

ACTION

*POSTED*  
*4-28-83*

DATE

COMMITTEE

M.A.P.C. *Appointed to*  
*Committee* 5-19-83

B.C.C./B. ~~CC~~.C. *Appointed a*  
*recommnded* 6-14-83

1983  
BY 2188 and 2189

Map No. 5349D  
Sec. \_\_\_\_\_  
Twp. \_\_\_\_\_  
Range \_\_\_\_\_

DATA SHEET  
COMMUNITY UNIT PLAN

AMENDED FILE #11  
DP - 23  
Filed 4-12-83

Associated  
Case: Z-2506

APPLICATION REQUEST: Approval of proposed Amendment to  
MARINA LAKES  
(Commercial) Community Unit Plan.

1. Applicant Marina Point First Ltd. Partnership Phone 832-0840  
Address 1999 Amidon, Suite 222, 67203
2. Agent Alan M. McHenry Phone 265-1872  
Address 1318 Stackman, 67203
3. General Location: Southwest corner of 21st Street and Amidon
4. Proposed Use: \_\_\_\_\_

AREA DATA:

1. Acres: 11.3 (375 ft. by 1850 ft.)
2. Existing Zoning "BB" Proposed Zoning \_\_\_\_\_
3. Area (is) (is not) platted. \_\_\_\_\_ Addition \_\_\_\_\_

HISTORY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROCEDURE DATA

1. MAPC Meeting:

Date 5-19-83 Action Approved subject to conditions

2. Governing Body

Date 6-14-83 Action Approved & recorded

NOTES:

CASE FILE

LOS ANGELES, CHICAGO, LOAN, OH  
MCKENSON, TX, LOCUST GROVE, GA  
U.S.A.

No. 2-153C

**S**  
Hastings, MN

Map No. 5349D  
 Sec. \_\_\_\_\_  
 Twp. \_\_\_\_\_  
 Range \_\_\_\_\_

DATA SHEET  
 COMMUNITY UNIT PLAN

AMENDED FILE #11  
 DP - 23  
 Filed 4-12-83

Associated  
 Case: Z-2506

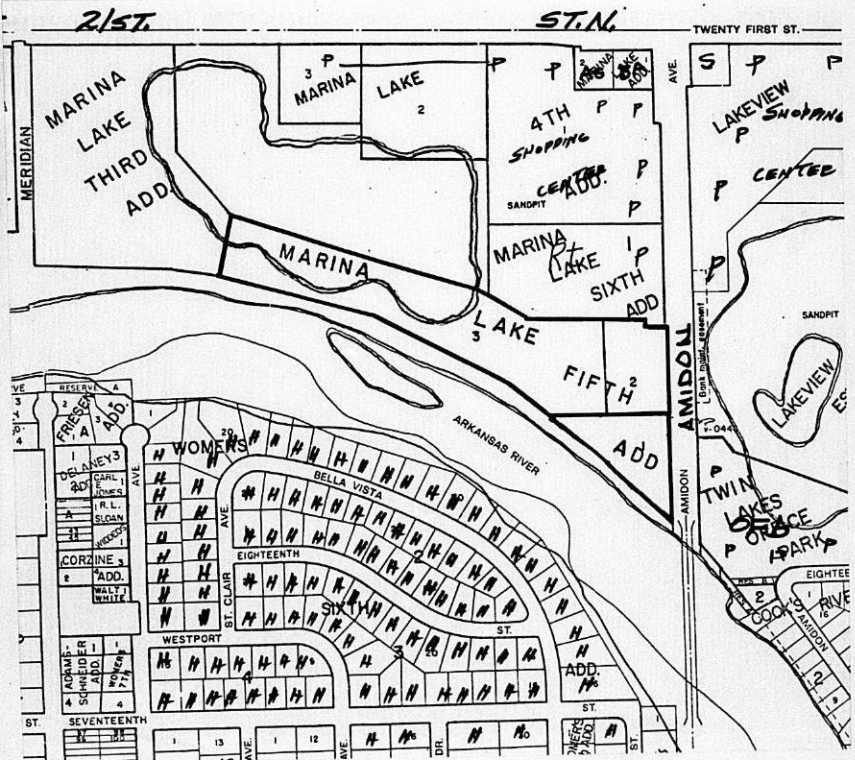
APPLICATION REQUEST: Approval of proposed Amendment to  
MARINA LAKES  
 (Residential) (Commercial) Community Unit Plan.

- Applicant Marina Point First Ltd. Partnership  
 Address 1999 Amidon, Suite 222, 67203 Phone 832-0840
- Agent Alan M. McHenry  
 Address 1318 Stackman, 67203 Phone 265-1872
- General Location: Southwest corner of 21st Street and Amidon
- Proposed Use: \_\_\_\_\_

- AREA DATA:
- Acreage: 11.3 ( 375 (IRREGULAR) ft. by 1850 ft.)
  - Existing Zoning: "BB"
  - Land Use: East LAKE South ARKANSAS RIVER  
 West ARKANSAS RIVER North SHOPPING CENTER
  - Sketch Plan Land Use is for: \_\_\_\_\_
  - Present Land Use is for: \_\_\_\_\_
  - Area (is) (is not) platted.

PHOTO DATA:  
 Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

DP-23



PICTURE SHEET

June 12, 1983

Robert E. Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

DP-23 - Marina Lakes Commercial G.U.P.  
Generally located at the southwest corner of  
21st Street and Amidon.

The Board of City Commissioners on June 14, 1983, considered the above captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- c. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Attached for your information and files are two approved copies of the C.U.P. The changes involved Parcels 6 and 8 only. If you have any questions concerning this matter, please contact our office.

Jack H. Galbraith  
Chief Planner

JHG:ADC:el  
Attachments

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF CITY COMMISSIONERSREQUEST FOR ZONING  
AND APPROVAL OF AMENDMENT TO COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. Z-2506 &amp; DP-23

CONSIDERED BY MAPC: 5-19-83

REQUEST FOR: "BB" to "OC" and approval of amendment to Parcels 6 & 8  
of the Marina Lake Commercial C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To utilize the property to its best and highest usage in  
the full range of office functions."

GENERAL LOCATION: On the west side of Amidon between the Arkansas  
River and 21st Street North.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of  
May 19, 1983)

APPLICANT: Marina Point First Ltd. Partnership, 1999 Amidon, Suite 222.

AGENT FOR APPLICANT: Alan M. McHenry, 1313 Stackman.

PROTESTORS ( LIST AGENT ) IF ANY: None

SURROUNDING ZONING: North, "AA" &amp; "LC"; East, "BB"; South, "AA"; West, "B".

LAND USE: Existing, Undeveloped and offices; North, Shopping Center and  
lake; East, Offices; South, Arkansas River; West, Apartments.

CPO RECOMMENDATION:

CPO Council Area "M" voted 8-0 to recommend approval of the  
requested zone change and commercial C.U.P. amendment.

PLANNING COMMISSION RECOMMENDATION:

That the zone change be approved and that the C.U.P. be approved  
subject to the following conditions: (See excerpt from Planning  
Commission minutes of May 19, 1983). Lofton moved, Chisholm  
it carried unanimously. Goebel was absent. One vacancy.

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ACTION: 1. Concur with the findings of fact of the Metropolitan Area  
Planning Commission and approve the zone change and CUP subject to the  
recommended conditions; place the ordinance establishing the zone change  
on first reading; or  
2. Return the applications to the Metropolitan Area Planning  
Commission for its reconsideration. The City Commission states the  
following reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 19, 1983

- 6a. Case No. Z-2506 - Marina Point First Ltd. Partnership requests zone change from "BB" to "OC" for Lot 2, Marina Lake Fifth Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Amidon, between the Arkansas River and 21st Street.
- 6b. Case No. DP-23 - Marina Point First Ltd. Partnership requests approval of amendment to the Marina Lakes Commercial Community Unit Plan for Lots 2 and 3, Marina Lake Fifth Addition to Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of 21st Street and Amidon.

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

COMMENTS:

1. The following should be considered by the Planning Commission in making findings of fact:

In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the Marina Lake Residential and Commercial C.U.P. The proposed changes involve only Parcels 6 and 8 which are located on the west side of Amidon, along the north side of the Arkansas River. Changes to Parcel 6 included rezoning the area north of the private drive to the "OC" Office Commercial district to include those offices, studios, and medical facilities permitted in the "OC" Office Commercial district but not in the "BB" Office District. Maximum floor area, building height, parking ratio and other development controls have not been changed.

The maximum number of dwelling units permitted in Parcel 8 would increase from 145 to 198 dwelling units. Proposed density would be 22 dwelling units per acre. The only other change to Parcel 8 would permit one building to be constructed to a height of 60'. Maximum height for the other buildings would be 40'. Setbacks, parking ratios, access and other development controls are to remain the same as approved in 1981.

No changes are proposed for the balance of the parcels in the C.U.P. The zoning policy for this area states that requests for additional "LC" or heavier zoning classification in the area of the Amidon and 21st Street North intersection would not be looked upon with favor.

2. As the building on the north half of Parcel 6 was being constructed, staff noticed a sign advertising the opening of a dance studio/exercise facility. The applicant's agent was informed that a dance studio/exercise facility was not a permitted use in the "BB" District. On March 30, 1983, the Central Inspection Division informed the applicant's agent that the physical fitness business currently operating in the north building was in violation of the building code and zoning ordinance. The owners of the building were given ten days to either remove the physical fitness business or to submit application for rezoning and amending the C.U.P.

As a result of that letter, an application to rezone the northern portion of Parcel 6 to the "OC" district, the first district that permits dance studios, was submitted. Central Inspection has indicated that the existing physical fitness business would be considered as a dance studio. The amendment

to the C.U.P. does not include, as proposed uses, those commercial uses permitted in the "OC" district.

3. It should be pointed out that, if "OC" is established, future individual leases will be restricted to 5,000 square feet unless the BZA approves an exception as provided in Section 28.04.085. D(1). Staff has been informed that currently there is a business leasing 7,000 square feet. That business will become a legal nonconforming use when the "OC" district is established.
4. When the amendment to Parcel 6 was considered in 1981 staff felt that "BB" zoning for Parcel 6 would be appropriate for the area. Staff also felt that development of this site would be beneficial for the area as well as reducing the pressures for additional "LC" zoning. Now that the building has been constructed staff feels that a slight expansion in the permitted uses would not create any additional adverse impacts. However, staff also feels that the permitted use list should not be expanded to include commercial activities in the future.
5. In regard to the proposed changes to Parcel 8, the applicant's agent has advised that the fill in this area is of such poor quality that the site must be excavated and refilled with better soil. As a result of the expense of replacing the soil, the number of dwelling units needs to be increased to make the project economically feasible, according to the applicant's agent. The Traffic Engineer has indicated that the existing drive through Parcel 6 to Amidon can adequately handle the increased traffic.

The only other change proposed for Parcel 8 is a request to construct one building to a maximum of 60'. All other buildings would be restricted to 40'. In view of the distance to single-family areas, staff would concur in the request.

6. Should the Planning Commission determine that the proposed CUP is appropriate, the following are recommended conditions of approval:
  - a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
  - b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
  - c. The transfer of title of all or any portion of the land included within the Community Unit Plan (CUP) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial, office and residential development and be binding upon the present owners, their successors and assigns, unless amended.

CHAMBERS pointed out that if "OC" is established, that there was one existing lease with 7,000 square feet which it will become a legal nonconforming use. In addition, the "OC" District height limitation is 35 feet but the existing building is 39 feet high, and will become a nonconforming use also. The retail uses permitted in the "OC" District would not be permitted on this site. CHAMBERS said that the rezoning would permit uses such as dance studios, photography studios, etc., that are not permitted in the "BB" District.

CHAMBERS advised that Traffic Engineering has indicated that the existing drive was adequately sized to handle the traffic from the increased number of dwelling units as well as the other uses in the office buildings.

CHAMBERS said that in addition to the increase in the number of dwelling units they want to construct one building to a maximum height of 60 feet. The other buildings would be restricted to 40 feet in height.

CHAMBERS pointed out that CPO Council Area "M" recommended unanimously, 8-0, to approve the applications.

WILSON commented that Parcel 8 has been cut down considerably from the original size.

CHAMBERS stated that originally Parcel 8 was included in a Parcel with the apartments on the west, and the last time it was amended they created a new parcel based on new ownerships.

WILSON asked if any of the other parcels would be changed.

CHAMBERS said not with this amendment.

WILSON asked if there was adequate parking around the second structure that was being proposed.

CHAMBERS said that when the building permit was obtained, the applicants would have had to show that they had adequate parking.

ALAN McHENRY, architect for the applicant, stressed that they were only asking for the office uses permitted in "OC". They are not asking for any of the commercial uses. He said in answer to Wilson's question, there was adequate parking on both sides of the drive. They actually have the best parking ratio of any office building in Wichita.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the commercial character of the area; the "LC" uses and zoning to the north and east; the river to the south; the recommendation of approval by CPO Council Area "M" and the recommendation of staff; I move that we recommend to the governing body that the zone change request be approved; and that the Community Unit Plan be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- c. The transfer of title of all or any portion of the land included within the Community Unit Plan (CUP) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial, office and residential development and be binding upon the present owners, their successors and assigns, unless amended.

Lofton moved, Chisholm seconded.

WILSON stated that there was a business in there that was leasing 7,000 square feet that would become nonconforming if that one parcel was changed to "OC". He asked if they were going to have to vacate the premises, or what would be done about that.

GALBRAITH said it was pointed out that the business occupies more space than the "OC" District would permit, and that they could continue as a legal nonconforming use.

VOTE ON THE MOTION: It carried unanimously. Goebel was absent. One vacancy.

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May 20, 1983

Mr. Alan M. McHenry  
1318 Stackman  
Wichita, Ks. 67203

Re: Z-2506 & DP-23 - "BB" to "OC"

Dear Mr. McHenry:

At its regular meeting on May 19, 1983, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend that the zone change be approved and that the C.U.P. be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- c. The transfer of title of all or any portion of the land included within the Community Unit Plan (CUP) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial, office and residential development and be binding upon the present owners, their successors and assigns, unless amended.

Please submit 10 copies of the C.U.P. to our office by June 3, 1983 so that subject cases can be scheduled for consideration by the Board of City Commissioners at their regular meeting on June 14, 1983. This meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning Items are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG:sd

cc: Marina Point First Ltd., 1999 Amidon, Suite 222, Wichita 67203

**THE CITY OF WICHITA**  
OFFICE OF CITIZEN PARTICIPATION

DATE May 19, 1983

**TO** Jack Galbraith, Chief Planner, Current Plans

**FROM** Stan Scott, Administrative Aide III

**SUBJECT** Z-2506/DP-23: West side of Amidon  
between the Arkansas River and  
21st Street

On Wednesday, May 18th, CPD Neighborhood Council "M" considered the captioned case, a request for a zone change from "BB" Office District to "OC" Office Commercial and amendment to the Marina Lake Commercial Community Unit Plan. The Council voted 8-0 to recommend approval of the requested zone change and commercial community unit plan amendment subject to staff comments.

Alan McHenry and Gene Baker appeared before the Council as representatives of the applicants, Marina Point First Ltd. Partnership, to explain the requested zone change and commercial community unit plan amendments. No area residents or property owners appeared before the Council regarding the request. Council members were provided the notice to adjoining property owners, a map of the area, and MAPD staff comments.

Please provide the Council's recommendation to the MAPC and City Commission when Z-2506/DP-23 is considered.



Stan Scott  
Administrative Aide III

**RECEIVED**

MAY 19 1983

METROPOLITAN PLANNING

ROUTE

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 5-19-83

CASE NO: Z-2506  
DP-23

REQUEST: "BB" to "OC"  
Approval of amendment to  
Parcels 6 and 8 of the  
Marina Lake Commercial C.U.P.

LOCATION: On the west side of Amidon between the Arkansas River & 21st  
Street North.

REASON: To utilize the property to its best and highest usage in the full  
range of office functions.

|               |                |     |              |                          |
|---------------|----------------|-----|--------------|--------------------------|
| <u>ACRES:</u> | Z-2506         | 2.2 | <u>SIZE:</u> | 250' x 375'              |
|               | DP-23 Parcel 6 | 4.5 |              | 250' x 700' (irregular)  |
|               | Parcel 8       | 9.0 |              | 225' x 1775' (irregular) |

|          | <u>LAND USE</u>          | <u>ZONING:</u> |
|----------|--------------------------|----------------|
| Existing | Undeveloped and offices  | "B" and "BB"   |
| North    | Shopping Center and lake | "AA" & "LC"    |
| East     | Offices                  | "BB"           |
| South    | Arkansas River           | "AA"           |
| West     | Apartments               | "B"            |

Street right-of-way is adequate.

PLATTED: Yes

HISTORY: DP-23 - Marina Lake C.U.P. was originally approved in 1967. Since  
that time there have been 10 proposed amendments involving 45 MAPC and BCC  
hearings. The last amendment was approved by the BCC on May 5, 1981 and  
involved only Parcels 6 and 8.

COMMENTS:

1. The following should be considered by the Planning Commission in  
making findings of fact:

In compliance with Section 28.04.190 of the Code of the City of  
Wichita, an application has been submitted requesting approval of  
an amendment to the Marina Lake Residential and Commercial C.U.P.  
The proposed changes involve only Parcels 6 and 8 which are located  
on the west side of Amidon, along the north side of the Arkansas  
River. Changes to Parcel 6 included rezoning the area north of the  
private drive to the "OC" Office Commercial district to include those  
offices, studios, and medical facilities permitted in the "OC" Office  
Commercial district but not in the "BB" Office District. Maximum  
floor area, building height, parking ratio and other development  
controls have not been changed.

The maximum number of dwelling units permitted in Parcel 8 would  
increase from 145 to 198 dwelling units. Proposed density would be  
22 dwelling units per acre. The only other change to Parcel 8 would  
permit one building to be constructed to a height of 60'. Maximum  
height for the other buildings would be 40'. Setbacks, parking ratios,  
access and other development controls are to remain the same as  
approved in 1981.

No changes are proposed for the balance of the parcels in the C.U.P.

The zoning policy for this area states that requests for additional  
"LC" or heavier zoning classification in the area of the Amidon and  
21st Street North intersection would not be looked upon with favor.

2. As the building on the north half of Parcel 6 was being constructed,  
staff noticed a sign advertising the opening of a dance studio/  
exercise facility. The applicant's agent was informed that a dance

studio/exercise facility was not a permitted use in the "BB" District. On March 30, 1983, the Central Inspection Division informed the applicant's agent that the physical fitness business currently operating in the north building was in violation of the building code and zoning ordinance. The owners of the building were given ten days to either remove the physical fitness business or to submit application for rezoning and amending the C.U.P.

As a result of that letter, an application to rezone the northern portion of Parcel 6 to the "OC" district, the first district that permits dance studios, was submitted. Central Inspection has indicated that the existing physical fitness business would be considered as a dance studio. The amendment to the C.U.P. does not include, as proposed uses, those commercial uses permitted in the "OC" district.

3. It should be pointed out that, if "OC" is established, future individual leases will be restricted to 5,000 square feet unless the BZA approves an exception as provided in Section 28.04.085.D(1). Staff has been informed that currently there is a business leasing 7,000 square feet. That business will become a legal non-conforming use when the "OC" district is established.
4. When the amendment to Parcel 6 was considered in 1981 staff felt that "BB" zoning for Parcel 6 would be appropriate for the area. Staff also felt that development of this site would be beneficial for the area as well as reducing the pressures for additional "LC" zoning. Now that the building has been constructed staff feels that a slight expansion in the permitted uses would not create any additional adverse impacts. However, staff also feels that the permitted use list should not be expanded to include commercial activities in the future.
5. In regard to the proposed changes to Parcel 8, the applicant's agent has advised that the fill in this area is of such poor quality that the site must be excavated and refilled with better soil. As a result of the expense of replacing the soil, the number of dwelling units needs to be increased to make the project economically feasible, according to the applicant's agent. The Traffic Engineer has indicated that the existing drive through Parcel 6 to Amidon can adequately handle the increased traffic.

The only other change proposed for Parcel 8 is a request to construct one building to a maximum of 60'. All other buildings would be restricted to 40'. In view of the distance to single-family areas, staff would concur in the request.

6. Should the Planning Commission determine that the proposed CUP is appropriate, the following are recommended conditions of approval:
  - a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
  - b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
  - c. The transfer of title of all or any portion of the land included within the Community Unit Plan (CUP) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial, office and residential development and be binding upon the present owners, their successors and assigns, unless amended.

April 13, 1983

Robert B. Feldner, Superintendent of Central Inspection  
Paul Graves, Chief Engineer  
Mike Lindebak, Program Development Engineer

Arthur D. Chambers, Senior Planner

DP-23 - Marina Lakes Commercial C.U.P. Generally located  
at the southwest corner of 21st Street and Amidon.

Attached for your review and comment is a copy of a proposed amendment to the above referenced C.U.P. The proposed amendment affects Parcels 6 and 8 only. Changes to Parcel 8 include an increase from 145 du's to 198 du's and an increase in height for one building. The proposed changes for Parcel 6 involve the rezoning of the northern portion to "OC" in order to permit a dance/exercise studio. No changes are proposed on the balance of the C.U.P.

We would appreciate receiving your comments by Thursday, April 21. If you have any questions please call.

Arthur D. Chambers, AICP  
Senior Planner

Attachment

# THE CITY OF WICHITA



DEPARTMENT OF HOUSING AND  
ECONOMIC DEVELOPMENT  
CENTRAL INSPECTION DIVISION  
CITY HALL - SEVENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

RECEIVED  
MAR 30 1983  
METROPOLITAN PLANNING  
ROUTE  *East*  *Filani*  
*Marina file*  
*CUP*

March 30, 1983

Alan McHenry, Architect  
1318 Stackman  
Wichita, KS 67203

Dear Mr. McHenry:

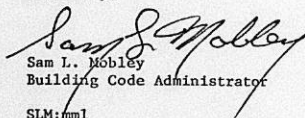
Re: Marina Point Office Building - 1999 Amidon

As of this date, the physical fitness business is still operating in subject building in violation of the building code and zoning ordinance.

This letter shall serve as official notice to either vacate the space used for other than office or submit applications for an amendment of the CUP within ten days.

If a resolution of this violation cannot be reached, the undersigned, in the discharge of assigned responsibility, must initiate legal action.

Sincerely,

  
Sam L. Mobley  
Building Code Administrator

SLM:pm1

cc: Gene Baker Construction Company, 1999 Amidon  
Elan Aerobic Center, Suite 210, 1999 Amidon  
Don E. Anderson, Director of Housing & Economic Development  
Jack Galbraith, Metropolitan Area Planning Department

SUPERINTENDENT OF CENTRAL INSPECTION ..... 268-4460  
BUILDING CODE ENGINEER ..... 268-4468  
PLAN EXAMINATION ..... 268-4477

HOUSING ..... 268-4481  
ZONING ..... 268-4479  
SIGNS ..... 268-4475

BUILDING & CONSTRUCTION ..... 268-4461  
PLUMBING & MECHANICAL ..... 268-4471  
ELECTRICAL & ELEVATOR ..... 268-4465

Z-2506)  
& ) 127 "Notice to Adjoining Property Owners" mailed 5-5-83 for  
✓ DP-23 ) the MAPC meeting for 5-19-83

1 Including maps to CPO Office  
1 (zone case) to Yash Desai, Acting Sanitary Sewer Engineer

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129 TOTAL

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

May 5, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, May 19, 1983, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for amendment to the MARINA LAKE COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-23

Lots 2 and 3, Marina Lake Fifth Addition to Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of 21st Street and Amidon.

The Development Plan of this area, originally approved on April 4, 1967, and last amended on May 5, 1981, has been resubmitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes to include offices, dance studios, etc., as permitted uses on the northern portion of Parcel 6. The southern portion would be restricted to office uses. Associated zone case Z-2506 is requesting "OC" zoning on the northern portion of Parcel 6. The only other change being made to the C.U.P. is an increase from 145 dwelling units in Parcel 8 to 198 dwelling units. Setbacks, building height, and other information relating to future development is shown on the plan.

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

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

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

Robert A. Lakin  
Secretary

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

May 5, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a zoning change in your area and on property legally described below. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support or in opposition to this request. If you have no interest or objection to the requested change, you have no obligation to appear or comment. If you desire to appear at the MAPC meeting, you are invited to do so, either in person or by agent or attorney.

The MAPC will consider the following case at its meeting in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, beginning at 1:30 p.m., on ~~May 19, 1983~~.

CASE NO. Z-2506

Zone Change from the "BB" Office District  
to the "OC" Office Commercial District

Lot 2, Marina Lake Fifth Addition to Wichita,  
Sedgwick County, Kansas. Generally located  
on the west side of Amidon, between the  
Arkansas River and 21st Street.

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

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

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

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

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

Robert A. Lakin  
Secretary

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" One-Family Dwelling District  
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" Two-Family Dwelling District  
Permits two-family dwellings and uses permitted in "AA".
- "RB" Four-Family Dwelling District  
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "R-5" General Residence District  
Permits multiple-family dwellings at a density of 17.4 dwelling units per acre; off-street parking areas; and uses permitted in "A".
- "R-6" General Residence District  
Permits multiple-family dwellings at a density of 29 dwelling units per acre, and all uses permitted in "R-5".
- "B" Multiple-Family Dwelling District  
Permits multiple dwellings; off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" Office District  
Permits apothecaries, clinics, hospitals; medical, business and professional offices; hotels and motels under certain conditions; and all residential uses.
- "OC" Office Commercial District  
Permits offices; limited retail and service uses operated within a building; and residential uses as permitted in "R-5".
- "LC" Light Commercial District  
Permits all purely retail businesses conducted within enclosed buildings; service stations; all residential and office uses.
- "C" Commercial District  
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" Central Business District  
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" Light Industrial District  
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" Heavy Industrial District  
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District  
Permits mobile home parks, mobile home subdivisions and associated uses.
- "U" University District  
Permits Universities, Colleges, Seminaries and other institutions of learning and related uses.

5349D

Assoc Z-2506

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

Amendment # 11  
DP 23 MARINA LAKES  
COMMERCIAL  
7203  
MAP  
MAY 19  
MAP  
5349D

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.
  - a. Applicant  MARINA POINT FIRST LTD. PARTNERSHIP  
 Address 1999 Amidon, Suite 222 67203 Phone 832-0840  
 Agent  Alan M. McHenry  
 Address 1318 Stackman 67203 Phone 265-1872
  - b. Applicant \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Agent \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_
  - c. Applicant \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Agent \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_

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

2. a. The applicant hereby requests Community Unit Plan approval on property zoned BB and legally described as Lot(s) 2 & 3, Block(s) n/a, MARINA LAKE FIFTH Addition.

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

*un pa legal -> I need to work up legal*  
N AA, A & 1C (CUP)  
S ARKANSAS RIVER  
E BB & 1C (CUP)  
W AA & B

2. b. There are 11.3 acres (round to nearest tenth) in the above described property.

3. The general location is (use appropriate section)

OK

a. at the southwest corner of twenty-first  
and Amidon; or

b. on the \_\_\_\_\_ side of \_\_\_\_\_ (Avenue,  
Street) between \_\_\_\_\_ (Avenue, Street) and  
\_\_\_\_\_ (Avenue, Street).

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

Gene L. Baker  
By \_\_\_\_\_ Authorized Agent (if any) By \_\_\_\_\_ Authorized Agent (if any)

By \_\_\_\_\_ Authorized Agent (if any) By \_\_\_\_\_ Authorized Agent (if any)

5. OFFICE USE ONLY

This application was received at the Planning Department at 3:20  
(AM, PM) on 4-12-83 (Day, Month, Year). It has been  
checked and found to be complete and accompanied by required documents and  
the appropriate fee of \$ 200.

Scott D. Clarke Name  
Sr. Planner Title

22506  
DP-23

OWNERSHIP LIST

| Lot   | Block | Addition                 | Property Owner  |
|---|-------|--------------------------|---|
| 1   | -     | Marina Lake Addition     | ✓ Mid Kansas Federal Savings and Loan Association, 230 S. Market, 67202   |
| 2   | -     | "                        | X Kiser, Inc., <sup>682-3337 disconnect</sup> <del>Address Unknown</del>  |
| 1   | -     | Marina Lake 3rd Addition | ✓ Riverbend Associates Ltd., 3303 Lee Parkway, Dallas, Texas, 75219<br>AND<br>✓ Monarch Riverbend Partners Ltd., Suite 160, 1000 Quail, Newport Beach, California, 92660 (notice of interest in property filed) |
| 1 beg. at the NW corner; then south along the west line 175 ft.; then east 339.74 ft. to the SW corner of lot 2 Marina Lake Addn.; then north along lot line common to said Lot 2 in Marina Lake Addn. and said Lot 1 in Marina Lake 4th Addn. 165 ft. to the north line of said Lot 1; then west to beg. | -     | Marina Lake 4th Addition | X Clear Lake Inc., Address Unknown <sup>794-2964 no and no address listed in phone book or cross-reference for phone number (What is in Marina Lake Shopping Center)</sup>                                      |
| 1 except that part described immediately above  | -     | "                        | ✓ Midwest Properties Inc., c/o Robert Poley, 35 Essex St., Hackensack, New Jersey (improvements only) 07401<br>AND<br>D Clear Lake Inc., Address Unknown (land only)  |
| 2   | -     | "                        | ✓ Clear Lake Inc., Address Unknown  |
| East 112 ft. of the north 200 ft. of 3  | -     | "                        | ✓ Colortile Supermart Inc., 2211 W. 21st St., 67203   |
| 3 exc. the east 112 ft. of the north 200 ft.  | -     | "                        | ✓ Harry D. Bledsoe, 11800 W. Highway 54, 67209<br>AND<br>✓ Resthaven Gardens of Memory Inc., 11800 W. Highway 54, 67209<br>AND<br>✓ Victor B. Eisenring, 4700 W. 21st St., 67212                                |
| 1   | -     | Marina Lake 5th Addition | ✓ Marina Point <u>Second</u> Limited Partnership, Suite 222, 1999 Amidon, 67203   |
| 2   | -     | "                        | ✓ Marina Point <u>First</u> Limited Partnership, Suite 222, 1999 Amidon, 67203  |

| <u>Lot</u>  | <u>Block</u> | <u>Addition</u>           | <u>Property Owner</u>   |
|---|--------------|---------------------------|---|
| 3   | -            | Marina Lake 5th Addition  | ✓ Marina Point Phase III Joint Venture, Suite 222, 1999 Amidon, 67203   |
| 1   | -            | Marina Lake 6th Addition  | ✓ Midwest Properties, Inc., c/o Robert Poley, 35 Essex St., Hackensack, New Jersey (improvements only)<br>AND<br>✓ Clear Lakes, Inc., Address Unknown |
| 1   | -            | Indian Hills 4th Addition | ✓ H. Marvin Bastian, 62 Norfolk Dr., 67206<br>AND<br>Frank M. Kessler (Deceased)  |
| 1   | 1            | Lester Turley Addition    | ✓ Leonard C. Cumley & Peggy L. Cumley, 3915 Cornelison, 67203   |
| 3   | 1            | "                         | ✓ Richard L. Ruddell & Sherry L. Ruddell, 1949 N. Meridian, 67203   |
| 4   | 1            | "                         | ✓ Marsha Robinson, 1945 N. Meridian, 67203  |
| 22, 24, 26 & 28   | B            | Victoria Park Addition    | ✓ George R. Delaney & Marlene K. Delaney, 1941 N. Meridian, 67203   |
| South 18 ft. of 33, all of 35, 37 & 39, and the north 6 ft. of 41 | A            | "<br><i>See new list</i>  | ✓ Allen Lavern Nance & Judy A. Nance, 1922 N. Meridian, 67203   |
| 1   | A            | Friesen Addition          | ✓ Clifford T. Vice & Cherylen K. Vice, 1946 N. Meridian, 67203  |
| 2   | A            | "                         | ✓ Robert L. Clough & Viola A. Clough, 1950 N. Meridian, 67203   |
| 3 & 4   | A            | "                         | ✓ Laverna T. Shaw, 1959 N. Sedgwick, 67203  |
| 1 & 2   | -            | Delaney Addition          | ✓ Oren Delaney & Winifred F. Delaney, 1942 N. Meridian, 67203   |
| 3   | -            | "                         | ✓ James L. Pickett & Marjorie M. Pickett, 1947 N. Sedgwick, 67203   |
| 1   | -            | Carl E. Jones Addition    | ✓ Carl E. Jones & Katherine I. Jones, 1929 N. Sedgwick, 67203   |

| <u>Lot</u> | <u>Block</u> | <u>Addition</u>                | <u>Property Owner</u>   |
|------------|--------------|--------------------------------|---|
| 1          | -            | R.L. Sloan<br>Addition         | ✓ Ronald L. Sloan & Kathie J.<br>Sloan, 1921 N. Sedgwick,<br>67203  |
| 1          | -            | Widdeos Addition               | ✓ Elven V. Widdoes & E. Bernice<br>Widdoes, 1911 N. Sedgwick,<br>67203  |
| 15         | 11           | Benjamin Hills<br>2nd Addition | X Henry Y. Geen & Jayne L.<br>Geen, <u>Address Unknown</u>  |
| 4          | 12           | "                              | ✓ Barbara Holt Castro, 2420<br>Benjamin, 67204  |
| 5          | 12           | "                              | ✓ Administrator of Veterans<br>Affairs, 901 George Washing-<br>ton Blvd., 67211   |
| 6          | 12           | "                              | ✓ Arthur P. Arteaga a/k/a Arthur<br>Peter Arteaga & Armida H.<br>Arteaga, 2207 N. Richmond,<br>67204  |
| 7          | 12           | "                              | ✓ Emmet E. Hall & Lois Hall,<br>2364 Cardinal Dr., 67204  |
| 5          | 13           | "                              | ✓ Clifford R. Muhlenbruch &<br>Ruth D. Muhlenbruch, 2228<br>N. Richmond, 67204  |
| 6          | 13           | "                              | <i>Relay</i><br>Administrator of Veterans<br>Affairs, 901 George Washing-<br>ton Blvd., 67211   |
| 7          | 13           | "                              | ✓ Rex A. Hughes & Marsha J.<br>Hughes, 2208 N. Richmond,<br>67204   |
| 8          | 13           | "                              | ✓ Clinton D. Kliewer & Denise<br>A. Kliewer, 2209 Marigold,<br>67204  |
| 9          | 13           | "                              | ✓ George E. Crockett & Vera<br>Jean Crockett, 2219 Marigold,<br>67204   |
| 10         | 13           | "                              | ✓ Everett J. Dean & Anna L.<br>Dean, 2229 Marigold, 67204   |
| 2          | 14           | "                              | ✓ Charles E. Pauler & Alma L.<br>Pauler, 2222 Marigold, 67204   |
| 3          | 14           | "                              | ✓ Granville B. Summitt & Judith<br>A. Summitt, 2206 Marigold,<br>67204  |
| 4          | 14           | "                              | ✓ Anna McLean, 2359 McLean<br>Blvd. NW, 67204   |
| 5          | 14           | "                              | X Norman E. Allerheiligen &<br>Dorothy W. Allerheiligen,<br><u>Address Unknown</u><br>AND<br>✓ Mid Continent Homes, 928 S.<br>Broadway, 67211 (notice of<br>interest in property filed) |

| <u>Lot</u>  | <u>Block</u> | <u>Addition</u>                                   | <u>Property Owner</u>   |
|---|--------------|---|---|
| Part of Block 16 in Benjamin Hills 2nd Addn. & part of Lot 3 in Sweetbriar Addn. beg. at the SW corner of Block 16; then east 150 ft.; then north at right angles 184 ft.; then west to the west line of Lot 3; then swly along the west lines of Lot 3 & Block 16 to beg.                                      | -            | Benjamin Hills 2nd Addition & Sweetbriar Addition | ✓ Reiss & Goodness Inc., 2160 W. 21st St., 67203<br>AND<br>✓ Rage, a Partnership, 2160 W. 21st St., 67203 |
| Part of 3 beg. at the NW corner; then east 346.76 ft. to the NE corner; then south 300 ft. to the SE corner; then west 325.2 ft. to the SW corner; then north to a pt. which is 116 ft. south of the north line of Lot 3; then west to the east line of Sweetbriar Lane; then nely along said east line to beg. | A            | Sweetbriar Addition                               | ✓ Don S. Peters, 285 S. Dellrose, 67218<br>AND<br>✓ Walter W. Jones, 4807 E. Waterman, 67218              |
| 1   | 1            | Cook's River Ranch Addition                       | ✓ Vic Cheng-I Shen & Jacqueline Shen, 2628 Cornelison, 67203  |
| 2   | 1            | "   | ✓ Everett C. Moss & Delpha A. Moss, 1827 W. 18th St., 67203   |
| 3   | 1            | "   | ✓ Wayne M. Armstrong & Zelma D. Armstrong, 1809 W. 18th St., 67203  |
| 4   | 1            | "   | ✓ Robert L. Whitesell & Alta L. Whitesell, 1805 W. 18th St., 67203  |
| 5   | 1            | "   | ✓ Jim B. Fulbright, 1855 Woodrow Ct., 67203   |
| 6 exc. the south 1 ft.  | 1            | "   | ✓ Harlan B. Dixon & Phyllis J. Dixon, 1845 Woodrow Ct., 67203   |
| South 1 ft. of 6 & all of 7   | 1            | "   | ✓ Robert H. Jackson & Dorothy E. Jackson, 1835 Woodrow Ct., 67203   |
| 13  | 1            | "   | ✗ Tom A. Fowler & Ingri L. Fowler, <u>Address Unknown</u>   |
| 14  | 1            | "   | ✓ Phillip R. Purinton & Patricia A. Purinton, 1832 Lisa Lane, 67203                                       |

| <u>Lot</u> | <u>Block</u> | <u>Addition</u>               | <u>Property Owner</u>   |
|------------|--------------|-------------------------------|---|
| 15         | 1            | Cook's River Ranch Addition ✓ | Albert H. Nelson III & Patricia Ann Nelson, 1836 Lisa Lane, 67203 |
| 16         | 1            | " ✓                           | David J. Hanson & Cynthia L. Hanson, 1840 Lisa Lane, 67203        |
| 2 & 3      | 2            | " ✓                           | Arlene V. Root, 1847 Lisa Lane, 67203                             |
| 4 & 5      | 2            | " X                           | C.W. Bragg Co. Inc., Address <u>Unknown</u>                       |
| 6          | 2            | " ✓                           | James H. Lange & Zelma I. Lange, 1833 Lisa Lane, 67203            |
| 7          | 2            | " ✓                           | Christine J. Cleary, 1829 Lisa Lane, 67203                        |

Part of Block 1, Lakeview Estates and all of Lot 1 and part of Lots 2 and 6, Block A, Lakeview Estates 2nd Addn., described as beg. at a pt. 126.7 ft. west of the NE corner of said Block 1; then west 640.29 ft.; then south 158.71 ft.; then west 158.71 ft. to the west line of said Block 1; then south along the west line of said Block 1 and said Lot 6 in Block A, 1348.07 ft. to the lot corner common to said Lots 5 and 6 in Block A; then east parallel with the lot line common to said Lots 5 and 6 in Block A, 98 ft.; then north parallel with the west line of said Lot 6 in Block A, 487 ft. more or less to the south line of said Lot 2 in Block A extended west; then east along said south line extended 1000 ft. more or less to a pt. 375 ft. west of the SE corner of said Lot 2 in Block A; then north parallel with the east line of said Lot 2 in Block A, 265.55 ft. to the north line of said Lot 2 in Block A; then west 143.84 ft.; then north along the east line of said Lot 2 and Lot 1 in Block A and said Block 1, 587.36 ft. to a pt. 125 ft. south of the NE corner of Block 1; then west parallel with the north line of said Block 1 129.33 ft.; then north 125 ft. to beg.

Lakeview Estates Addition & Lakeview Estates 2nd Addition ✓

Lakeview Development Co., c/o Ritchie Paving, 1900 Amidon, 67203

AND  
Regis Homes Inc., Address Unknown (escrow agreement) X

| <u>Lot</u>  | <u>Block</u> | <u>Addition</u>   | <u>Property Owner</u>  |
|---|--------------|---|--|
| Lot 2, Twin Lakes Office Park & that part of Lots 2, 3, 4 and 6, Lakeview Estates 2nd Addition, & part of Lot 1, Twin Lakes Office Park described as beg. at the NE corner of said Lot 2, Block A, in Lakeview Estates 2nd Addn.; then south along the east line of lots 2 and 3 in Block A to the SE corner of Lot 3 in Block A; then west along the south line of lots 3 & 4 in Block A to the SE corner of Lot 1 in Twin Lakes Office Park; then west along the south line of said Lot 1, 335.06 ft. to the pt. of curvature of a curve to the left, having a radius of 60 ft.; then swly along said curve 73.86 ft. to the NE corner of Reserve B in Twin Lakes Office Park; then west 159.3 ft. more or less to the NW corner of Reserve B; then nwly along the swly line of Lot 1 66.42 ft.; then nely with a deflection angle to the right of 80°06'30" 270 ft.; then northerly with a deflection angle to the left of 26°27'20" 81.95 ft.; then nely with a deflection angle to the right of 26°27'20" 106.49 ft. to the north-east line of Lot 1; then nwly and northerly along the northeast line of Lot 1 298.93 ft. to a pt. 98 ft. east of the west corner common to Lot 1 and Lot 6, Block A; then north, 98 ft. east of and parallel with the west line of said Lot 6, Block A, 487 ft. more or less to the south line of said Lot 2, Block A, extended west; then east along said south line extended, 1000 ft. more or less to a pt. 375 ft. west of the SE corner of Lot 2, Block A; then north parallel with the east line of Lot 2, Block A, 265.55 ft. to the north line of Lot 2, Block A; then east along said north line to the pt. of beg., except that part included in Twin Lakes, a condominium |              | Lakeview Estates 2nd Addition & Twin Lakes Office Park Addition | ✓ Foxborough, a general partnership, 1884 The Alameda, San Jose, California, 95126 |
| 1 except that -<br>part thereof<br>described<br>immediately<br>above  |              | Twin Lakes Office<br>Park                                       | ✓ Lakeview Development Co., c/o<br>Ritchie Paving, 1900 Amidon,<br>67203           |

| <u>Lot</u>  | <u>Block</u> | <u>Addition</u>      | <u>Property Owner</u>   |
|---|--------------|----------------------|---|
| 1 beg. at the front corner common to lots 1 & 2; then nely along line common to lots 1 & 2 125 ft.; then swly to a pt. on the front line of lot 1, 1.5 ft. nwly from pt. of beg.; then swly 1.5 ft. to beg. | 1            | Womer's 6th Addition | ✓ Donald L. Miller & Johnita D. Miller, 1950 N. Sedgwick, 67203     |
| 1 exc. that part described immediately above  | 1            | "                    | ✓ Hubert L. Edwards & Virginia C. Edwards, 1958 N. Sedgwick, 67203  |
| 2 exc. the south 2 ft.  | 1            | "                    | D Donald L. Miller & Johnita D. Miller, 1950 N. Sedgwick, 67203     |
| South 2 ft. of 2 & all of 3   | 1            | "                    | ✓ Charles A. Beattie & Margaret R. Beattie, 1940 N. Sedgwick, 67203 |
| 4 & the north 25 ft. of 5   | 1            | "                    | ✓ Thomas D. Beard & Ruth Ann Beard, 1930 N. Sedgwick, 67203         |
| South 50 ft. of 5, & the north 50 ft. of 6  | 1            | "                    | ✓ Ralph G. Twyman & Wilma R. Twyman, 1920 N. Sedgwick, 67203        |
| South 25 ft. of 6, & 7 exc. the south 4 ft.   | 1            | "                    | ✓ Cecil M. Gleason & Frances L. Gleason, 1912 N. Sedgwick, 67203    |
| South 4 ft. of 7  | 1            | "                    | ✓ Robert J. Kernohan & Beverly J. Kernohan, 1902 N. Sedgwick, 67203 |
| 8   | 1            | "                    | ✓ Woodland United Methodist Church, 1606 Payne, 67203               |

| <u>Lot</u>  | <u>Block</u> | <u>Addition</u>           | <u>Property Owner</u>  |
|---|--------------|---------------------------|--|
| 15 & the south 10 ft. of 16   | 1            | Womer's 6th Addition      | ✓ Marc L. Webb & Gwen D. Webb, 1901 N. St. Clair, 67203                          |
| North 3 ft. of 16, & lot 17 exc. beg. at the NE corner; then west to the NW corner of said lot; then south along rear line of said lot 1 ft.; then east to beg.   | 1            | "                         | ✓ Donald E. Winkler (Deceased) & Hazel Claire Winkler, 1921 N. St. Clair, 67203  |
| North 65 ft. of the south 75 ft. of lot 16  | 1            | "                         | ✓ Ellen C. Hiatt, 1911 N. St. Clair, 67203                                       |
| Part of lots 17 & 18 described as beg. at the front corner common to said lots; then northeasterly along front line of lot 18 75.7 ft. to the NE corner of lot 18; then northwesterly 159 ft. to a pt. on the rear line of lot 18, said pt. being 6 ft. south of the NW corner of lot 18; then south along the rear line of lots 18 & 17, 130 ft. to a pt. 1 ft. south of the NW corner of lot 17; then east 130 ft. to beginning | 1            | <i>Returned - unknown</i> | ✗ Harold Belt & Alice Belt, 1931 N. St. Clair, 67203                             |
| Lot 19 exc. beg. at the front corner common to lots 19 & 20; then westerly along front line of lot 19 10 ft.; then northwesterly along a line radial to the front line of lot 19 186.3 ft. to the intersection of southerly extension of westernmost line of lot 20; then north along said line 32.45 ft. to the line between lots 19 & 20; then southeasterly 210 ft. to pt. of beg.   | 1            | Womer's 6th Addition      | ✓ Joe P. Steven & Sandy A. Steven, Address Unknown<br>1301 So. Main Rd.<br>67209 |

| <u>Lot</u>   | <u>Block</u> | <u>Addition</u>      | <u>Property Owner</u>   |
|--|--------------|----------------------|---|
| 19 exc. that part of said lot described immediately previous   | 1            | Womer's 6th Addition | ✓ S.H. Womer & Esther J. Womer, 2252 Bella Vista, 67203                             |
| Part of lot 18 described as beg. at the front corner common to lots 18 & 19; then northwesterly 162 ft. to rear corner common to lots 18 & 19; then south along rear line of lot 18 6 ft.; then southeasterly 159 ft. to beg.  | 1            | "                    | ✓ <i>Handwritten</i> Joe P. Steven & Sandy A. Steven, Address Unknown               |
| Part of lot 20 described as beg. at the front corner common to lots 20 & 21; then westerly along front line of lot 20 10 ft.; then northwesterly on a line radial to the front line of lot 20 218.1 ft. to the rear line of lot 20; then easterly to the rear corner common to lots 20 & 21; then southeasterly 208 ft. to beg.              | 1            | "                    | ✓ Fred L. Coslett & Patricia L. Coslett, 2242 Bella Vista, 67203                    |
| Lot 20 exc. that part described immediately above  | 1            | "                    | ✓ <i>Handwritten</i> S.H. Womer & Esther J. Womer, 2252 Bella Vista, 67203          |
| All of lot 22, & that part of lot 21 beg. at the front corner common to lots 21 & 22; then westerly along front line of lot 21 15 ft.; then northerly on a line radial to the front line of lot 21 167 ft. to the rear line of said lot; then southeasterly 20 ft. to the rear corner common to lots 21 & 22; then southerly 122 ft. to beg. | 1            | "                    | ✓ Charles R. Culbertson (Deceased) & Lucille Culbertson, 2232 Bella Vista, 67203    |
| Lot 21 exc. that part described immediately above  | 1            | "                    | ✓ <i>Handwritten</i> Fred L. Coslett & Patricia L. Coslett, 2242 Bella Vista, 67203 |

| <u>Lot</u>   | <u>Block</u> | <u>Addition</u>      | <u>Property Owner</u>   |
|--|--------------|----------------------|---|
| All of lot 23 & part of lot 24 described as beg. at the front corner common to lots 23 & 24; then easterly along the front line of lot 24 15 ft.; then northerly on a line radial to the front line of lot 24 136.4 ft. to the rear line of lot 24; then northwesterly to the rear corner common to lots 23 & 24; then southerly 139 ft. to beg. | 1            | Womer's 6th Addition | ✓ Gale D. Black & Sara L. Black, 2224 Bella Vista, 67203        |
| Lot 24 exc. that part described immediately above  | 1            | "                    | ✓ Charles K. Eby & Jean C. Eby, 2212 Bella Vista, 67203         |
| Part of lot 25 described as beg. at the southwesterly corner; then easterly along the front line of lot 25 50 ft.; then northerly on a line radial to the front line of lot 25 125 ft. to the rear line of said lot 25; then northwesterly to the northwesterly corner of lot 25; then southerly 126 ft. to beg.                                 | 1            | "                    | "   |
| Lot 25 exc. that part described immediately above; together with Lot 26 exc. the east 10 ft.   | 1            | "                    | ✓ John W. Long & Rebecca L. Long, 2200 Bella Vista, 67203       |
| East 10 ft of lot 26 & all of lot 27   | 1            | "                    | ✓ Hubert M. Snell & Shirley E. Snell, 2186 Bella Vista, 67203   |
| All of lot 28, & part of lot 29 described as beg. at the front corner common to lots 28 & 29; then sely along the front line of lot 29 25 ft.; then nely on a line radial to (next page)   | 1            | "                    | ✓ Harold G. Glidden & Carol E. Glidden, 2180 Bella Vista, 67203 |

| <u>Lot</u>   | <u>Block</u> | <u>Addition</u>         | <u>Property Owner</u>   |
|--|--------------|-------------------------|---|
| the front<br>line of lot<br>29 147 ft. to a point<br>on the rear line of lot<br>29; then westerly 28 ft.<br>to the rear corner common<br>to lots 28 & 29; then southwesterly<br>144 ft. to beg.  | -            | -                       | -   |
| Part of<br>lot 29<br>described as beginning<br>at the front corner common to<br>lots 29 & 30; then westerly along<br>the front line of lot 29 65 ft.; then<br>northeasterly on a line radial to the<br>front line of lot 29 to a point on the<br>rear line of lot 29; then easterly 72 ft. to<br>the rear corner common to lots 29 & 30; then<br>southwesterly to beg.; together with all of<br>lot 30                                     | 1            | Womer's 6th<br>Addition | ✓ Pinckney R. Wheeler & Leona<br>F. Wheeler, 2168 Bella<br>Vista, 67203   |
| 31   | 1            | Womer's 6th<br>Addition | ✓ H.P. Lent, Jr. & Ruth S.<br>Lent, 2162 Bella Vista,<br>67203            |
| All of<br>lot 32; &<br>part of lot 33<br>described as beg. at<br>the front corner common to<br>lots 32 & 33; then southeasterly<br>along the front line of lot 33 41<br>ft.; then northeasterly on a line<br>radial to the front line of lot 33<br>134.2 ft. to the rear line of lot 33;<br>then northwesterly along the rear line<br>of lot 33 48 ft. to the rear corner<br>common to lots 32 & 33; then southwesterly<br>130 ft. to beg. | 1            | "                       | ✓ Gilbert D. Tatman &<br>Jacqueline M. Tatman, 2154<br>Bella Vista, 67203 |
| Lot 33<br>exc. that<br>part lying westerly<br>of a line beg. 41 ft.<br>east of the SW corner of<br>lot 33 & running to a point<br>on the north line of said<br>lot 48 ft. east of the north-<br>west corner thereof  | 1            | "                       | ✓ Ralph A. Klose & Doris J.<br>Klose, 2142 Bella Vista,<br>67203          |

| <u>Lot</u>  | <u>Block</u> | <u>Addition</u>              | <u>Property Owner</u>   |
|---|--------------|------------------------------|---|
| Part of<br>lot 34<br>described as lying<br>west of a line beg.<br>51 ft. east of the<br>SW corner of said lot<br>& running to a point<br>61.2 ft. east of the NW<br>corner  | 1            | Womer's 6th<br>Addition      | <i>Ralph</i> Ralph A. Klose & Doris J.<br>Klose, 2142 Bella Vista,<br>67203 |
| Lot 34<br>exc. that<br>part described as beg.<br>at the front corner common to<br>lots 33 & 34; then southeasterly along<br>the front line of lot 34 51 ft.; then<br>northeasterly on a line radial to the<br>front line of lot 34 134 ft. to the<br>rear line of lot 34; then northwesterly<br>along the rear line of lot 34 61.2 ft.<br>to the rear corner common to lots 33 &<br>34; then southwesterly 142 ft. to pt. of beg. | 1            | "                            | ✓ Ace H. Todd & Dixie L.<br>Todd, 2134 Bella Vista,<br>67203                |
| Part of<br>lot 35<br>described as beg. at<br>the front corner common to<br>lots 34 & 35; then southeasterly<br>along the front line of lot 35<br>61 ft.; then northeasterly on a line<br>radial to the front line of lot 35<br>130.5 ft. to the rear line of lot 35;<br>then northwesterly along the rear line of<br>lot 35 72 ft. to the rear corner common<br>to lots 34 & 35; then southwesterly<br>129 ft. to beg.            | 1            | "                            | "   |
| Lot 35<br>exc. that<br>part described<br>immediately above;<br>together with all<br>of lot 36   | 1            | "                            | ✓ James R. Decker & Patricia<br>P. Decker, 2124 Bella Vista,<br>67203       |
| 37  | 1            | "                            | ✓ Clarence J. Katz, 2116<br>Bella Vista, 67203                              |
| 38  | 1            | "<br><i>see new<br/>list</i> | ✓ Luther Fewin & Jane S.<br>Morrissey Fewin, 2108<br>Bella Vista, 67203     |

| <u>Lot</u>   | <u>Block</u> | <u>Addition</u>          | <u>Property Owner</u>  |
|--|--------------|--------------------------|--|
| That part 1<br>of lot 39<br>lying east of a<br>line beg. at a pt.<br>150 ft. east of the<br>SW corner of said lot;<br>then north at a right<br>angle to the south line<br>of said lot a distance<br>of 129.31 ft. to the<br>north line of said lot | 1            | Womer's 6th<br>Addition  | ✓ Clayton Eimer Carpenter (Dec.<br>Marian B. Carpenter, 2010<br>W. 17th, 67203 |
| Part of 1<br>lot 39<br>described as beg.<br>at the SW corner<br>of said lot; then<br>east 150 ft.; then<br>north 129.31 ft. to<br>the north line of said<br>lot; then west 150.5 ft.;<br>then south to beg.  | 1            | "                        | ✓ Walter Kay Jabara & Blanche<br>M. Jabara, 2104 Bella Vista,<br>67203         |
| 1  | 2            | " <i>all new<br/>lot</i> | ✓ James L. Pinkerton & Karen<br>J. Pinkerton, 1902 N. St.<br>Clair, 67203      |
| 2, &<br>the west<br>10 ft. of 3  | 2            | "                        | ✓ Verne F. Thornton & Bessie<br>E. Thornton, 2236 W. 18th,<br>67203            |
| 3 exc.<br>the west<br>10 ft.   | 2            | "                        | ✓ Roy K. Burton & Betty J.<br>Burton, 2226 W. 18th, 67203                      |
| 4  | 2            | "                        | ✓ Robert E. Dudley & Audrey<br>E. Dudley, 2216 W. 18th,<br>67203               |
| 5  | 2            | "                        | ✓ Dwight E. Glenn & Barbara<br>J. Glenn, 2208 W. 18th,<br>67203                |
| 6  | 2            | "                        | ✓ Donald L. Ratzlaff & Harriett<br>E. Ratzlaff, 2202 W. 18th,<br>67203         |
| 7  | 2            | "                        | ✓ Sam E. Laham & Delia May<br>Laham, 2182 W. 18th, 67203                       |

| <u>Lot</u>   | <u>Block</u> | <u>Addition</u>  | <u>Property Owner</u>  |
|--|--------------|------------------|--|
| All of lot 8, and part of lot 9 described as beg. at the front corner common to lots 8 & 9; then southeasterly 37 ft.; then northeasterly to rear line of lot 9; then northwesterly along rear line of lot 9 to the rear corner common to lots 8 & 9; then southwestwesterly to pt. of beg.  | 2            | Womer's 6th Add. | ✓ Gerald L. Waters & Delores I. Waters, 2172 W. 18th, 67203            |
| Part of lot 9 described as beg. at the front corner common to lots 9 & 10; then northwesterly 38 ft.; then northeasterly along a line parallel to the lot line common to lots 9 & 10 to a pt. on the back line of lot 9 38 ft. northeasterly from the back corner common to lots 9 & 10; then southeasterly 38 ft. to the back corner common to lots 9 & 10; then southwestwesterly 134 ft. to pt. of beg. | 2            | "                | ✓ Lincoln E. Siler & Marjorie J. Siler, 2152 W. 18th, 67203            |
| Lot 10 beg. at the front corner common to lots 10 & 11; then northeasterly 137 ft. to the rear corner common to lots 10 & 11; then northwesterly along the rear line of lot 10 1 ft.; then southwestwesterly to a pt. on the front line of lot 10 1 ft. northwesterly of the pt. of beg.; then southeasterly 1 ft. to the pt. of beg.; together will all of lot 11   | 2            | "                | ✓ Carl G. Kraus & Tina M. Kraus, 2142 W. 18th, 67203                   |
| Lot 10 exc. that part described immediately above  | 2            | "                | <i>dup</i> ✓ Lincoln E. Siler & Marjorie J. Siler, 2152 W. 18th, 67203 |
| 12   | 2            | "                | ✓ Willis J. Elliott & Beth E. Elliott, 2132 W. 18th, 67203             |

| <u>Lot</u>  | <u>Block</u> | <u>Addition</u>          | <u>Property Owner</u>  |
|---|--------------|--------------------------|--|
| 13  | 2            | Womer's 6th<br>Addition  | ✓ Matthew J. Horsch & Martha<br>M. Horsch, 2122 W. 18th,<br>67203            |
| 14  | 2            | " <i>all new<br/>lot</i> | ✓ Paul S. Cole & Rosemary<br>Cole, 2133 Bella Vista,<br>67203                |
| 15  | 2            | "                        | ✓ Wayne A. Brock & Connie J.<br>Brock, 2141 Bella Vista,<br>67203            |
| All of<br>lot 16,<br>and part of<br>lot 17 described<br>as beg. at the front<br>corner common to lots 16<br>& 17; then northwesterly<br>along the front line of lot<br>17 13 ft.; then southwesterly<br>142 ft. to a pt. on the rear line<br>of lot 17, said pt. being 13 ft.<br>westerly from the rear corner common<br>to lots 16 & 17; then easterly 13<br>ft. to the rear corner common to said<br>lots; then northeasterly 141 ft. to beg. | 2            | "                        | ✓ Richard M. Lineham & Doris<br>G. Lineham, 2147 Bella<br>Vista, 67203       |
| Lot 17<br>exc. that<br>part described<br>immediately above  | 2            | "                        | ✓ William B. McConachie &<br>Rhoda E. McConachie, 2155<br>Bella Vista, 67203 |
| 18  | 2            | "                        | ✓ H.P. Lent, Jr. & Ruth Lent,<br>2162 Bella Vista, 67203                     |
| All of<br>lot 20,<br>& part of lot<br>19 described as beg. at<br>the front corner common to lots<br>19 & 20; then southwesterly 140<br>ft. to the rear corner common to<br>said lots; then southeasterly along<br>rear line of lot 19 1 ft.; then<br>northwesterly 140 ft. to beg.  | 2            | "                        | ✓ Walter L. Groves & Edna L.<br>Groves, 2177 Bella Vista,<br>67203           |
| Lot 19<br>exc. that<br>part described<br>immediately above  | 2            | "                        | ✓ Harold Q. Sharpe & Genevieve<br>E. Sharpe, 2171 Bella<br>Vista, 67203      |

| <u>Lot</u> | <u>Block</u> | <u>Addition</u>      | <u>Property Owner</u>  |
|------------|--------------|----------------------|--|
| 21         | 2            | Womer's 6th Addition | ✓ Larry L. DeBrot & Linda DeBrot, 2185 Bella Vista, 67203  |
| 22         | 2            | "                    | ✓ Kenneth W. Shreve & S. Harlene Shreve, 2193 Bella Vista, 67203   |
| 23         | 2            | "                    | ✓ Constance L. Rader, 2201 Bella Vista, 67203  |
| 24         | 2            | "                    | ✓ C. Dean Pressnall & Rita A. Pressnall, 2211 Bella Vista, 67203   |
| 25         | 2            | "                    | ✓ Clifford W. Larson & Betty R. Larson, 2221 Bella Vista, 67203  |
| 26         | 2            | "                    | ✓ Loring B. Smith & Anna B. Smith, 2233 Bella Vista, 67203   |
| 27         | 2            | "                    | ✓ Jerome M. Laham & Karan G. Laham, 2243 Bella Vista, 67203  |
| 12         | 3            | "                    | <del>Owen Bates (Deceased) &amp;</del><br>✓ Florence E. Bates, 2132 W. 17th St., 67203   |
| 13         | 3            | "                    | ✓ <del>Henry O. Rockhill (Deceased)</del><br>& Mae Rockhill, Trustees of the Henry O. Rockhill Family Trust, 2122 W. 17th St., 67203 |
| 14         | 3            | "                    | ✓ James W. Rasmussen & Ilse R. Rasmussen, 2112 W. 17th St., 67203  |
| 15         | 3            | "                    | ✓ <del>Kenneth Kallail (Deceased) &amp;</del><br>Lorraine N. Kallail, 2102 W. 17th St., 67203  |
| 16         | 3            | "                    | ✓ Donald B. Spurgeon & Marcella F. Spurgeon, 2109 Bella Vista, 67203   |
| 17         | 3            | "                    | ✓ Kay Louise Mills, 2111 W. 18th St., 67203  |
| 18         | 3            | "                    | ✓ Thomas W. Phillips & Lucille E. Phillips, 2121 W. 18th St., 67203  |
| 19         | 3            | "                    | ✓ George W. Bantz & Martha E. Bantz, 2131 W. 18th St., 67203   |

| <u>Lot</u>                | <u>Block</u> | <u>Addition</u>       | <u>Property Owner</u>   |
|---------------------------|--------------|-----------------------|---|
| 20                        | 3            | Womer's 6th Addition  | ✓ Orvey B. Eklund & Audree M. Eklund, 2141 W. 18th St., 67203                 |
| 21                        | 3            | "                     | ✓ Viola Z. Emley, 2151 W. 18th St., 67203                                     |
| 22 & the east 3 ft. of 23 | 3            | "                     | ✓ Ronald D. Pletcher & Sammie M. Pletcher, 2161 W. 18th St., 67203            |
| West 82 ft. of 23         | 3            | "                     | ✓ John H. Slaymaker & Kathleen S. Slaymaker, 2171 W. 18th St., 67203          |
| 24                        | 3            | "                     | ✓ Arthur Lovald & Marian Lovald, 2181 W. 18th St., 67203                      |
| 25                        | 3            | <i>see new list</i> " | ✓ Lawrence E. Gaston (Deceased) & Marjorie A. Gaston, 2201 W. 18th St., 67203 |
| 26                        | 3            | "                     | ✓ William W. Edwards & Joan Bond Edwards, 2215 W. 18th St., 67203             |
| 27                        | 3            | "                     | ✓ Thomas E. Monk & Doris A. Monk, 2225 W. 18th St., 67203                     |
| 28                        | 3            | "                     | ✓ James H. Soper & Bonita W. Soper, 2235 W. 18th St., 67203                   |

Tract

Property Owner

That part of the NW $\frac{1}{4}$  of 7-27-1E lying north of the Arkansas River, except that part platted as Marina Lake Addition, and except Marina Lake 3rd, 4th, 5th and 6th Additions

✓ Clear Lakes Inc., Address Unknown

Tract in the NE $\frac{1}{4}$  of 12-27-1W beg. 830 ft. north of the SE corner thereof; then west 207.44 ft.; then nely 111 ft. more or less to a pt. 188.88 ft. west of the east line of the NE $\frac{1}{4}$ ; then east 188.88 ft. to the east line of the NE $\frac{1}{4}$ ; then south 110 ft. to beg.

*see new list* ✓ Gary C. McKay & Marta B. McKay, Address Unknown  
2220 Burton, 67213

Tract in the NE $\frac{1}{4}$  of 12-27-1W beg. at the NE corner thereof; then south 1000 ft. more or less along the east line of said NE $\frac{1}{4}$  to the left bank of the Arkansas River; then westerly along said left bank to a pt. 430 ft. west of the east line of the NE $\frac{1}{4}$ ; then north parallel with said east line 1023 ft. more or less to the north line of the NE $\frac{1}{4}$ ; then east 430 ft. to beg., except that part platted as Indian Hills 4th Addn.

✓ H. Marvin Bastian, 62 Norfolk Dr., 67206  
AND  
Frank M. Kessler (Deceased)

East 2/3 of a tract described as the north 208.71 ft. of the west 208.71 ft. of the NE $\frac{1}{4}$  of 7-27-1E

✓ Marcus D. Gow, 6601 W. 13th St., 67212

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Tract

That part of the NE $\frac{1}{4}$  of 7-27-1E lying south  
& west of the Arkansas River

Property Owner

✓ City of Wichita, 455 N. Main,  
67202

We hereby certify the foregoing to be a true and correct list of  
the property owners within a 1000 foot radius of

Lots 2 and 3, Marina Lake Fifth Addition,  
Wichita, Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of the Register  
of Deeds of Sedgwick County, Kansas, on the 11th day of April, 1983 at  
7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By

*Mary Kahl*  
Vice-President

Order No. 318525  
ge



\*

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

Roll # 1

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