Commission.

Dick Linn

City Engineer, answered questions by the Commission concerning drainage.

Discussion

Dick Linn

Discussion was had regarding dollar commitments for City improvements and the City Engineer stated that the change in design does not change the \$1.4 Million commitment made by the developer and if there is any benefit in the change, it should accrue to the G O financing of these projects.

James Schaefer

James Schaefer, Attorney for the developer, reviewed the history of the Towne West project and agreements reached between the developer and the Commission, and stated that the developer is willing to take a risk and go along with the changes outlined for the freeway development now planned, and the Maple interchange does not destroy the Towne West site for development as a shopping center by loss of access. He stated that there are valid, binding letters of credit to do what the developer agreed to do, and if there is going to be some changes made, then the City and developer should talk about those changes and work them out.

Motion--

Donnell moved that the drainage improvement be accepted and the Mayor be authorized to sign, the irrevocable letters of credit be received and filed, the petitions be approved and the Director of Law be instructed to prepare the necessary resolutions, the City Clerk be instructed to file the agreement and certificate with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission, and the Mayor be authorized to sign and the Planning Department be instructed to withhold release of the plat for recording until all conditions of the plat approval have been completed. (motion later amended).

COMMISSIONERS PROCEEDINGS

5487

December 13, 1977

Comm. Shanahan

Commissioner Shanahan stated he did not feel the City had a binding commitment by the developer for funding of drainage or for street improvements as it is conditioned upon that interchange at Maple and I-235.

Comm. Porter

Commissioner Porter indicated he was not satisfied with the agreement at this point.

John Dekker

City Attorney, after reviewing the Letters of Credit submitted for the \$1.4 Million for street improvements, stated that they were not conditioned as to what streets the commitment would apply to.

Rob Lakin

Director of Planning, suggested the Irrevocable Letters of Credit in the amount of \$286,000 for sanitary sewer be approved as part of the motion.

Motion as amended--

Donnell, with consent of the second, included in his motion that an Irrevocable Letter of Credit in the amount of \$286,000, for sanitary sewers, be approved and filed. Motion as amended carried 3 to 2. Porter, Shanahan, "No".

--carried

S/D 77-36 PLAT OF
PACESETTER ADDN.

S/D 77-36 - Plat of Pacesetter Addition located north of Mac Arthur Road between Riverside Drainage Ditch and Mc Lean Boulevard, presented.

A one-lot plat containing 27.7 acres. The Planning Commission recommends approval subject to recording within 30 days after approval.

NOTE: Associated zone case "AA" to "G" has been approved by the Commission subject to platting.

Petition

100% paving petition for Exchange Place, from SL Lot 1, Block A, Pacesetter Addition to and including cul-de-sac, presented.

Motion--

Donnell moved that the petition be approved and the Director of Law be instructed to prepare the necessary resolution and the City Clerk be instructed to file the certificate with the Register of Deeds, the filing and publication costs of which shall be billed to the applicant and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.

--carried

S/D 77-91 PLAT OF
SHERWOOD INDUSTRIAL
PARK

S/D 77-91 - Plat of Sherwood Industrial Park located on the east side of Hydraulic in an area south of 33rd Street North, presented.

A one-lot, industrial plat containing 4.56 acres. The Planning Commission recommended approval subject to recording within 30 days.

NOTE: The sanitary sewer petition is a 26% petition and appropriate notices have been sent to affected property owners.

Petition

26% petition for Sanitary Sewer to serve the area between Hydraulic and the C.R.I. and P.R.R. from the NW Southwest Quarter, Section 34, Township 26 South, Range 1 East (33rd Street North) to the C.R.I. and P.R.R., presented.

Motion--

Donnell moved that the petition be approved and the Director of Law be instructed to prepare the necessary resolution, the City Clerk be instructed to file the certificate with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.

--carried

S/D 77-130 PLAT OF
EDGINGTON ADDITION

S/D 77-130 - Plat of Edgington Addition located on the west side of West Street in an area south of Second Street, presented.

A one-lot, commercial plat containing .58 acres. The Planning Commission recommended approval subject to recording within 30 days after approval.

NOTE: Associated zone case Z-1951, "AA" to "LC" has been approved subject to platting.

Acknowledgement

Acknowledgement of sidewalk policy from Clifford E. and Carmond M. Edgington, dated November 17, 1977, presented.

Motion--

Donnell moved that the City Clerk be instructed to file the sidewalk acknowledgement with the Register of Deeds, the filing cost of which shall be billed to the applicant and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 5 to 0.

--carried

4. V-0857 - VACATION OF A UTILITY EASEMENT ON THE WEST SIDE OF ROCK ROAD IN AN AREA NORTH OF BOSTON.

The Planning Commission recommends approval subject to any relocation or reconstruction of utilities necessitated by this vacation being at the sole expense of the applicant and all proceedings being without cost to the City, County or any utility company.

ACTION:	<i>TW</i>	Approve the request as recommended by the Metropolitan Area Planning Commission and place the ordinance on its first reading.	<i>TW</i>	
	<i>SA</i>		<i>SA</i>	<i>GO</i>
<i>West Lake</i>	<i>0</i>		<i>200,000</i>	<i>0</i>
<i>Anna</i>	<i>5,000</i>	<i>Tracy (100%) =</i>	<i>169,000</i>	<i>5000</i>
<i>3,885</i>		<i>Taft (93.7%) =</i>	<i>30,000</i>	<i>0</i>
		<i>Taft (7%) =</i>	<i>67,000</i>	<i>5000</i>
		<i>Taft (100%) =</i>		

5. S/D 77-5 - PLAT OF WESTPORT INDUSTRIAL PARK 4TH ADDITION LOCATED ON THE SOUTH SIDE OF PAWNEE BETWEEN WEST STREET AND KNIGHT STREET.

An eight-lot, residential plat containing 45.5 acres. The Planning Commission recommends approval subject to:

- 1) The applicant submitting a contingent dedication for the extension of Kessler further south should the land to the south be platted to require access to Kessler.
- 2) Recording of the plat within 30 days after approval.

ACTION: Accept the contingent street dedication, approve the petitions and instruct the Director of Law to prepare the necessary resolutions and instruct the City Clerk to file the contingent dedication and certificate with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

Taft pet - Tracy
Florence - not
Submitted

Tracy - Taft to Maple
93.7%
hearing in Jan. +

6. S/D 77-24 - PLAT OF TOWNE WEST SQUARE ADDITION LOCATED BETWEEN MAPLE AND KELLOGG AND I-235 AND TRACY STREET.

A six-lot, commercial plat containing 90 acres. The Planning Commission recommends approval subject to conditions as outlined in information provided to the Commissioners.

NOTE: All petitions being submitted are 100% except those involving Tracy and Taft. These two petitions have to be acted upon at a subsequent meeting after appropriate notice has been given.

The associated cases DP-71, Commercial C.U.P. and Z-1700, "AA" and "E" to "LC" have been approved by the Commission subject to platting.

Maple St. & I-235
Interchange

ACTION: Accept the drainage improvement and authorize the Mayor to sign, receive and file the irrevocable letters of credit, approve the petitions and instruct the Director of Law to prepare the necessary resolutions, instruct the City Clerk to file the agreement and certificate with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and approve the plat as approved by the Metropolitan Area Planning Commission, authorize the Mayor to sign and instruct the Planning Department to withhold release of the plat for recording until all conditions of the plat approval have been completed.

CIP
MS-245 Kellogg
MS-246 Maple
MS-247 West
MS-248 R/W "
TE-23 signals

736,500 GO
1,021,000 SA
25,000 other TW signal

Dev. = \$1,400,000 gross incl. Tracy & Taft
GO =
SA

6	7	8	9	10	11	12	13
RECAP OF "OFF-SITE" IMPROVEMENTS							
	DEVELOPERS COSTS	"OTHERS" COSTS	CITY OF WICHITA COSTS	R.O.W. COSTS BY CITY OF WICHITA	STATES COSTS	TOTAL COSTS	
1. KELLOGG STREET -	\$435339		(1) 214144				
2. MAPLE STREET -	443574		122252		443000	1072432	
3. WEST STREET -	152557		148577		20085	590911	
4. TRACY STREET -	280895	44620	15027		48621	349755	
5. TAFT STREET -	51072	54287			5561	346109	
					9350	114709	
SUBTOTALS	\$1368437	\$98907	\$500000	\$83617	\$443000	\$2493561	
6. FINAL OWNERS OFFER	+ 31563				< 31563 >		
TOTALS (2)	\$1400000	\$98907	\$500000	\$83617	\$411437	\$2493251	

NOTES:

(1) ADJUSTED FIGURE: $\$220,176^{00} - \$6032^{00} = \$214,144^{00}$
 (2) TOTAL DEVELOPERS COST OF $\$1,400,000^{00}$ BREAKDOWN AS FOLLOWS:

A. KELLOGG STREET	\$445377	245,000
B. MAPLE STREET	458919	463,000
C. WEST STREET	156077	156,000
D. TRACY STREET	287375	287,000
E. TAFT STREET	52250	52,000
TOTALS	\$1400000	1400,000

(3) OWNER MUST ADD IN COLUMN LINE #2, HIS ADDITIONAL SITE COSTS, I.E.

- A. PYLON SIGNS
- B. SITE LANDSCAPING
- C. SITE TESTING
- D. CONSULTANTS FEES
- E. ETC.

PUBLIC HEARING ON
AREAS "A", & "C"
SOUTHWEST INDUSTRIAL
STORM DRAINAGE
IMPROVEMENT

FEB 10 1976

Public Hearing on Areas "A" and "C" Southwest Industrial Park Storm Drainage Improvement, presented.

Following public hearings in November and December, 1975, the City Commission indicated that further consideration would be given to a storm drainage improvement in the Area "A" of the Southwest Industrial Park Storm Drainage Improvement with the developer to accept a larger share of the cost and determined not to proceed with improvements in Areas "B" and "C" as proposed.

On January 6, 1976, local officials met with Economic Development Administration in Denver and it was determined that the \$1,600,000 drainage grant could not be applied to Area "A" only, but that it could be applied to a combination of Areas "A" and "C", deleting Area "B".

Applying the federal grant funds to these two areas only would reduce the special assessment in Area "A" from \$7,200 per acre to \$5,322 per acre, and in Area "C" from \$2,837 to \$1,002 per acre.

The City Engineer will present a review of the project boundaries, proposed improvements, estimated costs, methods of financing, and methods of assessment at the time this item is considered.

Notice of this hearing has been provided to those properties in the proposed benefit district.

The City Manager recommended that the Commission approve the drainage project encompassing Areas "A" and "C", establish the method of assessment and authorize the submission of a revised grant application to secure the federal funding for Areas "A" and "C" only, deleting Area "B".

The City Manager stated that page 4 of the agenda should be corrected from Areas "A" and "B" to Areas "A" and "C".

Dick Linn, City Engineer, reviewed Areas "A" and "C" and answered questions of the City Commission.

James R. Schaefer, Attorney representing Towne West, stated that drainage was one of the conditions to be solved on their plat and he had submitted some proposals to the City Engineer which involved just the Towne West plat which would be more expensive than doing the whole area at once. He stated that the developers of Towne West were prepared to offer to pay the regular assessment on their acreage plus \$1,000 per acre on the remainder of Area "A".

Recommendation

City Manager

Dick Linn

James R. Schaefer

3008

Project	#	Initiation Date	Work Order Date	Basis of Assessment	TOTAL ESTIMATE SA.	Estimate		Actual		Temporary Financing		Statement of Cost Includes					
						Town West	Others City	Town West	Others City	Town West	Others City		TOTAL Actual				
Tracy (Tracy to Maple)	80676	4-8-80	5-13-80	F.M.C. 138,250 / 249,052	\$244,052	\$140,544	\$103,503	\$9,000	\$16,892	\$4,960	\$89,081	\$392,600	\$754	\$16,678	\$19	\$12,250	\$249,430
Tracy (Kelllogg Drive to Tracy) R.O.W.	80633	12-27-77 14-24-79	9-15-80	F.M.C. 100%	200,000	200,000	-	-	150,065	-	-	-	94 4597	23,724	-	-	173,883 4,547
Tracy (Tracy to Florence)	80677	4-9-80	5-27-80	F.M.C. 9655 / 67,831	71,000	19,103	60,897	-	9,252	-	55,770	263,100	-	1,315	-	7925	76,894
Tracy (Florence to West)	80632	4-1-80	5-27-80	F.M.C. 24,487 / 76,975	76,975	29,484	47,486	8,500	25,580	-	39,734	145,900	6094	3,494	836	5624	82,886
Maple (Tracy to Maples) Drainage Row	80643	9-4-74	12-4-74 4-7-80	percent of cost (.8914)	820,734	820,734	-	99,992	643,331	-	-	-	78,379	125,260	15,260	-	862,230
Kelllogg (Annex to Tracy)	80751	9-1-79	4-21-80	percent of cost (.5492)	152,452	152,452	-	125,126	144,340	-	-	-	118,474	25,700	21,096	-	309,615
West (Estimate)	80642	1-6-78	10-7-80	percent of cost (.5235)	219,721	219,721	-	194,945	196,312 (Est)	-	-	-	(Est) 178,688	39,262	35,738	-	459,000
Totals					1,784,935	\$1,573,053	443,623	\$1,398,226	\$1,398,226	\$181,585	558,520	256,160	76,474	-	-	-	

Statement of Cost Includes
TOTAL Actual
R 144

Town West \$1,648,386
Actual \$1,648,386
Estimate \$1,573,053

