

PLAT NO. 59-773-3 MAP NO. 5947

NAME KELLOGG MALL ADDITION

LOCATION On the West side of Rock Road between Kellogg
and Douglas

ENGINEER Baughman Co.

OWNER Chrysler Realty Corporation % James R. Schaefer

APPLICATION FILED 1/8/73

SKETCH PLAT FILED N/A

PRELIMINARY FILED 1/8/73

S/D ACTION 1/18/73 Approved subj to conditions

FINAL FILED 3-6-73

S/D ACTION 3-15-73 Approved subj to condition

MAPC ACTION 3-22-73 Approved as recommended

BCC ACTION 4-3-73 approved with conditions
and 0 changed.

RECORDED JUNE 18, 1973

REMARKS _____

BCC 6/12/73 Grant the Petition

S/D 73-3 KELLOGG MALL ADDITION
On the WS of Rock Road between
Kellogg and Douglas. Chrysler Re-
alty Corp. by Baughman Company

15.73

ACTION

	DATE
S/D COMMITTEE	Approved subj to <u>1.18.73</u>
S/D (final)	Approved subj to <u>3.15.73</u>
M.A.P.C.	Approved on <u>recomm</u> <u>3.23.73</u>
B.C.C./ B.C.C.	Approved with <u>4.3.73</u> Conditions n and o changed



REGISTER OF DEEDS
SEDGWICK COUNTY, KANSAS

6-22-73

KELLOGG Mall ADDITION was
filed for record on June 18, 1973

JOHN HALE
Register Of Deeds

T9-328

1. DESCRIPTION OF PROPERTY

The basic site covered by this Report is to be developed by Chrysler Realty Corporation and has a total of some 94 acres. The development will consist of a regional shopping center of three department stores, a large number of small shops, an office building and a motel. The shopping center will have a Gross Leasable Retail Area of some 1,135,000 square feet, plus the office and motel space of 296,950 square feet.

Additional property owned by Chrysler west of Armour Creek is not included, since development for this acreage is not planned at this time.

2. SCOPE OF STUDY

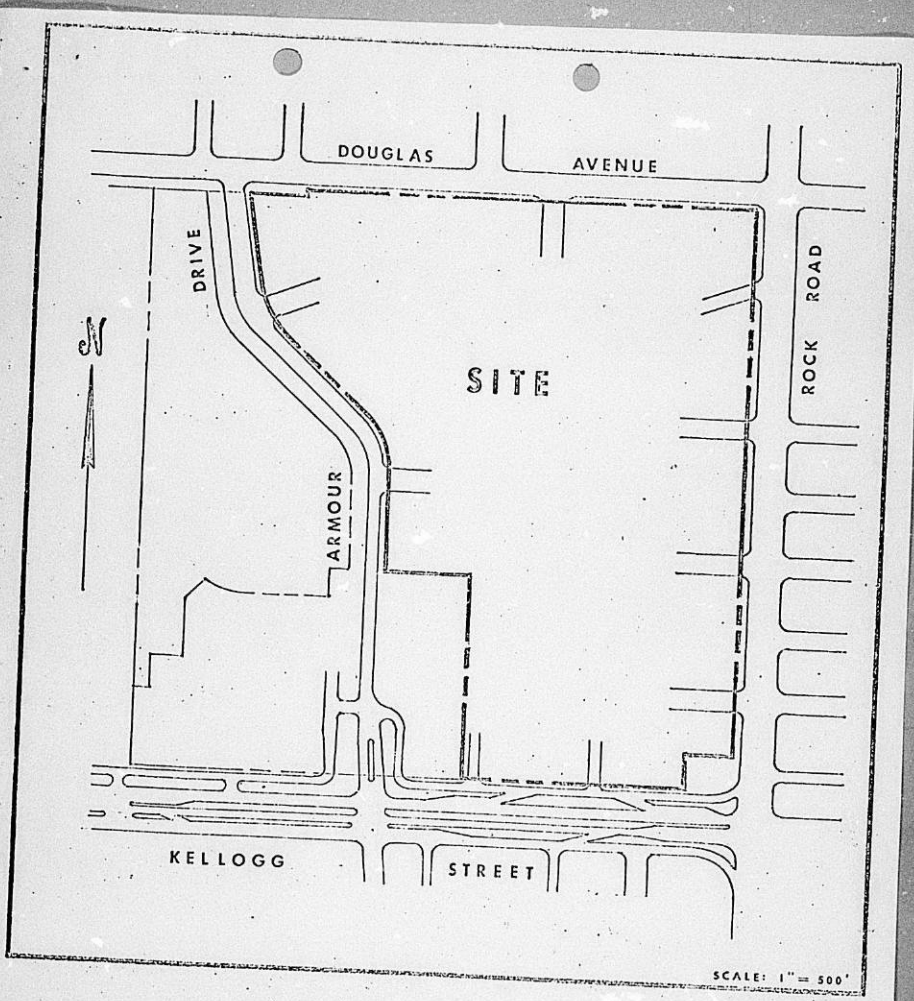
This study involves the evaluation of the impact of the anticipated site generated traffic on the existing roads, recommendations for changes in the existing roadways to handle the anticipated traffic and capacity analysis of key intersections.

3. SITE LOCATION

The site is located in the easterly section of the City of Wichita, Sedgwick County, Kansas, approximately 4 miles due east of the downtown area of Wichita.

As shown in Figure 1, the property is bounded on the south by Kellogg Street (U.S. 54), on the east by Rock Road (a City Street), on the north by Douglas Road (a City Street) and on the west by Armour Creek and undeveloped lands in the City of Wichita.





SITE LOCATION PLAN
PROPOSED DEVELOPMENT
WICHITA KANSAS

PROJ: 1904
DATE: 3-7-72

RAYMOND KEYES ENGINEERS, P.C.

FIGURE " 1 "

4. EXISTING ACCESS ROADS

The site is served by and has frontage on these roadways:

Kellogg Street

Along the southerly property line, Kellogg Street (U.S. Highway 54), the major east-west highway of Wichita, is a four lane road, separated by a 20 foot concrete median, with appropriate left turn storage lanes, and in addition two-way Service Roads on either side of the main road. There are rather frequent connections between the Service Roads and the main traffic lanes, in a very confusing pattern. Property along Kellogg Road in all directions is generally developed commercially.

Rock Road

Along the easterly frontage of the site, Rock Road is a four lane north-south highway, constructed to provide a continuous median and left turn storage lanes at appropriate places. There are three such left turn storage lanes along the frontage of the site: at Peachtree Lane, Mockingbird Lane and Lynwood Street. Another left turn storage lane is provided at Douglas Road. Property along the easterly frontage on Rock Road is generally commercial.

Douglas Road

Along the northerly frontage of the site, Douglas Road is a two lane east-west road with two parking lanes for the full length of the frontage. Property to the north of Douglas Road is presently developed residentially.

Armour Drive

As part of the development, it is planned that Armour Drive will be extended as a four lane undivided roadway from its present terminus, some 300 feet north of Kellogg Street, to Douglas Road, paralleling the reconstructed Armour Creek.

5. PRESENT AND FUTURE HIGHWAY TRAFFIC

Table 1 indicates the existing Annual Average Daily Traffic (AADT) on the streets bordering the site, based upon the 1970 traffic flow map prepared by the City Traffic Engineer's office.

Completion of Stage I is estimated for late 1974, and completion of Stage II in 1975, at which time shopper traffic should approach 50% of ultimate. By 1980, 100% of shopper traffic should be realized. Table 1 projects AADT for each of these years, based upon an average 4% increase per year.

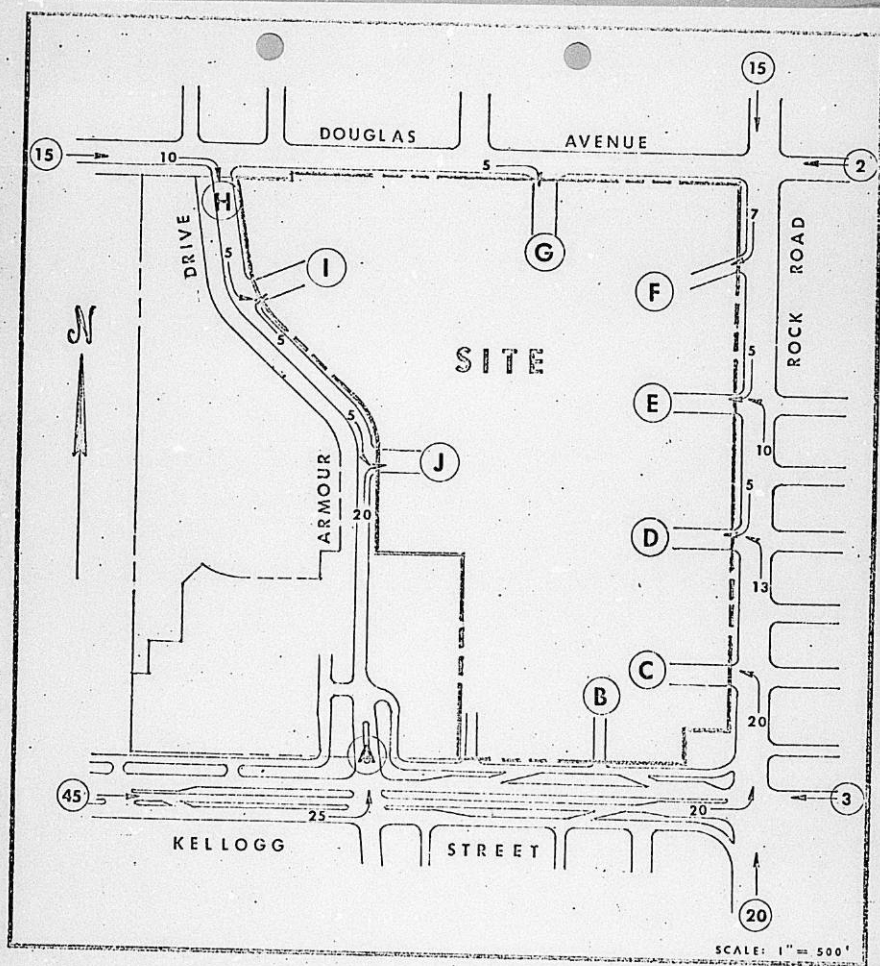
TABLE 1 - PRESENT AND ESTIMATED AADT

	<u>1970</u>	<u>1974</u>	<u>1975</u>	<u>1980</u>
Rock Road (North of Douglas)	10,130	10,400	10,730	12,550
Rock Road (South of Douglas)	9,720	9,880	10,220	11,930
Rock Road (North of Kellogg)	11,510	11,780	12,200	14,200
Rock Road (South of Kellogg)	11,760	12,050	12,450	14,520
Douglas (East of Rock Road)	2,605	2,665	2,760	3,220
Douglas (West of Rock Road)	3,790	3,880	4,010	4,680
Kellogg (East of Rock Road)	21,250	22,750	23,550	27,400
Kellogg (West of Rock Road)	23,600	24,200	25,000	29,200

6. ESTIMATED ORIGIN OF SITE GENERATED TRAFFIC

Table 2 indicates the estimated origin of site bound traffic using various approach routes. It should be noted that Kellogg Street in the eastbound direction will be carrying 45% of the site generated traffic. Figures 2 and 3 indicate the estimated percent of total shoppers' traffic entering and leaving at the various driveways.

Figure 4 indicates the estimated percent of office and motel traffic entering and leaving at various driveways.



**SHOPPING CENTER
DISTRIBUTION OF ENTERING TRAFFIC
IN PERCENT**

PROPOSED DEVELOPMENT

WICHITA

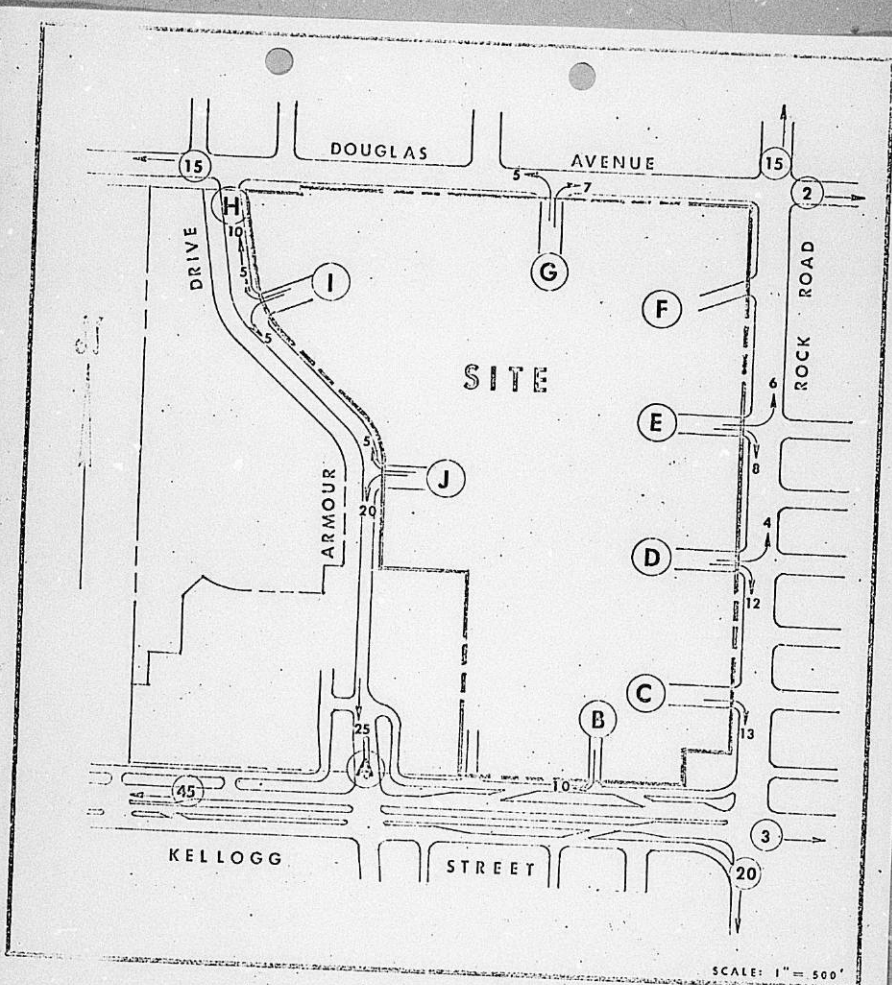
KANSAS

PROJ: 1904

DATE: 3-7-72

RAYMOND KEYES ENGINEERS, P.C.

FIGURE " 2 "



**SHOPPING CENTER
DISTRIBUTION OF EXITING TRAFFIC
IN PERCENT**

PROPOSED DEVELOPMENT

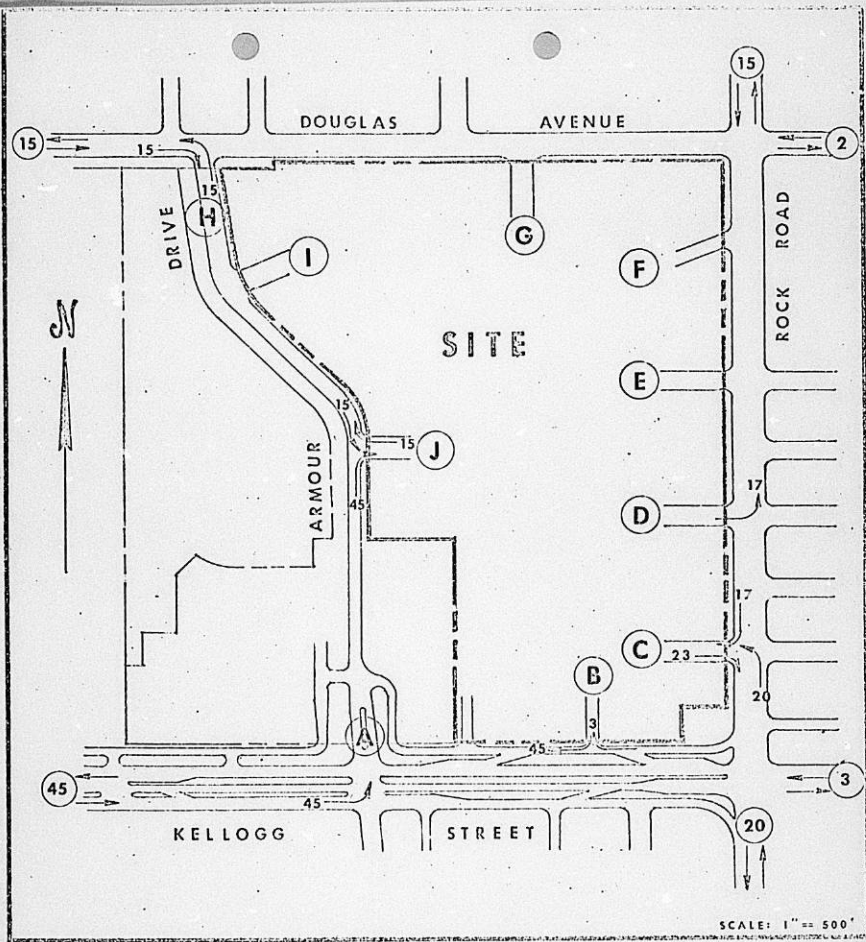
WICHITA KANSAS

PROJ: 1904

DATE: 3-7-72

RAYMOND KEYES ENGINEERS, P.C.

FIGURE " 3 "



OFFICE AND MOTEL
DISTRIBUTION OF ENTERING AND EXITING TRAFFIC
 IN PERCENT
PROPOSED DEVELOPMENT
 WICHITA KANSAS

PROJ: 1904
 DATE: 3-7-72

RAYMOND KEYES ENGINEERS, P.C.

FIGURE " 4 "

TABLE 2

ANTICIPATED SHOPPER DISTRIBUTION

<u>FROM</u>	<u>PERCENT</u>
Douglas Avenue (westbound)	2
Douglas Avenue (eastbound)	15
Kellogg Street (westbound)	3
Kellogg Street (eastbound)	45
Rock Road (northbound)	20
Rock Road (southbound)	<u>15</u>
TOTAL	100

7. ESTIMATED TRAFFIC VOLUMES

Analysis of the traffic at this location and design of needed facilities must study the following separate elements:

1. Normal Highway Traffic - This is traffic on the adjacent highways not generated by the site development. 1970 volumes are shown in Table No. 1.

Historically, these volumes can be expected to increase by approximately 4-5% per year. However, since a certain part of the increase will be traffic generated by the site, the projections for Normal Highway Traffic for future years have been made at the lower (4%) rate.

2. Shopper Traffic - This is traffic to be generated by the retail uses of the property, and experience has shown a Trip Generation Rate of 18.0 vehicles per 1,000 square feet of Gross Leasable Area should be used for the Design Year.
3. Office and Motel - This is additional traffic to be generated by these uses, at an average Trip Generation Rate of 8.0 Vehicles per 1,000 square feet.

However, this traffic will reach its full volume upon completion, and these figures are used from the first year.

8. ESTIMATE OF SITE GENERATED TRAFFIC

Table No. 3 indicates the estimated volume of site generated traffic at various stages of development.

TABLE 3

TOTAL ANTICIPATED SITE GENERATED TRAFFIC

	<u>STAGE I</u>	<u>STAGE II</u>
	Year of Completion	1974
Year of Ultimate Traffic	1979	1980
Gross Leasable Area (Retail) (s.f.)	700,000	1,135,000
Office and Motel Area (s.f.)	-	296,950
Parking Available (spaces)	7,768	7,768
Parking Index (space/1,000 s.f.) (Based only on Retail)	11	6.7
Daily Trip Generation (per 1,000 s.f.)		
Retail	18	18
Office and Motel	8	8
Estimated Daily Vehicles		
Retail	12,600	20,430
Office	-	2,372

9. ESTIMATED TOTAL TRAFFIC

Table No. 4 summarizes the estimated total daily volumes from all sources for the actual years. (See following page.)

10. CRITICAL HOURS OF SHOPPING CENTER TRAFFIC

During an average day, there are three periods normally considered critical in shopping center traffic analysis, namely Peak Highway Hours, Peak Entry Hours, and Peak Exit Hours.

Table 5 indicates the estimated volume of Retail Traffic during these Peak periods.

TABLE 5

		<u>Vehicles</u>			
		<u>%</u>	<u>1974</u>	<u>1975</u>	<u>1980</u>
Peak Highway Hour	Enter 9		575	918	1835
(4:30 p.m. - 5:30 p.m.)	Exit 10		1130 (1)	1520 (1)	2540 (1)
Peak Entry Hour	Enter 16		1008	1630	3260
(7:00 p.m. - 8:00 p.m.)	Exit 10		630	1020	2040
Peak Exit Hour	Enter 6		378	612	1220
(9:00 p.m. - 10:00 p.m.)	Exit 20		1260	2040	4080

1. Includes Office and Motel area generated traffic leaving the site during the Peak Highway Hour. Office and Motel Traffic is insignificant at other Peak Hours.

TABLE NO. 4

	1974				1975				1980			
	Highway	Retail	Office	Total	Highway	Retail	Office	Total	Highway	Retail	Office	Total
Kellogg west of Rock Road	24,200	2,520	-	26,720	25,000	4,075	107	29,182	29,200	8,150	107	37,457
Kellogg east of Rock Road	22,750	380	-	23,130	23,550	615	142	24,307	27,400	1,230	142	28,772
Rock Road north of Kellogg	11,780	4,790	-	17,570	12,200	7,750	1,020	20,970	14,200	15,500	1,020	30,720
Rock Road south of Kellogg	12,050	2,520	-	14,570	12,450	4,075	950	17,475	14,520	8,150	950	23,620
Rock Road north of Douglas	10,400	1,880	-	12,280	10,730	2,050	710	14,490	11,550	6,100	710	19,360
Rock Road south of Douglas	9,880	1,700	-	11,580	10,220	2,750	808	13,778	11,930	5,500	808	18,238
Douglas west of Rock Road	3,880	442	-	4,322	4,010	715	0	4,725	4,680	1,430	0	6,110
Douglas east of Rock Road	2,665	252	-	2,917	2,760	407	95	3,262	3,220	815	95	4,130
Kellogg west of Armour	24,200	5,650	-	29,850	25,000	9,175	2,140	36,315	29,200	18,350	2,140	49,690
Douglas west of Armour	3,880	1,880	-	5,760	4,010	3,050	710	7,770	4,680	6,100	710	11,490

11. SHOPPING CENTER DISTRIBUTION BY DRIVEWAYS

Table No. 6 shows the estimated distribution of entering and exiting traffic to the various Driveways at Peak Hours, for 1974, 1975 and 1980.

TABLE 6

1974

Driveway	Peak Highway Hour		Peak Entry Hour		Peak Exit Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
A	144	283	252	158	95	315
B	-	113	-	63	-	126
C	110	147	202	82	76	164
D	104	181	181	86	68	202
E	86	158	151	88	57	176
F	40	-	70	-	26	-
G	29	79	51	44	19	88
H	58	136	101	76	38	153
I	29	57	51	32	19	63
J	29	57	51	32	19	63

1975

<u>Driveway</u>	<u>Peak Highway Hour</u>		<u>Peak Entry Hour</u>		<u>Peak Exit Hour</u>	
	<u>Enter</u>	<u>Exit</u>	<u>Enter</u>	<u>Exit</u>	<u>Enter</u>	<u>Exit</u>
A	230	380	408	158	153	315
B	-	152	-	102	-	204
C	184	198	326	133	122	265
D	376	243	293	163	110	326
E	138	213	245	143	92	286
F	64	-	114	-	43	-
G	46	183	82	123	31	246
H	92	152	163	102	61	204
I	46	76	82	51	31	102
J	46	76	82	51	31	102

1980

A	459	635	815	510	305	1020
B	-	254	-	204	-	408
C	367	330	656	265	244	530
D	330	406	587	326	220	652
E	275	356	489	286	183	572
F	128	-	228	-	85	-
G	92	305	163	245	61	490
H	184	254	326	204	122	408
I	92	127	163	102	61	204
J	92	127	163	102	61	204

12. ESTIMATED HIGHWAY TRAFFIC AT CRITICAL HOURS

For the purpose of analysis, it was assumed that the highway traffic during these periods would be:

Peak Highway Hour = 10% AADT

Peak Entry Hour = 6% AADT

Peak Exit Hour = 4% AADT

In addition, the distribution of traffic was assumed to be 50-50 for all periods, except during the Peak Highway Hour when Kellogg Street has a distribution of 60% eastbound and 40% westbound.

Table 7 indicates the estimated volume of highway traffic on the surrounding roads during these Peak periods for years 1974, 1975 and 1980.

13. SUGGESTED ACCESS IMPROVEMENTS

It is essential that Armour Drive be constructed as a four lane road from its present terminus some 300 feet north of Kellogg Street north to Douglas Avenue.

TABLE 7

PEAK HOUR HIGHWAY TRAFFIC

STREET	1974			1975			1980		
	PEAK HIGH	PEAK ENTRY	PEAK EXIT	PEAK HIGH	PEAK ENTRY	PEAK EXIT	PEAK HIGH	PEAK ENTRY	PEAK EXIT
Kellogg West of Rock Road	2420	1452	968	2500	1500	1000	2920	1752	1168
Kellogg East of Rock Road	2275	1365	910	2355	1413	942	2740	1644	1096
Rock Road North of Kellogg	1178	707	471	1220	732	488	1420	852	568
Rock Road South of Kellogg	1205	723	482	1245	747	498	1452	871	581
Rock Road North of Douglas	1040	624	416	1073	644	429	1255	753	502
Rock Road South of Douglas	988	593	395	1022	613	409	1193	716	477
Douglas West of Rock Road	388	233	155	401	240	160	468	281	187
Douglas East of Rock Road	266	160	64	276	165	110	322	193	129
Kellogg West of Armour	2420	1452	581	2500	1500	1000	2920	175	1168
Douglas West of Armour	388	233	155	401	241	160	468	281	187

Severe conflicts arise at several points due to the existing geometry and pattern of Kellogg Street. Without correction, the addition of the site generated traffic during the peak hours would increase the severity of these conflicts to intolerable limits. With reference to the enclosed Plate A "Highway Improvement Plan," dated 3-7-72, the following improvements are proposed:

Kellogg Street (U.S. 54)

1. The two way Service Roads are to be made one way.
2. No turns will be permitted from the Main Road of Kellogg Street into the site, except for right turns by westbound traffic using Armour Drive.
3. All turns of eastbound traffic into the site are to be made from the Service Road.
4. Access from the eastbound Main Road to the Service Road has been provided by a median cut approximately 600 feet west of the intersection of Kellogg and Armour Drive.
5. Access from the westbound Main Road to the Service Road is provided by a median cut 1300 feet east of the intersection of Kellogg and Armour.

6. Access to the Main Road westbound from the Service Road has been provided by means of a median cut at a distance of approximately 450 feet east of its intersection with Armour. A 200 foot acceleration lane has been provided for this cut to insure proper merging of the through traffic with the entering traffic.
7. Access to the eastbound Main Road from the eastbound Service Road has been provided by means of a cut at a distance approximately 800 feet west of its intersection with Armour.
8. All turns are permitted for exiting traffic using Armour.
9. At the intersection of Kellogg and Rock Road, the length of the exclusive left turn lane for eastbound traffic has been lengthened to 250 feet. No crossing movement of Service Road traffic is permitted (eastbound traffic on the Service Road wishing to turn left has been provided with a median cut into the Main Road west of this intersection.

Rock Road

1. On the south side of its intersection with Kellogg, Rock Road has been widened to two lanes southbound and two through lanes with one left turn lane northbound.
2. On the north side of the intersection, Rock Road is provided with a separate left turn storage lane, two straight through lanes southbound and two lanes northbound.

3. At its intersection with Peachtree Lane, the northbound leg of Rock Road is provided with two straight through lanes and two separate left turn lanes.
4. Rock Road tapers to its existing geometry at its intersection with Mockingbird Lane.
5. The left turn lane south of the intersection of Douglas and Rock Road has been closed.

14. TRAFFIC SIGNALIZATION

Three phase traffic signals are proposed at the intersection of Kellogg and Armour Drive at Peachtree Lane and Rock Road and at Mockingbird Lane and Rock Road.

The existing four phase signal at Kellogg and Rock can probably be changed to a three phase system with the other improvements noted. However, no detailed evaluation of the capacity of the intersection to handle the anticipated flows has been made due to the lack of "turning" data.

15. CONCLUSIONS

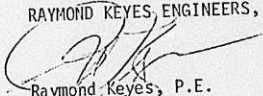
- a. Study of the traffic and access to the proposed site indicates that effective access can be developed if improvements along the line suggested on this Report are implemented.
- b. The location and geometry of the site, plus the suggested improvements, will provide superior ingress and egress for the shopping center itself.

- c. Detailed calculations of capacity analysis indicate that with such improvements Level of Service "C" can be developed at all intersections for all Peak Hours, except for the intersection of Kellogg and Armour, which will drop below this Level during the Peak Highway Hour from 1974 on, and during the Peak Entry Hour from 1975 on. These deficiencies are due primarily to extremely heavy traffic extraneous to the site.

(Level of Service "C" is defined as a condition where stable traffic operations exist and traffic volumes can be maintained without undue vehicular conflict and delay while maintaining reasonable travel speeds.)

- d. Interim improvements are feasible, but since the recommended improvements are not major, and since the date of final completion is relatively close, it is recommended that they be accomplished as quickly as possible, all at one time.

Respectfully submitted,
RAYMOND KEYES, ENGINEERS, INC.

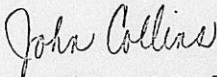

Raymond Keyes, P.E.
President

RK:pm

DISTRIBUTION:

Chrysler Realty Corporation (12)

File (12)


John Collins, Ph.D., P.E.

Kellogg Mail File

CAMPBELL & CASTLE, P.A.
ENGINEERS
PHONE 263-5289 • 1019 EAST SECOND ST.
P. O. BOX 1835
WICHITA, KANSAS 67201

August 22, 1974

Mr. M. S. Mitchell
Maintenance Flood Control Office
City of Wichita
104 South Main
Wichita, Kansas 67202

Re: Drainage Easement
East of Eastborough, Kansas
File No. 7412

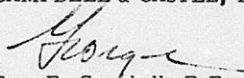
Dear Mitch:

We talked with you last week about a drainage easement that would be necessary in connection with drainage from the City of Eastborough. This easement can be generally described as beginning approximately 300 feet South of the Northeast corner of the Southeast quarter of Section 19, Township 27 South, Range 2 East and extending easterly to Armour Drive as platted in the Kellogg Mall Addition.

We are writing this letter to make sure that at the time of platting of the balance of this Southeast quarter that a proper grant and/or easement dedication will be made.

Very truly yours,

CAMPBELL & CASTLE, P.A.


Geo. F. Campbell, P.E.

C/i

cc: City of Eastborough

cc Wilton
Newby

Received

AUG 23 1974

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS
TRAFFIC ENGINEERING DIVISION
282-0511 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN — WICHITA, KAN. 67202

August 20, 1973

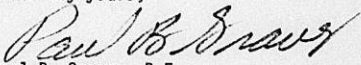


Mr. James R. Schaefer
Brown Building
Wichita, Kansas 67202

Dear Mr. Schaefer:

On June 11, 1973 Robert A. Lakin, Director of Planning, addressed a letter to you advising that your office provide the necessary revisions to the plan on East Kellogg regarding the taper in the transition area between the old and the new section of Kellogg Avenue at the Rock Road intersection. As stated in Mr. W. H. Ogan's letter of June 8, 1973, "our review shows that all of our recommendations have been acceptable and have been accomplished in the revised plans. We do however feel that the taper in the transition area between the old and the new section of Kellogg Avenue at the Rock Road intersection should be lengthened to a minimum of 300 feet. We would go along with it as shown if there is some pressing need to limit it. It would be our thought for your office to ask for Mr. Graves' opinion on this and we will concur in his opinion", this office is awaiting the submission of a revised drawing in accordance with the proper transition. May I hear from you at your earliest convenience?

Sincerely yours,


Paul B. Graves, P.E.
City Traffic Engineer

PBG:cy

cc: R. W. Bruggeman, Director of Public Works
Dick Linn, City Engineer
Jack Galbraith, Planning Dept.
Keith Parker, Law Company
Bill McKinley, Assistant Traffic Engineer
W. H. Ogan, State Highway Department
A. J. Basile, State Highway Department.

HOLMES, DARRAH & MELLOR
ATTORNEYS AT LAW

800 BROWN BUILDING

WICHITA, KANSAS 67202

TELEPHONE (316) 262-4403

WILBUR H. JONES
COUNSEL

R. L. HOLMES (1890-1920)
W. E. HOLMES (1887-1899)
JOHN J. DARRAH (1910-1973)

RICHARD W. HOLMES
PHILLIP MELLOR
JAMES R. SCHAEFER
GEORGE R. COMPTON
TYRUS C. KAUFMAN

June 18, 1973

Mr. Dick Linn
City Engineer
City Building Annex
104 South Main
Wichita, Kansas

RE: Kellogg Mall

Dear Dick:

I am herewith enclosing the original and one copy of a Certificate relative to the street, sidewalk and sewer improvements to be installed relative to the Kellogg Mall Addition. These have been properly executed by the officials of Chrysler Realty Corporation.

Yours very truly,

James R. Schaefer
James R. Schaefer
of HOLMES, DARRAH AND MELLOR

JRS/ljl
Enc.



ROBERT B. DICKSON, Governor

State Highway Commission of Kansas

JOHN D. MONTGOMERY, Director of Highways
H. J. ULRICH, Assistant State Highway Director
JOHN D. McNEAL, State Highway Engineer



ROBERT P. HAGEN
Lawrence, Kansas
BOB KENT
Salina, Kansas
HENRY SCHWALLER
Hays, Kansas
KARL A. BRUECK
Paola, Kansas
GALE MOSS
El Dorado, Kansas
LOUIS KAMPSCHROEDER
Garden City, Kansas

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

April 6, 1973

Mr. Robert A. Lakin
Director of Planning
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Dear Mr. Lakin:

The Urban Highways Department has reviewed the material submitted to this office relative to the proposed development known as "The Kellogg Mall" located adjacent to and north of Kellogg Street between Armor Road and Rock Road in Wichita.

We feel that as a condition of plat approval the developer should provide an additional fifty (50) feet for street purposes along with an adequate setback for permanent building construction. Records in the State Highway Commission indicate an existing right of way of ninety (90) feet on the north side of Kellogg through this area. The 140 feet provided should provide sufficient width order for ultimate expressway design.

Any proposed improvement on US-54, a connecting link of the State Highway System, requires approval by the State Highway Commission and Federal Highway Administration prior to actual construction. We would appreciate receiving a copy of the approved plat along with workable plans indicating the scope of the improvement within the right of way to be provided.

The Keys proposal for Kellogg Street as submitted is substandard in various elements of design. We would propose that the following be used as minimum design criteria:

Center median width (edge to edge of thru lanes)	21 ft., 6 in.
Lane width exclusive of curb and gutter	12 ft.
Separator between main line and frontage road	20 ft.
Frontage road - two lane with curbs	28 ft.
Median width at left turn bays (back to back of curbs)	6 ft.
Border area beyond frontage road	20 ft.




Mr. Robert A. Lakin

- 2 -

April 6, 1973

We appreciate the opportunity to review the proposal. Any approval of construction plans would be tentative at this time. When a plan is completed and has the approval of the City, please forward four copies of the plan for approval and use by interested personnel of the State Highway Commission.

Very truly yours,


W. H. Ogan, P. E.
Engineer of Urban Highways

WHO:KVS:dmr

cc: Mr. Ralph Wulz, City Manager
Mr. John D. McNeal, State Highway Engineer
Mr. Ralph O. Smith, Division Engineer

CERTIFICATE

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

CHRYSLER REALTY CORPORATION, owner and platfor of Kellogg Mall Addition, does hereby certify that Petitions for the following improvements have been submitted to the Board of Commissioners of the City of Wichita, Kansas:

1. Pave Kellogg Avenue (U.S. 54 Highway) from a point nine hundred sixty (960) feet West of the center line of Armour Drive to seven hundred fifty (750) feet East of the center line of Rock Road.
2. Pave Armour Drive from the South line of Kellogg Mall Addition to the South line of Douglas Avenue. Improve and reimprove Rock Road from the North line of Kellogg to the South line of Douglas Avenue. Construct an acceleration and deceleration lane on Douglas Avenue from a point approximately three hundred fifty (350) feet East of the East line of Armour Drive to the West line of Rock Road.
3. Construct a four (4) foot sidewalk along the West side of Rock Road from the South line of Douglas Avenue to the South line of Lot 4, Kellogg Mall Addition. Construct a four (4) foot sidewalk on the East side of Armour Drive from the South line of Douglas Avenue to the South line of Lot 1, Kellogg Mall Addition.
4. Construct a four (4) foot sidewalk on the North side of Kellogg Drive from the East line of Kellogg Mall Addition to the West line of Kellogg Mall Addition.
5. Install sanitary sewer laterals to serve Kellogg Mall Addition.

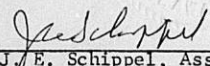
As a result of the above-mentioned Petitions for improvements, lots within Kellogg Mall Addition may be subject to special assessments assessed thereto for the cost of constructing the above-described improvements.

Signed this 12th day of June, 1973.

CHRYSLER REALTY CORPORATION

By 
E. W. Flynn - Vice President

ATTEST:

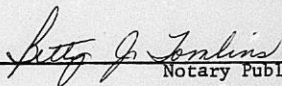

J. E. Schippel, Assistant Secretary

(SEAL)

STATE OF MICHIGAN }
COUNTY OF OAKLAND } ss:

Be it remembered that on this 12TH day of June, 1973,
before me, a Notary Public in and for said County and State, came
E. W. Flynn, to me personally known to be the same person who executed
the foregoing instrument of writing and duly acknowledged the execution
of same.

In Testimony Whereof, I have hereunto set my hand and affixed
my notarial seal the day and year above written.



Notary Public

My Commission Expires:

BETTY J. TOMLINS

~~Notary Public, Oakland County, Mich~~

My Commission Expires Feb. 9, 1975

Curt -

Follow thru on Kellogg Mall -

We're OK from State & Grover.

Tracing in w/ City Elk? Poter to sign
or does need Donnel (when Plat was
approved)?

All other things OK to release? If not
advise me.

Call Shaaffer when ready to pick up. He
may want to get our parents for us.

file

June 7, 1973

Mr. Keith E. Parker
The Law Company, Inc.
313 South Market
Wichita, Kansas

Re. Kellogg Mall

Dear Mr. Parker:

The petitions for the improvements on Rock Road and Kellogg (US-54) adjacent to the Kellogg Mall have been received and forwarded to the Planning Department for processing.

The petitions guarantee the construction improvements except for any necessary relocation or adjustment of utilities and street lighting system. Details and responsibility for adjustment of these facilities will be determined after construction drawings are prepared. Our office will work with the utility companies during the design of the street improvements. We will advise your Company of any necessary adjustments or relocations required.

The petition for the improvements on Kellogg did not include right-of-way acquisition. The cost of right-of-way, method of acquisition, and source of funding will be determined at a later date during design of the Kellogg improvements.

The City Policy requires that construction of site improvements be started or a guarantee of payment of special assessments be filed prior to our office proceeding with the public improvements. Please consider this in your schedule of development.

I do not intend to prepare the plans for Kellogg in-house by the Engineering Division Staff. I will request selection of a Consulting Engineer by the City Commission after project approval.

Attached is a memo from M.S. Mitchell commenting on the preliminary site improvement plans.

If additional information is desired, please contact me.

Very truly yours,

R.W. Linn,
City Engineer

RWL:gd
CC: R.W. Bruggeman, Director of Public Works
CC: Robert Lakin, Director of Planning ✓



AVIGATIONAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS: .

That for good and valuable consideration, the receipt of which is hereby acknowledged, CHRYSLER REALTY CORPORATION, a Corporation duly organized and existing under and by virtue of the laws of the State of Delaware, does hereby grant a permanent Avigational Easement to the public authority authorized by law to own and operate airports in Sedgwick County, Kansas, for the use of "Navigable Airspace" as defined by the Federal Aviation Act of 1958, over all of the following described real estate, to-wit:

KELLOGG MALL ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

By virtue of this easement, grantor, for and on behalf of itself and all successors in interest to any and all of the real property above described, waives as to the public authority, only, any and all claims for damage of any kind whatsoever incurred as a result of aircraft using the "Navigable Airspace" granted herein. This easement does not grant or convey any surface use right, nor is it to be construed to grant any right to private persons or corporations.

"Navigable Airspace" means airspace above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, Section 101 (24), 49 U.S. Code 1301, and shall include airspace needed to insure safety in take-off and landing of aircraft.

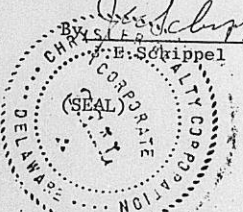
To have and to hold said easement forever.

IN WITNESS WHEREOF, CHRYSLER REALTY CORPORATION, by and through its officers being duly authorized, has caused this instrument to be executed by such officers, and its corporate seal to be affixed, the 5th day of June, 1973.

CHRYSLER REALTY CORPORATION

By *E. W. Flynn*
E. W. Flynn Vice-President

ATTEST:

E. Schrippe
By E. Schrippe Asst. Secretary


ACKNOWLEDGMENT

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss:

BEFORE ME, the undersigned, a Notary Public, within and for said County and State, on this 5th day of June, 1973, personally appeared E. W. Flynn, Vice-President of Chrysler Realty Corporation, a Delaware Corporation, who is personally known to me to be such officer, and who is personally known to me to be the same person who executed, as such officer, the within instrument of writing on behalf of said Chrysler Realty Corporation, and said person duly acknowledged the execution of the same, to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Betty J. Tomlins
Betty J. Tomlins Notary Public

My Commission Expires:
BETTY J. TOMLINS
Notary Public, Oakland County, Mich.
My Commission Expires Feb. 9, 1975



June 11, 1973

James R. Schaefer
Brown Building
Wichita, KS 67202

Dear Jim,

Attached is a reply from Ogan clearing the revised geometrics submitted by Parker. This is sufficient for me to release the plat. Note however, they would like one further revision. Please work with Graves on this.

As soon as you have it resolved, please advise me in writing with G eves, concurrence or comments so that we can forward it to Ogan.

I assume that from this point on you will be working with Linn and the State relative to design and getting the project under way.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ra

Attachment

cc: Keith Parker
Ray Bruggeman
Dick Linn
Paul Graves
Jack Galbraith

ROBERT B. L. KING, Governor

State Highway Commission of Kansas

JOHN D. MONTGOMERY, Director of Highways
H. J. ULRICH, Assistant Director of Highways
JOHN D. McNEAL, State Highway Engineer



ROBERT P. HAGEN
Lawrence, Kansas
BOB ZERT
Salina, Kansas
HENRY SCHWALLER
Topeka, Kansas
KARL A. BRUECK
Topeka, Kansas
GALE MOSS
El Dorado, Kansas
LOUIS KAMPSCHROEDER
Garden City, Kansas

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

June 8, 1973

Kellogg Avenue (US 54)
City of Wichita
Sedgwick County

Mr. Robert A. Lakin
Director of Planning
City Building Annex
104 South Main Street
Wichita, Kansas 67202

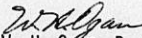
Dear Mr. Lakin:

We have reviewed the revised plans for the improvements to Kellogg Avenue to accommodate access for the Kellogg Mall shopping center. These prints were forwarded to us by Mr. Keith E. Parker of the Law Company and we assume that you received copies of the same prints.

Our review shows that all of our recommendations have been acceptable and have been accomplished in the revised plans. We do however feel that the taper in the transition area between the old and the new section of Kellogg Avenue at the Rock Road intersection should be lengthened to a minimum of 300 feet. We would go along with it as shown if there is some pressing need to limit it. It would be our thought for your office to ask for Mr. Graves' opinion on this and we will concur in his opinion.

On this basis, you may advise the Law Company to proceed with their plans.

Very truly yours,


W. H. Ogen, P. E.
Engineer of Urban Highways

WHO:mj

cc: Mr. A. J. Basile, Urban Traffic Engineer



ROBERT B. DOCKING, Governor

State Highway Commission of Kansas

JOHN D. MONTGOMERY, Director of Highways
H. J. ULRICH, Assistant Director of Highways
JOHN D. McNEAL, State Highway Engineer



ROBERT P. HAGEN
Lawrence, Kansas
BOB KENT
Salina, Kansas
HENRY SCHWALLER
Hays, Kansas
KAREL A. BRUECK
Paola, Kansas
CALE MOSS
El Dorado, Kansas
LOUIS KAMPSCHROEDER
Garden City, Kansas

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

May 23, 1973

US 54
City of Wichita
Sedgwick County


Mr. Robert A. Lakin
Director of Planning
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Dear Mr. Lakin:

Traffic engineers of this department have reviewed and analyzed the proposed geometrics and capacities for the section of Kellogg Avenue through the intersections of Rock Road and Armour Drive. As noted previously, our review indicates that there are several shortcomings in the developer's proposal.

We are attaching a copy of our review and recommendations for your information. We believe that these recommendations should be given very serious consideration before approval is given to the developer's entrance to US 54.

Very truly yours,


W. H. Ogan, P. E.
Engineer of Urban Highways

WHO:mj

Attachment

cc: Mr. Don J. Christensen, Assistant State Highway Engineer

State Highway Commission of Kansas

May 22, 1973

US-54
The "Mall"
City of Wichita
Sedgwick County



SUBJECT: Review of Proposed Geometrics and Indicated Capacities for a Kellogg Avenue Improvement by City and Developer.

LOCATION: East Kellogg Avenue through the intersections of Rock Road and Armour Drive.

This review is based on the assumption that the 124 ft. right of way on the north side meets city standards. The State Highway recommendation is 140 ft.

In analyzing the intersections of Rock Road and Armour Drive on Kellogg (US-54) Avenue, generation rates of 25 and 8 vehicles per thousand square feet of gross leasable area were used for shopping center traffic and office and motel traffic respectively.

The dual left-turn lanes, one at each intersection, will store all the traffic that the signalization can handle, but during peak hours it may begin to extend into the through traffic lanes. The remaining turning movements appear to have ample storage except for two locations at the Rock Road intersection. A right turn lane on the east leg of Kellogg Avenue needs to be added to store the right turn vehicles, and the left turn lane on this same leg needs to be lengthened to accommodate the left turn traffic.

Recommendations for East Kellogg Avenue through the intersections of Rock Road and Armour Drive include:

1. The removal of the two islands at the northeast and southwest corners of the Rock Road intersection;
2. The addition of a right turn lane on the east leg of Kellogg Avenue at the Rock Road intersection and its extension through the intersection;
3. The lengthening of the taper in the transition area between the normal and new section on the east leg of Kellogg Avenue at the Rock Road intersection;
4. The lengthening of the left turn storage area on the east leg of Kellogg Avenue at the Rock Road intersection and the correction of the medians to steer the vehicles away from the nose of the median separating the left turn from the through traffic;

US-54
The "Mall"
City of Wichita

- 2 -

May 22, 1973

5. The revision of the entrance and exit to the service area between the two intersections to a single facility located farther west of the slip-on from Kellogg Avenue that will serve for both an entrance and an exit;
6. The addition of channelization to make a continuous right turn lane and two through lanes on the north leg at the Armour Drive intersection; and
7. The lengthening of the taper in the transition area on the west leg of the Armour Drive intersection.

The attached schematic contains the recommendations described above.

A. J. BASILE, P.E.
URBAN TRAFFIC ENGINEER

Dannie R. Cummings
DANNIE R. CUMMINGS
Associate Urban Traffic Engineer

DRC:to

EDWARD F. ARN
RICHARD F. MULLINS
MILD M. UNRUH
H. R. KUHN
ROGER K. WILSON
RICHARD H. PRIDE, JR.
BERNICE BURKET

LAW OFFICES OF
ARN, MULLINS, UNRUH & KUHN
330 R. H. DARVEY BUILDING - 300 WEST DOUGLAS
WICHITA, KANSAS 67202
AREA CODE 316 267-5267

June 4, 1973

Metropolitan Area Planning Department
City Building
Wichita, Kansas 67202

Re: Kellogg Mall Addition

Gentlemen:

Enclosed find Title Binder covering the property described therein, agreeing to insure title as of June 1, 1973, in fee simple, in Chrysler Realty Corporation.

The described property is the property being platted as Kellogg Mall Addition.

Yours very truly,

Richard Mullins
of ARN, MULLINS, UNRUH & KUHN

RFM:awg
Enclosure



Lawyers Title Insurance Corporation
A Stock Company
Home Office - Richmond, Virginia
INTERIM TITLE INSURANCE BINDER

Case No. GTCO 12040
No.

TO METROPOLITAN AREA PLANNING DEPARTMENT

LAWYERS TITLE INSURANCE CORPORATION, herein called the Company, hereby insures:
That the title to the land described in Schedule A hereof, was on **June 1, 19 73**
at **7:00 o'clock A. : M.**, vested in fee simple in

CHRYSLER REALTY CORPORATION

subject only to the defects, objections, liens and encumbrances, as shown in Schedule B hereof.
That upon compliance with and/or satisfaction of the requirements set forth under Section 1 of Schedule B of this Binder, and upon payment of its premium for title insurance, this Company will issue to you, as the insured, its policy of title insurance, on the usual form, in the sum of \$**to be determined**, showing under Schedule B thereof only such exceptions as appear in Section 2, of Schedule B of this Binder and such liens, encumbrances or objections attaching to the title subsequent to the date hereof and prior to the issuance of the policy which are not satisfied and/or removed.

This Binder is delivered and accepted upon the understanding that you have no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting said premises other than those shown under Schedule B hereof, and your failure to disclose any such personal information shall render this Binder and any policy issued based thereon, null and void as to such defect, objection, lien or encumbrance.

Nothing herein contained shall be construed as a guarantee against the consequences of the exercise and enforcement or attempted enforcement of governmental "police power" over the property described herein.

This Company shall be liable under this Interim Title Insurance Binder only for actual loss or damage incurred by reliance upon the insuring provisions hereof.

This Interim Title Insurance Binder is subject to the terms, provisions and Conditions and Stipulations of the form of policy applied for.

This Binder is preliminary to the issuance of the policy of title insurance and shall become null and void, unless policy is issued, and the premium therefor paid, within six (6) months from the date hereof, and shall not be binding until it shall have been countersigned by an authorized Officer or Agent of the Company.

IN WITNESS WHEREOF the Company has caused this binder to be executed pursuant to its by-laws
at **Wichita, Kansas** on **June 1, 19 73**

Countersigned:

GUARANTEE TITLE CO., INC.

Donald R. Hawkins
Authorized Officer or Agent

Lawyers Title Insurance Corporation

George V. Scott
President.

Clifford B. Hunt
Secretary.

Schedule A

Legal description of the land referred to in this Binder.

Part of the Southeast Quarter of Section 19, Township 27 South, Range 2 East, described as beginning at the Southeast Corner of Lot Two (2), ROCKWOOD SOUTH THIRD ADDITION, Wichita, Sedgwick County, Kansas; thence North along the East line of said Lot, 905 feet; thence West 410 feet to the Northwest Corner of said Lot; thence North with an angle to the right of 88 degrees 49', a distance of 434.3 feet to the P. C. of a curve to the left having a central angle of 46degrees, 53' 15", and a radius of 399.67 feet; thence along said curve a distance of 327.07 feet to the P. T. of said curve; thence on tangent to said curve, 395.34 feet to the P. C. of a curve to the right, having a central angle of 38 degrees, 50' 15", and a radius of 437.87 feet; thence along said curve, 296.81 feet to the P. T. of said curve; thence along tangent to said curve, 370 feet; thence East 40 feet South of and parallel to the North line of said Southeast Quarter, a distance of 1916.89 feet to a point 350 feet West of the East line of said Southeast Quarter; thence Southeasterly 105.89 feet to a point 75 feet South and 250 feet West of the Northeast Corner of said Quarter Section; thence East 175 feet; thence South parallel with the East line of said Quarter Section, 175 feet; thence Southeasterly, 101.09 feet to a point 350 feet South and 60 feet West of the Northeast Corner of said Quarter Section; thence South 60 feet West of and parallel with the East line of said Quarter Section, a distance of 2060.35 feet to the North line of Lot One (1), ROCKWOOD SOUTH SECOND ADDITION to Wichita, Kansas; thence West 186 feet to the Northwest Corner of said Lot One (1); thence South along the West line of said Lot, 154 feet to a point 30 feet North of the North right-of-way line of U.S. Highway 54 as condemned in Case A - 17549; thence West along a line 30 feet North of and parallel to said right-of-way, 973.6 feet to the place of beginning.



THE LAW COMPANY, INC.

DESIGN - BUILD

(316) 265 8564 · 313 S. MARKET RD. BOX 1138 WICHITA, KANSAS 67201

June 6, 1973

Mr. Jack Galbraith
Chief Planner
Metropolitan Area Planning
City Building Annex
104 South Main
Wichita, Kansas 67202

Re: Kellogg Mall
Wichita, Kansas

Dear Mr. Galbraith:

This is to advise your office that we have met with McConnell Air Force Base engineers and after consultation with our own acoustical consultants, we shall design the shopping center using recognized sound control standards. The construction of this center shall give proper consideration to noise pollution in the area.

Very truly yours,

THE LAW COMPANY, INC.

Keith E. Parker
Marketing

KEP:dm



THE LAW COMPANY, INC. *Handy*

DESIGN - BUILD

(316) 265 8584 - 313 S. MARKET P.O. BOX 1138 WICHITA, KANSAS 67201

June 1, 1973

Mr. W. H. Ogan, P. E.
Engineer of Urban Highways
State Highway Commission of Kansas
State Office Building
Topeka, Kansas 66612

Kellogg Mall

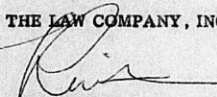
Re: Kellogg Mall
Wichita, Kansas

Dear Mr. Ogan:

Enclosed are three (3) copies of the revisions requested by your department in your letter of May 23, 1973. These revisions are submitted to you at the request of Mr. Bob Lakin, Director of Planning for the City of Wichita.

Very truly yours,

THE LAW COMPANY, INC.


Keith E. Parker
Marketing

KEP/kw

Enclosures

cc: Mr. Paul Graves
Mr. Robert Lakin
Mr. R. W. Linn



ROBERT B. DOWKING, Governor

State Highway Commission of Kansas

JOHN D. MONTGOMERY, Director of Highways
H. J. ULRICH, Assistant Director of Highways
JOHN D. McNEAL, State Highway Engineer



ROBERT P. HAGEN
Lawrence, Kansas
BOB KENT
Salina, Kansas
HENRY SCHWALLER
Hays, Kansas
KARL A. BRUECK
Pawnee, Kansas
GALE MOSS
El Dorado, Kansas
LOUIE KAMPSCHROEDER
Garden City, Kansas

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

May 23, 1973

US 54
City of Wichita
Sedgwick County

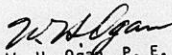
Mr. Robert A. Lakin
Director of Planning
City Building Annex
104 South Main Street
Wichita, Kansas 67202

Dear Mr. Lakin:

Traffic engineers of this department have reviewed and analyzed the proposed geometrics and capacities for the section of Kellogg Avenue through the intersections of Rock Road and Armour Drive. As noted previously, our review indicates that there are several shortcomings in the developer's proposal.

We are attaching a copy of our review and recommendations for your information. We believe that these recommendations should be given very serious consideration before approval is given to the developer's entrance to US 54.

Very truly yours,


W. H. Ogan, P. E.
Engineer of Urban Highways

WHO:mj

Attachment

cc: Mr. Don J. Christensen, Assistant State Highway Engineer

cc: J. Shaffer
K. Parker
R. Bruggeman
P. Gauer
D. Linn

State Highway Commission of Kansas

May 22, 1973

US-54
The "Mall"
City of Wichita
Sedgwick County



SUBJECT: Review of Proposed Geometrics and Indicated Capacities for a Kellogg Avenue Improvement by City and Developer.

LOCATION: East Kellogg Avenue through the intersections of Rock Road and Armour Drive.

This review is based on the assumption that the 124 ft. right of way on the north side meets city standards. The State Highway recommendation is 140 ft.

In analyzing the intersections of Rock Road and Armour Drive on Kellogg (US-54) Avenue, generation rates of 25 and 8 vehicles per thousand square feet of gross leasable area were used for shopping center traffic and office and motel traffic respectively.

The dual left-turn lanes, one at each intersection, will store all the traffic that the signalization can handle, but during peak hours it may begin to extend into the through traffic lanes. The remaining turning movements appear to have ample storage except for two locations at the Rock Road intersection. A right turn lane on the east leg of Kellogg Avenue needs to be added to store the right turn vehicles, and the left turn lane on this same leg needs to be lengthened to accommodate the left turn traffic.

Recommendations for East Kellogg Avenue through the intersections of Rock Road and Armour Drive include:

1. The removal of the two islands at the northeast and southwest corners of the Rock Road intersection;
2. The addition of a right turn lane on the east leg of Kellogg Avenue at the Rock Road intersection and its extension through the intersection;
3. The lengthening of the taper in the transition area between the normal and new section on the east leg of Kellogg Avenue at the Rock Road intersection;
4. The lengthening of the left turn storage area on the east leg of Kellogg Avenue at the Rock Road intersection and the correction of the medians to steer the vehicles away from the nose of the median separating the left turn from the through traffic;

US-54
The "Mall"
City of Wichita

- 2 -

May 22, 1973

5. The revision of the entrance and exit to the service area between the two intersections to a single facility located farther west of the slip-on from Kellogg Avenue that will serve for both an entrance and an exit;
6. The addition of channelization to make a continuous right turn lane and two through lanes on the north leg at the Armour Drive intersection; and
7. The lengthening of the taper in the transition area on the west leg of the Armour Drive intersection.

The attached schematic contains the recommendations described above.

A. J. BASILE, P.E.
URBAN TRAFFIC ENGINEER

Dannie R. Cummings
DANNIE R. CUMMINGS
Associate Urban Traffic Engineer

DRC:to

May 29, 1973

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

Re: Kellogg Mall

Dear Jim:

Attached is a letter received from Bill Ogan, State Highway Department, relative to the proposals for improvement of Kellogg in the Rock Road area. As I interpret his letter, I believe it is to be general concurrence and approval of the geometrics submitted. However, the last paragraph indicates that they are withholding approval until the modifications that were discussed have been submitted for further review. I suggest that those modifications be made immediately with copies being furnished to the State and those receiving copies of this letter. I would also think you would be in a position to proceed with preliminary cost estimates sufficient to establish a guarantee amount or bonding amount. In the event that you choose to use special assessments as a technique for guaranteeing the improvements, I suggest that you arrange a meeting with Mr. Bruggeman and Mr. Linn and myself to discuss the matter, particularly as to the benefit district notification, etc.

I would also suggest that you may want to include the City Manager, particularly if you are going to suggest any different participation by the City of Wichita than what I had earlier indicated. Also, please furnish me approximately six additional prints of the geometrics so that I can call a meeting of the so-called affected property owners so that they will be apprised as to what is being proposed for construction. In particular, we will want to hold a meeting involving Phillips, Moore, Holiday Inn, and Transamerica. It may also be well to advise the Howard Johnson and other restaurants in that immediate service road vicinity. You may wish to call such a meeting instead of our office, but it should be done quickly and before we release the tracing.

Page 2 - Mr. James R. Schaefer
May 29, 1973

If there are any questions, please call.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber

cc: Keith Parker, 313 South Market 67202
Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Paul Graves, City Traffic Engineer
Dick Linn, City Engineer

ROBERT B. DOCKING, Governor

State Highway Commission of Kansas

JOHN D. MONTGOMERY, Director of Highways
H. J. ULRICH, Assistant Director of Highways
JOHN D. McNEAL, State Highway Engineer



ROBERT P. HAGEN
Lawrence, Kansas
BOB KENT
Salina, Kansas
HENRY SCHWALLER
Hays, Kansas
KARL A. BRUECK
Paola, Kansas
CALE MOSS
El Dorado, Kansas
LOUIS KAMPSCHROEDER
Garden City, Kansas

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

May 18, 1973

Kellogg Avenue (US 54)
City of Wichita
Sedgwick County

Mr. Robert A. Lakin
Director of Planning
City Building Annex
104 South Main Street
Wichita, Kansas 67202

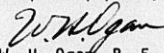
Dear Mr. Lakin:

Since the meeting of Wednesday, June 16, 1973, concerning the improvement of Kellogg Avenue to accommodate the entrance to the Kellogg Mall, this office has reviewed the proposed plans for the improvement. Although there are several limitations to the proposal, it was agreed that the items could and would be corrected. Particular attention should be directed to the length of left turn lanes, the length of tapers, and the conflict of traffic which could develop between the frontage road and service area entrances.

We have previously stated that an additional fifty feet of right of way should be required to provide for ultimate expressway design. Opinions expressed by City personnel at our meeting indicated that the thirty four feet of additional right of way would satisfy the requirements in accordance with City standards. On this basis, we will concur with the City and do approve the minimum additional right of way of thirty four feet, making a total of one hundred and twenty four feet, from centerline to right of way line.

We will withhold any approval of geometrics until such time that the modifications indicated in the minutes of the meeting have been submitted for further review. At such time as final plans are available, an appropriate entrance permit application, approved by the City, along with plans for the work to be accomplished should be forwarded through proper channels for review and approval by the Highway Commission.

Very truly yours,


W. H. Ogan, P. E.
Engineer of Urban Highways

WHO:mj

cc: Mr. Don J. Christensen, Assistant State Highway Engineer



State Highway Commission of Kansas

May 17, 1973

Proposed Kellogg Hall
US 54 (Armour Drive to Rock Road)
City of Wichita
Sedgwick County



MEMORANDUM TO THE FILES:

A meeting was held in the Commission Room of the State Highway on May 16, 1973 to discuss the proposed improvement of Kellogg Avenue (US 54) between Armour Drive and Rock Road in Wichita in connection with a proposed development north of Kellogg known as the Kellogg Hall. A list of persons in attendance is attached.

The proposed interim plan was presented and the following items pertaining to geometrics were discussed:

1. Typical Section - The plan utilizes the existing south one-half of Kellogg Avenue. All newly constructed traffic lanes to be twelve feet in width with proper minimum clearance from the face of curbs.
2. Left Turn Lanes - The proposed length for storage is believed to be inadequate and should be lengthened as conditions permit in line with opening traffic demand.
3. Taper - From existing roadway alignment needs to be appropriately increased.
4. Entrance - From the proposed frontage road to the development should be located to minimize traffic conflict.

Signalization will be required at Armour Drive and revision made to the system at Rock Road. Signals to be fully traffic actuated.

Drainage will need to be a consideration in the final plan.

All owners involved in additional rights of way and changes in existing traffic operations are to be contacted by the City for concurrence in the plan.

Setback requirements for permanent building construction was indicated to be seventy five feet.

The proposed right of way is 124 feet from the centerline of Kellogg Avenue with the developer providing the additional 34 feet. The Urban Department previously recommended to the Planning Director for the City that as a condition of plat approval the developer should provide an additional fifty feet with adequate setback for permanent building construction. The City indicated that appropriate minimum

Page - 2 - Memo to files May 17, 1973

geometric requirements meeting present city standards could be obtained in the width proposed by the developer.

Site work for the development is expected in early June. The Engineer of Urban Highways indicated the City's Director of Planning would be notified of the State Highway's position by the middle of next week with reference to right of way requirements and appropriate geometrics.

K. V. Spear, P. E.
Assistant Engineer of Urban Highways

KVS:mj

Attachment

cc: Mr. Don J. Christensen, Assistant State Highway Engineer
Mr. Robert A. Lakin, Director of Planning
Mr. Dick Linn, City Engineer

Paul B. Graves	City of Wichita
Dick Linn	City of Wichita
Jack H. Galbraith	City of Wichita
William G. McKinley	City of Wichita
Richard Mullins	Developer, Wichita
Harold D. Hubbard	The Law Company, Wichita
Keith E. Parker	The Law Company, Wichita
James Mee	Poe & Associates, Wichita
Mike Thompson	Poe & Associates, Wichita
Raymond Keyer	Raymond Keyer Engineers, Elmsford, N. Y.
Raymond Rubuls	H. Simon & Associates, Indianapolis, Ind.
Don J. Christensen	State Highway Commission
J. O. Adams	State Highway Commission
W. H. Ogan	State Highway Commission
K. V. Spear	State Highway Commission
A. J. Basile	State Highway Commission
Perl F. Fisher	State Highway Commission

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE
April 5, 1973

TO File
FROM Robert A. Lakin, Director of Planning *M*
SUBJECT Kellogg Mall

I called Jim Schaefer and asked him to furnish us with copies of the cross sections of geometrics on the Kellogg improvements as envisioned by his consultant, Keys. Keys had already left town by 2:30 p.m. Schaefer indicated that Keys will make some further modifications to the proposals, and have them in the mail so we would have them Monday. I asked for six copies. We will forward a copy or two to the State immediately upon receipt. We will also immediately furnish the Traffic Engineering Division and City Engineer a copy for their review and analysis. Within three days following receipt, we should ask for a joint meeting in-house to see if this is acceptable for interim construction and to request a meeting with the State people not later than the end of the week.

RAL:ber



THE LAW COMPANY, INC.

DESIGN · BUILD

(316) 265 8584 · 313 S. MARKET P.O. BOX 1136 WICHITA, KANSAS 67201

May 9, 1973

Mr. Robert A. Lakin
Director of Planning
City Building Annex
104 South Main
Wichita, Kansas 67202

Re: Kellogg Mall
Wichita, Kansas

Subject: Improvements to Kellogg between Rock Road and Armour Drive

Dear Mr. Lakin:

We are forwarding six (6) copies of the revised geometrics per our discussion of May 4, 1973. Copies have also been forwarded to Mr. W. H. Ogan of the State Highway Commission in order that he might review these prior to the meeting which you are arranging between the State, representatives from the City, and representatives of the developer. Please advise when that meeting has been arranged. Thank you.

Sincerely,

THE LAW COMPANY, INC.

H. D. Hubbart
H. D. Hubbart
Design Division

HDH/dh

Enclosures

cc: Mr. Don Faust
Mr. Dick Mullins
Mr. Ray Rubuls
Mr. Jim Schaefer
Mr. Jim Hutcherson
Mr. Keith E. Parker



L THE LAW COMPANY, INC.

(316) 265 8584 · 313 S. MARKET P.O. BOX 1139 WICHITA, KANSAS 67201

May 9, 1973

Mr. W. H. Ogan, P.E.
Engineer of Urban Highways
State Highway Commission of Kansas
State Office Building
Topeka, Kansas 66612

Re: Kellogg Mall
Wichita, Kansas

Subject: Proposed improvement of Kellogg Street (U.S. 54) between
Rock Road and Armour Drive in Wichita, Kansas

Dear Mr. Ogan:

We are forwarding three (3) copies of proposed revisions to Kellogg to your office for review. Plans of this type would normally be forwarded by the City of Wichita Planning Department, but we have forwarded directly to you to allow you to have an opportunity for review in as short a time as possible. Mr. Lakin, of the Planning Department, will be contacting you relative to setting a time for a meeting between your office, City of Wichita officials, and representatives of the developer.

Basically, this drawing reflects the minimum improvements felt to be necessary by the City of Wichita and agreed to by the developer's representatives. The drawing reflects the existing construction to remain, existing construction to be removed, and new construction required.

We are desirous of meeting with you as quickly as possible, but feel you need an opportunity to review this proposal before our meeting. If you have any questions regarding the proposed improvements before the meeting, please contact either Mr. Lakin or this office and we will attempt to clarify those items for you.

Sincerely,

THE LAW COMPANY, INC.

Harold D. Hubbard
Design Division
HDH/dh

Enclosures

cc: Mr. Don Faust/encl.
Mr. Paul B. Graves
~~Mr. Robert A. Lakin~~
Mr. Dick Lynn
Mr. Dick Mullins/encl.

Mr. Ray Rubuls/encl.
Mr. Jim Schaefer/encl.
Mr. G. C. Bolton
Mr. Jim Hutcherson
Mr. Keith E. Parker



DESIGN DIVISION · CALVIN KINGDON BERGER P.A. ARCHITECTS & ENGINEERS



THE LAW COMPANY, INC.

(316) 265 8584 · 313 S. MARKET · P.O. BOX 1139 WICHITA, KANSAS 67201

March 21, 1973

Mr. Curtis Newby
Metropolitan Planning Commission
City Building
104 South Main
Wichita, Kansas 67202

Re: Kellogg Mall
Wichita, Kansas

Dear Curt:

It is our understanding from the Developer that he no longer wishes access from Rock Road to the area know as Parcel 4 on the approved Community Unit Plan. This letter is per your request so that the file is clear as to our intentions at Parcel 4 for the above referenced project.

Very truly yours,

THE LAW COMPANY, INC.

Keith E. Parker
Keith E. Parker
Marketing

KEP/kw

cc: Mr. Dick Mullins
Mr. Jim Schaefer
Mr. Herb Simon
Mr. Melvin Simon





THE LAW COMPANY, INC.

DESIGN BUILD

(316) 265 8584 • 313 S. MARKET RD. BOX 1139 WICHITA, KANSAS 67201

March 20, 1973

Mr. Curtis Newby
Metropolitan Planning Commission
City Building
104 South Main
Wichita, Kansas 67202

Re: Kellogg Mall
Wichita, Kansas

Dear Curt:

Enclosed is a letter from Mr. Moorefield with the Soil Conservation Service in regard to the erosion problems that could occur at the above referenced project. We are providing this letter for the record and as part of our application of final plat for the above referenced property, and this should fulfill the requirements of item "g" on your staff comments per the Subdivision Committee Meeting of March 15, 1973.

Very truly yours,

THE LAW COMPANY, INC.

Keith E. Parker
Marketing

KEP/kw

Enclosure

cc: Mr. George Crall
Mr. Raymond Rubuls
Mr. Herb Simon
Mr. Melvin Simon
Mr. Dick Mullins
Mr. Jim Schaefer

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

4100 Maple
Wichita, Kansas 67209
943-9471

March 19, 1973

Mr. Keith Parker
The Law Company, Inc.
313 South Market
Wichita, Kansas 67201

Dear Mr. Parker:

Reference is made to erosion and sediment control measures relative to construction on the Kellogg Mall Addition.

The area is of heavy clay soil and has flat topography. It is also protected by a perennial sod cover. There should be no significant water or wind erosion problems. The following measures may be advisable to minimize sedimentation.


Disturbed areas should be held to the minimum size practical and left exposed for as short periods of time as possible. Seeding of these areas with locally adapted perennial grasses should follow as soon as practical. Kentucky 31 Fescue at rates of 2 to 3 pounds per 1,000 square feet are recommended for the soil of the area. Nitrogen fertilizer at about 2 pounds of available nitrogen per 1,000 square feet should be applied at seeding time. If seeding is performed during the summer months, it will need to be irrigated to assure stand establishment.

Very truly yours,

Guy Moorfield
Guy Moorfield
District Conservationist

cc: Bob Lakin

THE LAW COMPANY MARKETING DIV. REC'D MAR 20 1973	
RS	RL
CB	JK
KP	DW
RKS	GS
RD	FILE
COPY. #H	

Curtis Newby


Curt

April 5, 1973

File

Robert A. Lakin, Director of Planning

Kellogg Mall

I called Jim Schaefer and asked him to furnish us with copies of the cross sections of geometrics on the Kellogg improvements as envisioned by his consultant, Keys. Keys had already left town by 2:30 p.m. Schaefer indicated that Keys will make some further modifications to the proposals, and have them in the mail so we would have them Monday. I asked for six copies. We will forward a copy or two to the State immediately upon receipt. We will also immediately furnish the Traffic Engineering Division and City Engineer a copy for their review and analysis. Within three days following receipt, we should ask for a joint meeting in-house to see if this is acceptable for interim construction and to request a meeting with the State people not later than the end of the week.

RAL:ber

April 3, 1973

Ray Bruggeman, Director of Public Works
Robert A. Lakin, Director of Planning

Kellogg Mall

The City Commission today approved the Kellogg Mall subdivision subject to the conditions recommended by the Planning Commission. One condition was for the improvement of Rock Road as per the geometrics and layout of the Traffic Engineer, together with provisions that the City of Wichita should pay for medial reconstruction plus intersection cost and signalization at major intersections. As the developer will have to guarantee these improvements, I would imagine that he will either petition or provide some cash guarantee. If he petitions for the improvements, I assume the City Engineer's office will work with him in developing a satisfactory petition to accomplish the improvement and to allocate the cost on the basis approved by the Commission today.

The Commission also approved the Planning Commission's recommendation on the Kellogg requirements. Mr. Keys today had geometrics and cross sections available; however, he took them back to New York to check out some "rust spots" in them. I talked to Mr. Schaefer and he indicated that Mr. Keys will furnish us several copies of his proposed improvements to be accomplished within the existing rights-of-way not later than the first of next week. As soon as we receive them, we will furnish the City Engineer and Traffic Engineer with copies and would hope to have a meeting to discuss them by mid-week.

If there are any questions concerning either of these two items, please call.

RAL:ber

cc: Dick Linn, City Engineer
Paul Graves, City Traffic Engineer
Jack Galbraith, Chief Planner

April 3, 1973

Ray Bruggeman, Director of Public Works

Robert A. Lakin, Director of Planning

Kellogg Mall

The City Commission today approved the Kellogg Mall subdivision subject to the conditions recommended by the Planning Commission. One condition was for the improvement of Rock Road as per the geometrics and layout of the Traffic Engineer, together with provisions that the City of Wichita should pay for medial reconstruction plus intersection cost and signalization at major intersections. As the developer will have to guarantee these improvements, I would imagine that he will either petition or provide some cash guarantee. If he petitions for the improvements, I assume the City Engineer's office will work with him in developing a satisfactory petition to accomplish the improvement and to allocate the cost on the basis approved by the Commission today.

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If there are any questions concerning either of these two items, please call.

RAL:ber

cc: Dick Linn, City Engineer
Paul Graves, City Traffic Engineer
Jack Galbraith, Chief Planner

April 3, 1973

Baughman Company
330 Laura
Wichita, Kansas 67211

RE: S/D 73-3 - Final Plat of
KELLOGG MALL ADDITION

Gentlemen:

At the regular meeting of the Board of City Commissioners on April 3, 1973, the above-captioned plat was considered. It was the action of the City Commissioners to approve the plat subject to the following changes in the Conditions shown in our letter of March 19, 1973:

1. Condition N: Delete those sidewalks adjacent to the South side of Douglas.
2. Condition O: Change recording of the plat from 30 days to 60 days.

We will be in contact with you concerning completion of the other conditions.

If you have any questions, please call.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:rw
cc: Chrysler Realty Corporation, c/o James R. Schaefer,
800 Brown Building 67202
Kellogg Mall Associates, c/o Keith Parker, The Law Company,
313 South Market 67202
Robert McCroskey, 7413 Pagen 67206
Wm. Tinker, Jr., Suite 530 R. H. Garvey Building 67202

EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 22, 1973:

15. S/D 73-3 - Final Plat of KELLOGG MALL ADDITION, generally located on the west side of Rock Road between Kellogg and Douglas.

LAKIN said the staff was satisfied with the recommendation of the Subdivision Committee which was for approval of this plat subject to a number of conditions as shown on the Planning Commission agenda. He stated that the Subdivision Committee made its decision only after considerable discussion, but that the Traffic Engineer and the attorney for the developers of Kellogg Mall are present if the Planning Commissioners have questions.

No one appeared to speak in opposition.

HENNESSY asked if there would be a periphery road on the interior of the project and BILL McKINLEY, Assistant Traffic Engineer, said that the developers are providing a 40-foot interior roadway circling their development, that being one of the requirements in platting and the CUP.

JACKSON asked McKinley if he had been in touch with the attorney for the subdivider since the last meeting and McKINLEY said a meeting was held in Topeka with the State Highway Commission, the attorney for the applicant and City staff.

HENNESSY asked if the plat was ready for submission to the City Commission without any possibility of it being returned.

McKINLEY stated that this area presents a mammoth traffic problem when developed and they have some interim proposals that would help alleviate the situation, but the only real solution would be for improvement of Kellogg to freeway standards. McKINLEY said the engineer for the development proposes a different scheme.

HENNESSY commented that with so many major companies being involved in this Center, he was opposed to any possibility of blocking the development.

RISING asked McKinley if he felt the potential traffic could be satisfactorily handled with the program recommended by the Subdivision Committee and that the Planning Commission is considering approving.

McKINLEY answered that there is still some area of doubt on the right-of-way requirements for Kellogg, and yet there is no way the freeway plan can be initiated until additional right-of-way is acquired which is beyond the control of subject developer. McKINLEY said there is no plan at this time to implement the new plan for freeway standards and it is not felt that any other method will adequately handle the traffic to be generated.

KAMEN pointed out that two proposals were presented to the Subdivision Committee; one by the City Traffic Engineering Division and one by the applicant's engineer. The applicant's proposal would be an improvement over present capacity, but probably not sufficient to handle the eventual volumes, but on the other hand, the City's proposal is one that they admit is impossible to carry out at this time, and it was Kamen's opinion that something has to be done at this time on possibly an interim basis.

KAMEN continued that the freeway standards are not provided for in the Capital Improvement Program and funds are not available and won't be for sometime to initiate the freeway project; while the applicant's proposal will be an improvement, even though not adequate in the future. The recommendation or requirement under G. of the conditions, which reads as follows:

- G. It is recommended that the 22 feet of additional right-of-way indicated on the plat for the north half of Kellogg be approved subject to a plan being drawn by the applicant's consulting traffic engineer, for the widening and reimprovement of Kellogg, which will adequately serve the traffic needs on said street from Armour Drive to Rock Road, and which meets the approval of the City Traffic Engineer and the State Highway Department. It shall be understood that should additional right-of-way for Kellogg over and above 22 feet be required from subject plat for a workable design for said street, that the applicant will agree to dedicate up to an additional 12 feet of right-of-way. It being further understood that in the event that a workable design for Kellogg would require even more right-of-way from subject plat than the additional 12 feet, the plat will be returned to the Subdivision Committee for further consideration,

KAMEN pointed out, provides for 22 feet of additional right-of-way initially and if not sufficient in final development of the design, there is a requirement for an additional 12 feet for another full lane so that the facility will at least be an improvement until the freeway can be constructed.

RISING stated that it seems, then, that approval of this plan would be an interim step, but would be done in such a way that the more desirable objective could be accomplished at a later date without being hindered by the approval of this plan.

JAKCSON pointed out that in addition to the 22 feet referred to in the above condition, the recommendations include a 75-foot setback from the 22 feet, or from the additional 12 feet if required in the final design for the improvement. JACKSON said he understood the recent meeting in Topeka was concerning a possible concurrence of the State Highway Department, the applicant and the

Traffic Engineer that the approximately 34 feet (22 plus 12) would fit in with any improvements 5 or 10 years hence.

It was pointed out in the discussion that the applicant, in applying for an amendment to the CUP, did not include all the property along Kellogg that has been included in the traffic projection.

HENNESSY again asked if there was anything which might tend to confuse or cloud the amendment on the CUP.

McKINLEY pointed out that their projection for needed right-of-way is 60 feet as compared to the 34 feet (22 plus 12) accepted by the Subdivision Committee.

JACKSON commented that there were no problems with traffic so far as Rock Road and Douglas, the major emphasis being on Kellogg, and that any improvement at all so far as depth of right-of-way on the north side would be an improvement over the present situation.

KAMEN pointed out that the difference between the two plans is that the applicant's plan can be built now whereas the Traffic Engineer's proposal cannot be, and there is no exact time when it could, and yet the street must be improved to handle the traffic which will be generated by the development.

LAKIN explained that the recent meeting in Topeka was arranged by the applicant and his consultant with the State Highway Department and related to the conditions of the plat approval, particularly Condition G. as shown above. LAKIN reported that the State officials are not in a position to give a definite "yes" or "no" based on only a preliminary review of the alternates. LAKIN said his feeling is that the State has indicated directly that they do not have any project in this area of Kellogg and do not anticipate one in the immediate future. Further, they do not wish to be placed in the position of referee and suggested that whatever the City Commission approves will probably also be approved by the State. However, until action by the City Commission and presentation of its action to the State Highway Commission, officials of that Commission will not be in a position to indicate their reaction. The recent meeting was more or less exploratory in providing them with information on what is being considered locally.

RISING asked if the Commission approved the plat as recommended by the Subdivision Committee so that the highway plan could be accomplished now, would this prohibit the long range solution trafficwise at a later date.

McKINLEY said he felt unless a contingent dedication is provided or some guarantee that buildings won't be close or into the 60 feet

the Traffic Engineering Division feels should be protected, it cannot provide a solution long range.

HARRISON ARRIVED.

In further discussion, it was stated that if a contingent 60 feet of dedication is required, it might require a redesign of the project and location of buildings. MCKINLEY maintained that in his opinion this 60-foot contingent dedication would have to be required in order to assure accomplishment of the long range solution to freeway standards.

JACKSON pointed out that a 60-foot line would mean involving an existing service station which is not a part of subject plat and before the long range plan could be accomplished, such station, as well as other existing development to the east, would have to be acquired.

HENNESSY said he would be reluctant to take any action which would tend to delay the development.

TAYLOR asked McKinley if, in his opinion, the requirements in G. would not be adequate. MCKINLEY said the Subdivision Committee left out the option that if the State determined additional right-of-way is needed, that option would still be open and that whatever it determines necessary, could be required.

TAYLOR asked if he meant the requirements indicated in G. are not adequate. MCKINLEY pointed out that two different types of highways are being considered - the applicant's consultant proposes the present facility with one additional lane and two left turns at Armour, while the Traffic Engineering Division proposes a freeway standard for the highway. He commented that the development will be of such magnitude that it will require freeway standards and that traffic volumes anticipated far exceed anything presently in Wichita.

RISING commented that if this is such a big project, perhaps the Planning Commission is out of order in taking action until freeway standards can be provided.

BURNETT said he felt the Subdivision Committee was well aware of the various conditions and had taken these alternates into consideration.

KAMEN said the Subdivision Committee spent 2 1/2 hours discussing this plat and they do not want to hold up the project, provided there is adequate protection provided. He stated that it seemed, as stated in Condition G., that if the Highway Department feels the 34 feet (22 plus 12) is not feasible, then the plat

would be reconsidered, but if the State considers it feasible, then it could proceed. He maintained that this does provide a means of controlling the development so far as highway right-of-way is concerned.

KAMEN said the applicant proposed an additional 22 feet for their traffic pattern, but the Subdivision Committee felt that was not adequate and after listening to the Traffic Engineer, had required another 12 feet which is another full lane, just in case it would be required in the final design for a workable plan. The Subdivision Committee felt that a workable plan could be developed in the 34 feet.

JACKSON pointed out the difference in right-of-way width between the consultant's plan and the Traffic Engineer's plan and that it was his feeling that if any additional right-of-way over the 34 feet is required, then the City or the Highway Department could negotiate with the owner for whatever additional is considered necessary. He commented further that such a plan would mean removal of existing buildings on adjacent properties before it could be carried out, which would mean expenditure of a considerable amount of money for acquisition of right-of-way needs.

LAKIN said that from the staff standpoint none of the solutions that have been proposed will solve the traffic problem. The Traffic Engineering plan is one which would serve but after 1980 would begin to breakdown and something else would have to be done. The fact that the long range plan cannot be achieved before 1980 means some arrangement must be made on an interim basis. The consultant's plan would improve the existing situation through construction of an additional lane and dual left turn bays and establishment of a service road to the north, while the Traffic Engineering plan would increase capacity to 6 moving lanes with double left turns.

LAKIN said his recommendation to the Subdivision Committee was that there is a point beyond that which can and should be required for a dedication on a subdivision, but beyond that point when one starts planning for expressway or freeway standards, he considered then that it should be purchased or condemned. He stated that it is the difference between the so-called 34 feet and 60 feet that represents an arterial plan or expressway plan for improvement. If 60 feet is required as well as a 75-foot setback, then the structure proposed will have to be moved farther to the north and ultimate development of such a plan would mean acquisition of adjacent developed properties which are not a part of the applicant's ownership.

HARRISON said he has been on this Commission 1 1/2 years and is "fed up with maybe sos." He suggested that the Commission should have some reliance on the professional qualifications of the staff, but that firm recommendations and statements should be presented, and

the Commission should not be constantly considering "maybe sos."

HARRISON questioned any inference that the developer is expected to acquire additional property to the east or west in order to provide for the eventual long range plan. He felt the Commission should make direct decisions and unless it is to the point of being specific, he considered it would be a mistake to take action.

KAMEN pointed out that the Traffic Engineer could not come up with a program that could be done properly, so the applicant's consultant has submitted one that could be done now, although, admittedly, it is not the ideal, but is an improvement over the present situation.

RISING spoke in opposition to any method which would require a large expenditure in acquisition of right-of-way which would be assessed against the community and citizens as a whole, but beneficial only to this developer.

HENNESSY said every effort should be made to protect local residents and property owners, but he did not feel a project as large as what is proposed should be delayed either.

LAKIN pointed out again that once the Planning Commission has made its recommendation to the City Commission and that Commission has acted on this case, it will be submitted to the State Highway Commission, which will either accept the recommendation or not, but that Commission is expecting some sort of proposal to be submitted before they take action.

JACKSON summarized that the difference is that the applicant's proposal is for 34 feet which can be utilized for highway improvements now, while the Traffic Engineer's proposal calls for 60 feet more right-of-way to have the freeway standards at some future time. The consideration must be whether or not the project is going to wait 5 to 10 years before development, or whether the interim development is reasonable to permit proceeding with development. JACKSON emphasized that of course there will be more traffic than presently, but the interim improvement proposed will relieve the situation considerably. He stated that he is satisfied with the possible 34 feet provided for in Condition G.

McKINLEY said the consultant's proposal will not provide for the traffic that will exist when the Center is completed, and there will be much more traffic utilizing Douglas and other residential streets to shop at this Center. Further, the applicant's proposal is beyond the point where they have control. McKINLEY said that their plan, as approved by the Traffic Commission, will handle the projected traffic.

KAMEN agreed that it is a very desirable program, but it is economically unfeasible and impossible to carry out now, and if accepted, no improvement in the highway facility would be made until 5-10 years hence.

In further discussion of the Traffic Engineer's proposal, McKINLEY said it would breakdown by 1980, but only at peak hours, while the consultant's plan would be inoperable from a desirable traffic movement standpoint all day long.

RISING questioned whether anyone would actually gain if a facility is built which cannot handle the traffic. KAMEN commented that no highway improvement at all would mean a much worse traffic situation.

RISING was inclined to favor requiring the applicant to provide whatever is required to handle the additional traffic which would be generated by his development, so the City at large and other taxpayers would not have to stand the expense through condemnation.

JAMES R. SCHAEFER, attorney for the applicant, pointed out that it would do no good to require dedication from the applicant for what is felt to be the desirable long range traffic facility when there is no possibility of acquiring what is needed to the east and west of subject property to provide such a facility. He referred specifically to two service stations and the Robert Hall Store which he considered would be impossible to acquire at this time from a financial standpoint. He pointed out on the City Traffic Engineer's plan what is suggested be acquired for the ideal traffic facility, and said it is what has been submitted to the Subdivision Committee, the Traffic Commission and the State Highway Department. To implement such a plan would require the acquisition of various businesses which he pointed out, and that to ask this developer to undertake such a massive problem would be an impossible situation, and no doubt would have to be acquired by the City through eminent domain at some future time.

SCHAEFER said the developers have hired a very qualified traffic engineer who has developed his plan based on information obtained from the Traffic Engineer's Office and based on his experience in various other localities. He stated that in March of 1972, the consulting engineer had submitted a plan and after several hearings related to the Community Unit Plan by the City Commission and Traffic Commission it was to be discussed again by the Traffic Commission in August of 1972; however, it was the latter part of December before a hearing was set up before the Traffic Commission. At that hearing, SCHAEFER stated, Mr. Keys, the consulting engineer for the applicant, was prepared and did submit a plan. The Traffic Engineering Division had no plan at that time and the matter was continued until they could develop a plan, which is the one now

being considered. SCHAEFER said that when the plan was first submitted by Mr. Graves, it was stated that it was economically unfeasible. He considered it unreasonable for the Traffic Engineer to continue to push for a plan which by his own admission is economically unfeasible and cannot be implemented at this time. On the other hand, the applicant's consultant has presented a plan which they think will work, and the Traffic Engineering Division has not submitted any alternate plan. He was critical of the many meetings and discussions which have been necessary on this project and the persistence in talking about a plan that will not work.

In response to the question of just why it won't work, SCHAEFER said it was because the necessary real estate cannot be acquired until condemned and the State Highway Department has nothing in its plans for 7 or 8 years in this respect. He suggested the discussion be confined to something that will alleviate the situation - the one submitted by the applicant's consultant. He considered it useless to continue to discuss a plan which everybody admits can't be done at this time.

SCHAEFER said that at the recent meeting with the State Highway Department, one of the officials quickly scanned the applicant's plan and it was his tentative personal opinion that the plan might be acceptable to the Highway Department. As stated by Lakin earlier in the meeting, however, SCHAEFER pointed out that the Highway Department does not want to be placed in the position of being a referee between the developer and the Traffic Engineer and wants a submission to them by the City and then they will consider it and either accept it or not accept.

SCHAEFER said they could "live" with the language in Condition G. from a purely analytical standpoint and they have presented a plan which Mr. Keys says can be done on 22 feet of right-of-way. In this respect, SCHAEFER suggested that possibly Mr. Keys had failed to consider the necessary area for other public street improvements, such as sidewalks, traffic signs, etc., which could be accommodated in the extra 12 feet which has been required by the Subdivision Committee.

Reference was made to the claim that traffic will breakdown, and SCHAEFER said the inference is that it will be on a 24-hour per day basis, when actually it is expected to be only at peak hours of the day - possibly for from 15 minutes to an hour each day, except that it would no doubt be more of a problem at Christmas or Easter times.

SCHAEFER stressed the necessity of getting the southern border line of this plat established so that the 75-foot setback could be delineated and plans could go forward for site planning within the

CUP tracts. He pointed out the uncertainty in that if 22 feet is required, then the setback line would be 75 feet back from that; if 22 feet plus 12 feet is required, then the setback would be 75 feet from that; and if 60 feet is required, then 75 feet back of that line. He did not see any logic to a 60-foot requirement, but stressed the fact that they do need to get a configuration for the south line of this plat.

HENNESSY asked if the improvements could be made as suggested in G. of the Subdivision Committee conditions of approval.

LAKIN said the Commission could make whatever requirement it desires, but nothing can be done without approval of the State Highway Department.

BURNETT asked Mr. Schaefer if he could "live with" condition G. if approval of the City Traffic Engineer was not required and SCHAEFER said he could not answer that question.

BURNETT then stated that the Subdivision Committee is composed of three members of the Planning Commission, who have spent over two hours discussing this matter. He thought the Planning Commission should accept the Committee's recommendation and proceed, since the Committee is a part of the Commission and has studied this matter in-depth.

MOTION: That the recommendation of the Subdivision Committee be accepted. (This motion was not seconded.)

HENNESSY said he was trying to eliminate any and all flaws prior to submission of this matter to the City Commission.

BLAKEY asked Mr. Schaefer if it would be feasible for his client to locate the building back at least 75 feet from the 60-foot line that the Traffic Engineer has suggested so that structures would not be involved in future construction of the highway to freeway standards.

SCHAEFER felt that would be too much and said he would like to see 22 feet required, subject to approval of his client, with an agreement to take another 12 feet or any portion thereof as may be needed, and then the 75 feet for a setback.

Reference was made again to the 12 feet to be required if it is determined to be needed and the fact that within that area there would have to be sidewalks, street signs, fire hydrant, etc., and in this respect LAKIN said it is mandatory that at least the 12 feet be required and that the normal parking area is 15 feet for such facilities.

HENNESSY asked for comment from the staff and LAKIN said he expressed his views at the Subdivision Committee and they are as shown in the Subdivision Committee recommendation under Item G.

KAMEN stated that as for the Subdivision Committee, there must be 34 feet required with a 75-foot setback from that line, which should be sufficient to allow for the inner road system.

RISING said if there is some way to make it possible for the developer to firm up the south line and yet be certain that there will be no construction in any area which might eventually be needed for highway improvement, then that would be the clear-cut way to proceed. SCHAEFER said they could not accept one foot more of setback or right-of-way requirement and still construct the building proposed. He stated that the plan they have fits into the 22 feet and they might be willing to dedicate 12 feet more and within that 12 feet they surely can place trees, sidewalk, fire hydrants, etc.

BLAKEY questioned the need for a sidewalk along Kellogg and SCHAEFER said he could not see the logic of that requirement either. LAKIN pointed out that sidewalks are a requirement of the City Commission and that body can remove that condition if it so desires, but it could be desirable in view of the mass traffic which will be generated and the many businesses located along the frontage road.

SCHAEFER commented that as far as sidewalk, plantings and other uses, such as fire hydrants, etc., all that is needed is 10 feet.

LAKIN pointed out that an area is needed back of the curb line for the normal range of things placed in the parking area, the basic standard being 15 feet, so in this case it has been lowered to 12 feet.

SCHAEFER maintained that the consultant's plan works within the present right-of-way and the additional 22 feet is probably sufficient for the street signs, fire hydrants, etc.

JACKSON said that was not the way he understood the situation - that it would work within the existing right-of-way.

SCHAEFER said the Traffic Commission said to build it within the existing right-of-way and what other property is needed to be dedicated by the developer, and the developer said 22 feet is what is needed.

KEITH PARKER, architect for the development, said Mr. Key's plan does fit within the existing right-of-way, but after conferring with the City Traffic Engineer, he indicated another left turn

which called for another 22 feet, and later at the Subdivision Committee an additional 12 feet was agreed to if needed to handle the geometrics.

HARRISON commented that he would like to get confirmation on whether or not the plan recommended by the Subdivision Committee will work and while statements have been made that there is little difference between the two plans presented, it is claimed that neither will work.

McKINLEY said they are not in agreement and that their plan won't work after 1980, and that the consultant has never analyzed the intersection at Rock Road and Kellogg.

HARRISON stated that this development is going to be a big asset to the City and the problems should be solved now and not on a "maybe so" basis.

McKINLEY said traffic at the intersection is expected to increase from 30,000 to 62,000 by 1980, based on the consultant's figures and projections based on growth potential of 4% as related to a shopping center. McKINLEY said they are taking a realistic projection into the future generated on population trends and shopping center generation rates which they have experienced locally, while the consultant used figures from all over the country that he has experienced.

HENNESSY stated that the consultant is confronted with economic "ups" and "downs" all over the country. McKINLEY answered that he and Mr. Graves have also had experience elsewhere. In further discussion, McKINLEY said they agree on projection rates and that the only disagreement is as it relates to the Center. He pointed out that the automobile is much more important in Wichita than in Los Angeles or New York. HARRISON agreed and stated that such a factor has to be considered.

McKINLEY said they and the consultant agree on Rock Road and yet the consultant says they can handle Kellogg traffic on the existing right-of-way just by adding a dual left turn when 50,000 vehicles per day are anticipated.

HENNESSY referred again to the fact that sufficient right-of-way is not available to implement the Traffic Engineer's plan since much of that which is needed is beyond the applicant's control.

McKINLEY pointed out that such land some day will have to be replatted and at that time dedications will be required in line with what is required in subject case, although some area would no doubt have to be condemned.

RISING referred to the statement made previously that the plan proposed by the Traffic Engineer is economically unfeasible and asked if the Traffic Engineering Division considered it unfeasible and if so what is the meaning.

MCKINLEY stated that they do not think that the City or State can obtain the needed right-of-way at this time.

BLAKEY commented that no doubt Schaefer would agree that the Traffic Engineer's plan will work once it is implemented and will carry the traffic volume expected that it is designed to carry, but the unfeasible part relates to the fact that acquisition of right-of-way for such a facility is not likely for 8 or 9 years and perhaps not even that soon.

MOTION: That the Planning Commission recommend to the City Commission that this plat be approved as recommended by the Subdivision Committee, subject to the following conditions:

- A. The building setbacks indicated on the plat may be deleted as the building setbacks approved on the associated CUP DP-12 will govern.
- B. Access control to all abutting streets has not been indicated on the plat as the number of access points is regulated by the associated CUP. It should be noted, however, that the staff and adjacent residents have been advised that there is no longer an intent to have access from "Parcel 4" on the CUP to Rock Road. Subject parcel is located on the CUP just north of Lot 4 and is not being platted as a separate lot on the plat. Inasmuch as it is not intended to have access to Rock Road at that point, it is recommended that this part be substantiated by the plat, in writing, so that appropriate notations can be made on the approved CUP.
- C. The applicant shall be advised that the right-of-way being dedicated for Armour Drive is only sufficient to permit the installation of East Armour Drive and the drainage channel, nor is any bridge crossing of the drainage channel provided for, and that additional right-of-way will be required adjacent to the west side of the drainage channel in the future for the installation of West Armour Drive.
- D. An additional 10 feet of right-of-way for the south half of Douglas Avenue shall be indicated on the plat in order to provide for the installation of an acceleration-deceleration lane.
- E. The applicant shall install or guarantee the paving of East Armour Drive and the associated drainage channel improvements.

- F. The applicant shall install or guarantee the paving of the acceleration-deceleration lane adjacent to the south side of Douglas Avenue.
- G. It is recommended that the 22 feet of additional right-of-way indicated on the plat for the north half of Kellogg be approved subject to a plan being drawn by the applicant's consulting traffic engineer, for the widening and reimprovement of Kellogg, which will adequately serve the traffic needs on said street from Armour Drive to Rock Road, and which meets the approval of the City Traffic Engineer and the State Highway Department. It shall be understood that should additional right-of-way for Kellogg over and above the 22 feet be required from subject plat for a workable design for said street, that the applicant will agree to dedicate up to an additional 12 feet of right-of-way. It being further understood that in the event that a workable design for Kellogg would require even more right-of-way from subject plat than the additional 12 feet, the plat will be returned to the Subdivision Committee for further consideration.
- H. The applicant shall be advised that the plat tracing will not be released for recording until such time as a workable plan for the redesign of Kellogg has been agreed to and approved.
- I. The additional right-of-way for the west half of Rock Road as indicated on the City Traffic Engineer's design proposal shall be indicated on the plat.
- J. The applicant shall submit a satisfactory guarantee for the reimprovement of Rock Road and Kellogg. Said guarantee shall include street pavement, traffic signalization at the major shopping center entrances, etc. The City will be responsible for medial construction and reconstruction and signalization of the intersection at Kellogg and Rock Road.
- K. The applicant shall be advised that in lowering, raising, encasement or relocation of the Continental pipeline adjacent to subject property on the west side of Rock Road, necessitated by private or public improvements, shall be at the sole expense of the applicant, and an appropriate easement for said pipeline if need be, shall be indicated on the plat.
- L. The applicant shall contact Guy Moorefield of the Soil Conservation Service relative to taking adequate precautions to prevent erosion from wind and water during the development of subject property.

- M. The applicant's avigational easement and covenant assuring adequate construction standards to reduce the effects of noise pollution in all structures to be built on subject property, shall be submitted for forwarding to the Board of City Commissioners along with the final plat.
- N. The applicant shall guarantee the installation of sidewalks adjacent to the south side of Douglas Avenue, the west side of Rock Road, the north side of Kellogg Drive and the east side of Armour Drive.
- O. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Harrison moved and Kamen seconded.

RISING asked if by this action the City might eventually have to purchase right-of-way which is not being required at this time.

LAKIN answered that based on the recommendation of the Traffic Engineer and assuming eventual construction to freeway standards, an additional 26 feet (22 feet, plus 12 feet, plus 26 feet to make the 60 feet desired), may later have to be acquired from the then owner.

VOTE ON ABOVE MOTION: Carried by a vote of 7 in favor (Harrison, Kamen, Burnett, Jackson, Hennessy, Blakey and Taylor) and 1 opposed (Rising).

THE CITY OF WICHITA

OFFICE OF CITY TRAFFIC ENGINEER

DATE March 26, 1973



ON SAFETY
PHASE II

TO Ralph Wulz, City Manager
FROM Paul B. Graves, City Traffic Engineer

SUBJECT Kellogg Mall - Revisions in
Classification of Rock Road
and Kellogg

At the Planning Commission meeting last Thursday, March 22, 1973, the above subject matter was discussed in great detail and length and in an effort to provide complete information to your office, the attached has been taken from the records of the Traffic Commission and City Commission relative to this project.

I have listened to the tape of the Planning Commission meeting at the date referred to above and I was unable to derive how in their discussion did they consider the recommendations of the Traffic Commission. Therefore, I believe it would be appropriate to include within the information being presented to the City Commission regarding the "Kellogg Mall" the action and recommendation of the Traffic Commission at their meeting of February 14, 1973.


Paul B. Graves
City Traffic Engineer

PBG:cg
attach.

cc: R. W. Bruggeman, Director of Public Works
Robert Lakin, Director of Planning
Bill McKinley, Assistant Traffic Engineer



KELLOGG MALL PROJECT

9/20/72 TRAFFIC COMMISSION MEETING

Action: That we recommend that the developer of the "Kellogg Mall" in cooperation with the Traffic Engineering Division be required to engineer the center so as to preserve the residential character of the homes in the Bonnie Brae area and this shall include specifically the problem of additional traffic that will be filtered into the Bonnie Brae area.

Motion carried unanimously.

Action: That the design hearing for the public be scheduled for the January 17, 1973 Traffic Commission meeting relating to Rock Road and the Kellogg Mall.

Motion carried unanimously.

Action: In view of the previous motions, we recommend that the request for the closing of the median at Mockingbird Lane and Rock Road be denied at this time.

Motion carried unanimously.

10/10/72 CITY COMMISSION MEETING

Action: Porter moved that the minutes be approved and filed. Motion carried unanimously.

1/17/73 TRAFFIC COMMISSION MEETING

Action: That we receive and file the proposal which has been presented, but that we delay any action until the Traffic Engineering Division has made a study and can report back to the Traffic Commission at a later meeting.

Motion carried unanimously.

Action: The meeting to review and discuss the Traffic Engineer's findings with respect to the Kellogg Mall be set at two weeks from today on January 31, 1973.

Motion carried unanimously.

2/6/73 CITY COMMISSION MEETING

Action: Shanahan moved that the minutes of the Traffic Commission meeting of January 17, 1973 be received and filed and that the matter be deferred for two weeks for further consideration on the Hillside medians but that the project.....

Motion carried unanimously.

*

NOTE: The January 31, 1973 meeting was postponed at the request of the Law Company due to the fact their representatives were unable to be in Wichita

on this date. The meeting was rescheduled for February 14, 1973.

* * * * *

2/14/73 TRAFFIC COMMISSION MEETING

Action: "Diagrams and traffic predictions for the Kellogg Mall area indicate that careful study should be made concerning the traffic movement on Kellogg and Rock Road. Therefore, we recommend that:

1. Kellogg be improved both east and west of Rock Road within the limits available, including land right-of-way required of the Kellogg Mall as suggested in Exhibit 5, to provide maximum traffic movement working toward freeway standards; and that plans be formulated for acquisition of other property to meet this goal if necessary.
2. Recommend for Rock Road that the City Traffic Engineering proposal designating Alternate Number 2 and 3, Exhibit 4, be considered; and that no expense be levied for any improvements to property owners on the east side of Rock Road.

The intent of these recommendations is that the Traffic Engineers and the Kellogg Mall representatives meet for the purpose of arriving at a workable and acceptable agreement concerning Kellogg and Rock Road for the best interests of all parties concerned."

Motion carried unanimously.

2/27/73 CITY COMMISSION MEETING

Action: Greene moved that the minutes be received and filed.

Commissioner Greene's motion carried unanimously.

ROBERT B. DOCKING, Governor

State Highway Commission of Kansas

JOHN D. MONTGOMERY, Director of Highways
H. J. ULRICH, Assistant Director of Highways
JOHN D. McNEAL, State Highway Engineer



JG
ROBERT P. HAGEN
Lawrence, Kansas
BOB KENT
Salina, Kansas
HENRY SCHWALLER
Hays, Kansas
KARL A. BRUECK
Paola, Kansas
GALE MOSS
El Dorado, Kansas
LOUIS KAMPSCHROEDER
Garden City, Kansas

STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

March 28, 1973

Mr. Robert A. Lakin
Director of Planning
Wichita-Sedgwick County Metropolitan
Area Planning Department
City Building Annex
104 S. Main
Wichita, Kansas 67202

Dear Mr. Lakin:

This will acknowledge your letter concerning approval by the Highway Commission of the final plat for the Kellogg Mall Addition.

We are handing the information you submitted to our Urban Highways Department for analysis and will respond to your request as soon as possible.

Very truly yours,

John D. McNeal
JOHN D. McNEAL
STATE HIGHWAY ENGINEER

JDMc:gv

cc: Mr. Ralph Wulz, City Manager, Wichita
Mr. Ray E. Bruggeman, Director of Public Works
Mr. Paul Graves, City Traffic Engineer
Mr. Dick Linn, City Engineer
Mr. James R. Schaefer, Attorney, 800 Brown Building, Wichita
Mr. Keith Parker, The Law Building, 313 S. Market, Wichita
Mr. W. H. Ogan, Engineer of Urban Highways



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

SUBDIVISION APPROVAL

S/D Number	73-3	Name	KELLOGG MALL ADDITION	
Application Filed:	1-8-73	Sketch Filed:	N/A	
Preliminary Plat Filed:	1-8-73	Approved by S/D:	1-18-73	
Final Plat Filed:	3-6-73	Approved by S/D:	3-15-73	
Approved by Metropolitan Area Planning Commission:			3-22-73	

DESCRIPTION

General Location: West side of Rock Road
between Kellogg and Douglas

Surveyor or Engineer: Baughman Company
Owner: Chrysler Realty Corporation
Address: c/o James R. Schaefer, Attorney
800 Brown Building 67202

1. Gross Acreage of Plat	<u>104.47</u>	5. Lineal Feet of New Streets:
2. Number of Lots:		a. <u>12</u> R/W <u>2,335.3</u> ft.
Residential	<u> </u>	b. <u>22</u> R/W <u>973.54</u> ft.
Commercial	<u>4</u>	c. <u>75</u> R/W <u>350</u> ft.
Industrial	<u> </u>	d. <u>148</u> R/W <u>1,466</u> ft.
Other	<u> </u>	e. <u> </u> R/W <u> </u> ft.
Total Number of Lots:	<u>4</u>	TOTAL <u>5,124.84</u> ft.
3. Minimum Lot Frontage:	<u>75</u> ft.	6. Existing Zoning: <u>"LC"</u>
4. Minimum Lot Area	<u>38,500</u> sq.ft.	

Planning Commission Recommendation:

That this plat be approved subject to the conditions shown on the attached sheet. Harrison moved, Kamen seconded and it carried by a vote of 7 in favor (Harrison, Kamen, Taylor, Blakey, Rising, Burnett and Jackson) and 1 opposed (Hennessy).

ACTION: Approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign, and instruct the Planning Department to withhold release of the plat tracing for recording until all conditions have been complied with.

IMPORTANT MESSAGE

FOR Curt
DATE 3/31/78 TIME 3:30 A.M.
P.M.

WHILE YOU WERE AWAY

OF Mr. McArdy

PHONE No. _____

TELEPHONED	PLEASE CALL	
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	RETURNED YOUR CALL	

MESSAGE waiting to see you

SIGNED Ch

CONDITIONS OF APPROVAL - FINAL PLAT OF KELLOGG MALL ADDITION

- A. The building setbacks indicated on the plat may be deleted as the building setbacks approved on the associated CUP DP-12 will govern.
- Access control to all abutting streets has not been indicated on the plat as the number of access points is regulated by the associated CUP. It should be noted, however, that the staff and adjacent residents have been advised that there is no longer an intent to have access from "Parcel 4" on the CUP to Rock Road. Subject parcel is located on the CUP just north of Lot 4 and is not being platted as a separate lot on the plat. Inasmuch as it is not intended to have access to Rock Road at that point, it is recommended that this part be substantiated by the platator, in writing, so that appropriate notations can be made on the approved CUP.
- The applicant shall be advised that the right-of-way being dedicated for Armour Drive is only sufficient to permit the installation of East Armour Drive and the drainage channel, nor is any bridge crossing of the drainage channel provided for, and that additional right-of-way will be required adjacent to the west side of the drainage channel in the future for the installation of West Armour Drive.
- An additional 10 feet of right-of-way for the south half of Douglas Avenue shall be indicated on the plat in order to provide for the installation of an acceleration-deceleration lane.
- The applicant shall install or guarantee the paving of East Armour Drive and the associated drainage channel improvements.
- The applicant shall install or guarantee the paving of the acceleration-deceleration lane adjacent to the south side of Douglas Avenue.
- It is recommended that the 22 feet of additional right-of-way indicated on the plat for the north half of Kellogg be approved subject to a plan being drawn by the applicant's consulting traffic engineer, for the widening and reimprovement of Kellogg, which will adequately serve the traffic needs on said street from Armour Drive to Rock Road, and which meets the approval of the City Traffic Engineer and the State Highway Department. It shall be understood that should additional right-of-way for Kellogg over and above the 22 feet be required from subject plat for a workable design for said street, that the applicant will agree to dedicate up to an additional 12 feet of right-of-way. It being further understood that in the event that a workable design for Kellogg would require even more right-of-way from subject plat than the additional 12 feet, the plat will be returned to the Subdivision Committee for further consideration.
- The applicant shall be advised that the plat tracing will not be released for recording until such time as a workable plan for the redesign of Kellogg has been agreed to and approved.
- The additional right-of-way for the west half of Rock Road as indicated on the City Traffic Engineer's design proposal shall be indicated on the plat.
- The applicant shall submit a satisfactory guarantee for the reimpovement of ~~Rock Road and Kellogg~~. Said guarantee shall include street pavement, traffic signalization at the major shopping center entrances, etc. The City will be responsible for medial construction and reconstruction and signalization of the intersection at Kellogg and Rock Road.

5. The applicant shall be advised that in lowering, raising, encasement or relocation of the Continental pipeline adjacent to subject property on the west side of Rock Road, necessitated by private or public improvements, shall be at the sole expense of the applicant, and an appropriate easement for said pipeline if need be, shall be indicated on the plat.

6. The applicant shall contact Guy Moorefield of the Soil Conservation Service relative to taking adequate precautions to prevent erosion from wind and water during the development of subject property.

7. The applicant's avigational easement and covenant assuring adequate construction standards to reduce the effects of noise pollution in all structures to be built on subject property, shall be submitted for forwarding to the Board of City Commissioners along with the final plat.

8. The applicant shall guarantee the installation of sidewalks adjacent to the south side of Douglas Avenue, the west side of Rock Road, the north side of Kellogg Drive and the east side of Armour Drive.

9. Recording of the plat within 30 days after approval by the Board of City Commissioners.



THE LAW COMPANY, INC.

DESIGN BUILD
(316) 265 8584 313 S. MARKET PO. BOX 1138 WICHITA, KANSAS 67201

jo

Metropolitan Area Planning Commission
TO: City of Wichita
City Building
104 South Main
Wichita, Kansas 67202

PROJECT
KELLOGG MALL
Wichita, Kansas

ATTN: Mr. Bob Lakin TENANT SPACE _____

WE SEND YOU HEREWITH UNDER SEPARATE COVER

Two (2) each proposed street improvement plans, per Raymond Keyes,
Sheets SK 27-29, dated 1-12-73.
Two (2) each copies of Traffic Study prepared by Raymond Keyes
Engineers, Inc.

THESE ARE:

- For your review and approval. Please return _____ copies with approval or corrections noted.
- For your information. For your files.
- Reviewed for compliance with Contract Documents.
- Reviewed and required corrections noted. Send _____ sepia transparencies and _____ ozalid prints of corrected drawings.
- Revise and resubmit per required corrections. Send _____ sepia transparencies and _____ ozalid prints of corrected drawings. Send _____ copies of submittal data.
- Rejected. See Contract Documents.
- State Highway Department use, per your request.



Remarks: _____

By *Keith E. Parker*
Keith E. Parker, Marketing

Copies To: Mr. George Crall
Mr. Herb Simon
Mr. Melvin Simon

- Architects Preliminary Drawings
- Architects Drawings for Pricing
- Architects Drawings for Construction
- Tenant Drawings
- Shop Drawings
- Submittal Data
- Samples
- _____

Date: March 23, 1973

TRANSMITTAL TR

March 27, 1973

Mr. John D. McNeal
State Highway Engineer
State Office Building
Topeka, Kansas 66612

Re: S/D 73-3 - Final Plat of
KELLOGG MALL ADDITION

Dear Mr. McNeal:

The owners of land at the northwest corner of Rock Road and Kellogg (U. S. 54) are currently platting a tract for a shopping center. The zoning was granted many years ago and a modified Community Unit Plan was approved in 1972 to allow this development, all subject to platting.

Traffic studies by Raymond Keys (consultant for the applicant) and the City of Wichita have been made relative to both Kellogg and Rock Road traffic. Each suggested a different treatment for Kellogg. The Metropolitan Area Planning Commission and its Sub-division Committee have approved the plat subject to the conditions attached to this letter. The City Commission will be asked to approve the plat subject to these conditions in the next few weeks.

Item G. provides that any requirement for Kellogg (i.e., right-of-way and guarantee for construction) be subject to the approval of the State Highway Department. On March 21, we met with Mr. Spear and others to show them the alternates being debated by the Metropolitan Area Planning Commission. Both Mr. Graves and myself (we differ in our opinions) presented our thoughts and the applicants presented theirs.

The MAPC agrees with Mr. Key's proposal for 22 feet (+ 12 feet additional if needed) additional right-of-way for Kellogg. They rejected a request from Graves for 60 feet additional as nothing more could be accomplished with 60 feet than 22'-34' until a major reconstruction and land acquisition program could be undertaken both east and west of the plat. We assume that there is little chance of such a program in the near future (5-10 years).

Page 2 - Mr. John D. McNeal
March 27, 1973

Further, the MAPC has established a 75-foot setback line (from whatever is the new property line on the plat). Thus, if a major project is initiated and more land is needed, no major structures or internal circulation patterns will be destroyed.

Mr. Key's plan would call for reconstructing the medial at Armour to provide a double left turn to the north. This, then, would require additional main line construction and a reconstruction of service roads on the north. Signalization is assumed at Armour.

The question which we would like answered is whether or not you would allow and approve such construction if the City Commission accepts the MAPC's recommendation (Key's proposal). I realize before improvements could actually be made, more specific plans would have to be submitted, but we need to know whether or not in general terms such a proposal is acceptable, as the developers want to finalize the plat so as to begin construction at once.

If there are questions, please call.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber

Attachment

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Paul Graves, City Traffic Engineer
Dick Linn, City Engineer
James R. Schaefer, Attorney, 800 Brown Building 67202
Keith Parker, The Law Company, 313 South Market 67202

March 27, 1973

Baughman Company
330 Laura
Wichita, Kansas 6721

Re: S/D 73-3 - Final Plat of
KELLOGG MALL ADDITION

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on March 22, 1973, the above-captioned plat was considered. It was the action of the Commission to approve the plat as recommended by the Subdivision Committee, subject to the conditions shown in our letter of March 19, 1973.

In addition to complying with those conditions, it is necessary that you meet the following requirements:

- A. Compliance with the requirements of the Metropolitan Area Planning Commission.
- B. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
- C. Certification by an attorney that fee title is vested in the plattor.
- D. Certification that all taxes due and payable for 1972 and prior years have been paid.

Inasmuch as Bob Lakin advises that he has agreed to forward this plat to the City Commission for consideration on April 3, 1973, you should attempt to comply with as many of the above conditions as possible before that time. The City Commission meeting will be held in Room 201 City Building, 204 South Main, starting at 9:00 a.m.

Page 2 - Baughman Company
March 27, 1973

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Chrysler Realty Corporation, c/o James R. Schaefer,
800 Brown Building 67202
Kellogg Mall Associates, c/o Keith Parker, The Law Company,
313 South Market 67202
Robert McCroskey, 7413 Pagen 67206
Wm. Tinker, Jr., Suite 530 R. H. Garvey Building 67202

4100 Maple
Wichita, Kansas 67209
943-9471

March 19, 1973

Mr. Keith Parker
The Law Company, Inc.
313 South Market
Wichita, Kansas 67201

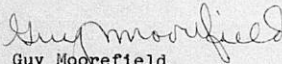
Dear Mr. Parker:

Reference is made to erosion and sediment control measures relative to construction on the Kellogg Mall Addition.

The area is of heavy clay soil and has flat topography. It is also protected by a perennial sod cover. There should be no significant water or wind erosion problems. The following measures may be advisable to minimize sedimentation.

Disturbed areas should be held to the minimum size practical and left exposed for as short periods of time as possible. Seeding of these areas with locally adapted perennial grasses should follow as soon as practical. Kentucky 31 Fescue at rates of 2 to 3 pounds per 1,000 square feet are recommended for the soil of the area. Nitrogen fertilizer at about 2 pounds of available nitrogen per 1,000 square feet should be applied at seeding time. If seeding is performed during the summer months, it will need to be irrigated to assure stand establishment.

Very truly yours,


Guy Moorefield
District Conservationist

cc: Bob Lakin ✓



March 19, 1973

Baughman Company
330 Laura
Wichita, Kansas 67211

Subject: S/D 73-3 - Final Plat of
KELLOGG MALL ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, March 15, 1973, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. The building setbacks indicated on the plat may be deleted as the building setbacks approved on the associated CUP DP-12 will govern.
- B. Access control to all abutting streets has not been indicated on the plat as the number of access points is regulated by the associated CUP. It should be noted, however, that the staff and adjacent residents have been advised that there is no longer an intent to have access from "Parcel 4" on the CUP to Rock Road. Subject parcel is located on the CUP just north of Lot 4 and is not being platted as a separate lot on the plat. Inasmuch as it is not intended to have access to Rock Road at that point, it is recommended that this part be substantiated by the plat, in writing, so that appropriate notations can be made on the approved CUP.
- C. The applicant shall be advised that the right-of-way being dedicated for Armour Drive is only sufficient to permit the installation of East Armour Drive and the drainage channel, nor is any bridge crossing of the drainage channel provided for, and that additional right-of-way will be required adjacent to the west side of the drainage channel in the future for the installation of West Armour Drive.
- D. An additional 10 feet of right-of-way for the south half of Douglas Avenue shall be indicated on the plat in order to provide for the installation of an acceleration-deceleration lane.

- E. The applicant shall install or guarantee the paving of East Armour Drive and the associated drainage channel improvements.
- F. The applicant shall install or guarantee the paving of the acceleration-deceleration lane adjacent to the south side of Douglas Avenue.
- G. It is recommended that the 22 feet of additional right-of-way indicated on the plat for the north half of Kellogg be approved subject to a plan being drawn by the applicant's consulting traffic engineer, for the widening and reimprovement of Kellogg, which will adequately serve the traffic needs on said street from Armour Drive to Rock Road, and which meets the approval of the City Traffic Engineer and the State Highway Department. It shall be understood that should additional right-of-way for Kellogg over and above the 22 feet be required from subject plat for a workable design for said street, that the applicant will agree to dedicate up to an additional 12 feet of right-of-way. It being further understood that in the event that a workable design for Kellogg would require even more right-of-way from subject plat than the additional 12 feet, the plat will be returned to the Subdivision Committee for further consideration.
- H. The applicant shall be advised that the plat tracing will not be released for recording until such time as a workable plan for the redesign of Kellogg has been agreed to and approved.
- I. The additional right-of-way for the west half of Rock Road as indicated on the City Traffic Engineer's design proposal shall be indicated on the plat.
- J. The applicant shall submit a satisfactory guarantee for the reimprovement of Rock Road and Kellogg. Said guarantee shall include street pavement, traffic signalization at the major shopping center entrances, etc. The City will be responsible for medial construction and reconstruction and signalization of the intersection at Kellogg and Rock Road.
- K. The applicant shall be advised that in lowering, raising, encasement or relocation of the Continental pipeline adjacent to subject property on the west side of Rock Road, necessitated by private or public improvements, shall be at the sole expense of the applicant, and an appropriate easement for said pipeline if need be, shall be indicated on the plat.

Page 3 - Final Plat of KELLOGG MALL ADDITION
March 19, 1973

- L. The applicant shall contact Guy Moorefield of the Soil Conservation Service relative to taking adequate precautions to prevent erosion from wind and water during the development of subject property.
- M. The applicant's avigational easement and covenant assuring adequate construction standards to reduce the effects of noise pollution in all structures to be built on subject property, shall be submitted for forwarding to the Board of City Commissioners along with the final plat.
- N. The applicant shall guarantee the installation of sidewalks adjacent to the south side of Douglas Avenue, the west side of Rock Road, the north side of Kellogg Drive and the east side of Armour Drive.
- O. 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.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, March 22, 1973, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

Enclosure

cc: Chrysler Realty Corporation, c/o James R. Schaefer
Brown Building, 67202
Kellogg Mall Associates, c/o Keith Parker
The Law Company, 313 South Market, 67202
Robert McCroskey, 7413 Pagen, 67206
Wm. Tinker, Jr., Suite 530, R. H. Garvey Bldg., 67202

Page 4 - Final Plat of KELLOGG MALL ADDITION
March 19, 1973

cc: Mrs. Edwin H. Cooper, 7507 Huntington Avenue, 67206
W. M. Houghland, President, Rockwood Homes Association
7514 Plaza Lane, 67206
Mrs. Janice Bishop, 3002 Mockingbird, 67207
R. D. Martens, 217 Post Oak, 67206
Mrs. Elizabeth Skinner, 8008 Mockingbird, 67207
Mr. & Mrs. Wm. Banta, 27 Huntington, 67206
Jack Cook, 26 East Douglas, 67206
Harold Dick, 10 Lakeside Boulevard, 67207
Thomas J. Curry, 8002 Peach Tree, 67207
Lynn Whiteside, 8101 Mockingbird, 67207
Paul Messner, 162 Lochinvor, 67207
H. Briggs Walls, 201 Rutland, 67206
Mrs. Elan Boyers, 8102 Willowbrook, 67207
Carol McMillen, 8001 Willowbrook, 67207
Robert Wagnon, 320 Heather Road, 67207
Lloyd W. Harris, 24 Willowbrook, 67207
Mrs. Lorene Sutherland, 8026 Mockingbird Lane, 67207
Dean Sellers, City Engineering

March 13, 1973

The Subdivision Committee

Curtis L. Newby, Junior Planner

Newby

Kellogg Mall Traffic Study

Enclosed is a copy of the City Traffic Engineer's report on the Kellogg Mall traffic situation. This report was furnished by the City Traffic Engineer for your information and review.

CLN:rme

Enclosure

March 12, 1973

The Subdivision Committee
Jack H. Galbraith, Chief Planner

Traffic Commission Minutes

Enclosed for your information are copies of the Traffic Commission Minutes which are associated with discussion of right-of-way needs for Rock Road and Kellogg.

Harlan asked that I forward you all copies of these minutes.

JHG:rme

Enclosure

FINAL PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-3 Name KELLOGG MALL ADDITION
Date Application Rec'd. 1-8-73 Preliminary Approval 1-18-73
Scheduled S/D Meeting 3-15-73

DESCRIPTION

General Location On the west side of Rock Road between Kellogg and Douglas
Owner Chrysler Realty Corporation
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

1. Gross Acreage of Plat 104.47 7. Lineal Feet of New Streets:
2. Number of Lots: a. 12 R/W 2335.3 ft.
Residential _____ b. 22 R/W 973.54 ft.
Commercial 4 c. 75 R/W 350 ft.
Industrial _____ d. 148 R/W 1466 ft.
Other _____ e. _____ R/W _____ ft.
Total Number of Lots 4 TOTAL 5124.84 ft.
3. Minimum Lot Frontage 75 ft. 8. Sidewalk adjacent to all streets? yes X no
4. Minimum Lot Area 38,500 sq. ft.
5. Existing Zoning LC
6. Proposed Zoning LC

9. Public Water Supply _____ (Yes-No), Name _____
10. Public Sanitary Sewers _____ (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita X: Three-Mile Area _____

STAFF COMMENTS:

- A. The building setbacks indicated on the plat may be deleted as the building setbacks approved on the associated C.U.P. DP-12 will govern.
- B. Access control to all abutting streets has not been indicated on the plat as the number of access points are regulated by the associated C.U.P. It should be noted, however, that the staff and adjacent residences have been advised that there is no longer an intent to have access from "Parcel 4" on the C.U.P. to Rock Road. Subject parcel is located on the C.U.P. just north of Lot 4 and is not being platted as a separate lot on the plat. Inasmuch as it is not intended to have access to Rock Road at that point it is recommended that this part be substantiated by the plat, in writing, so that appropriate notations can be made on the approved C.U.P.
- C. Whether or not it is necessary to distinguish between that being dedicated for Armour Drive and that being dedicated as drainage right-of-way should be determined at the Subdivision Committee meeting.
- D. The Traffic Engineering Division of the Department of Public Works should be prepared to discuss appropriate street rights-of-way and associated improvements for Rock Road and Kellogg Drive at the Subdivision Committee meeting. The dedication of 75 feet of half street right-of-way on Rock Road at the intersection of Douglas should be indicated on the plat.
- E. The applicants shall contact the Engineering Division of the Department of Public Works, the Water Department, Kansas Gas and Electric Company, Southwestern Bell Telephone Company and the Gas Service Company regarding easements to be indicated on the final plat for each utilities respective facilities.
- F. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the handling of the drainage along Armour Drive.
- G. The applicant shall contact Guy Moorefield of the Soil Conservation Service

relative to taking adequate precautions to prevent erosion from wind and water during the development of subject property.

- H. The applicants avigational easement and covenant assuring adequate construction standards to reduce the effects of noise pollution in all structures to be built on subject property, shall be submitted for forwarding to the Board of City Commissioners along with the final plat.
- I. The applicant shall guarantee the installation of sidewalks adjacent to the south side of Douglas Avenue, the west side of Rock Road, the north side of Kellogg Drive and the east side of Armour Drive.
- J. 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.
- K. Upon the determination as to the necessary improvements for Rock Road and Kellogg, a determination should be made as to the method of guaranteeing the improvements. The applicant shall guarantee the installation of the pavement for Armour Drive.
- L. Recording of the plat within 30 days after approval by the Board of City Commissioners.

March 7, 1973

Mrs. Edwin H. Cooper
7507 Huntington Avenue
Wichita, Kansas 67206

Subject: S/D 73-3 - Final Plat of
REILLOGG MALL ADDITION

Dear Mrs. Cooper:

This is to advise you that the above referred to final plat was submitted on March 6, 1973 and will be considered by the Subdivision Committee of the Planning Commission on March 15, 1973, at 1:00 p.m. in Room 401, City Building Annex, 104 South Main.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rae

cc: Robert McCroskey, 7413 Pagen, 67206
Wm. Finker, Jr., Suite 530, R. W. Garvey Bldg., 67202
W. M. Boughland, President, Rockwood Homes Association
7514 Plaza Lane, 67206
Mrs. Janice Bishop, 8002 Mockingbird, 67207
R. D. Martens, 217 Post Oak, 67206
Mrs. Elizabeth Skinner, 8009 Mockingbird, 67207
Mr. and Mrs. Wm. Banta, 27 Huntington, 67206
Jack Cook, 26 East Douglas, 67206
Harold Dick, 10 Lakeside Boulevard, 67207
Thomas J. Curry, 8002 Peach Trees, 67207
Lynn Whiteside, 8101 Mockingbird, 67207
Paul Messner, 162 Lochinvor, 67207

Page 2 - Mrs. Edwin H. Cooper
March 7, 1973

cc: H. Briggs Walls, 201 Rutland, 67206
Mrs. Elean Boyers, 8102 Willowbrook, 67207
Carol McMillen, 8001 Willowbrook, 67207
Robert Wagnon, 320 Heather Road, 67207
Lloyd W. Harris, 24 Willowbrook, 67207
Mrs. Lorene Sutherland, 8026 Mockingbird Lane, 67207

January 22, 1973

Baughman Company
330 Laura
Wichita, Kansas 67211

Subject: S/D 73-3 - Preliminary
Plat of KELLOGG MALL ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, January 18, 1973, 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. The access controls to Rock Road, Douglas and Kellogg as approved on the associated C.U.P., shall be indicated on the final plat.
- B. Prior to submission of a final plat the applicant shall meet with the Engineering and Traffic Engineering Divisions of the Department of Public Works relative to appropriate rights-of-way for Rock Road, Douglas and Kellogg Drive to be indicated on the final plat and to determine what the applicants responsibility will be regarding guarantees for the reimpvements of said streets, i.e., decel lanes, medials, etc.
- C. The applicants shall contact the Engineering Division of the Department of Public Works, the Water Department, Kansas Gas and Electric Company, Southwestern Bell Telephone Company and the Gas Service Company regarding easements to be indicated on the final plat for each utilities respective facilities.
- D. The applicant shall contact M. S. Mitchell of the Maintenance-Flood Control Office relative to the handling of the drainage along Armour Drive.

Page 2 - Preliminary Plat of KELLOGG MALL ADDITION
January 22, 1973

- E. The applicant shall contact Guy Moorefield of the Soil Conservation Service relative to taking adequate precautions to prevent erosion from wind and water during the development of subject property.
- F. The applicants avigational easement and covenant assuring adequate construction standards to reduce the effects of noise pollution in all structures to be built on subject property, shall be submitted for forwarding to the Board of City Commissioners along with the final plat.
- G. 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.
- H. 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

Enclosure

cc: Chrysler Realty Corporation, c/o James R. Schaefer
Brown Building, 67202
Kellogg Mall Associates, c/o Keith Parker
The Law Company, 313 South Market, 67202

PRELIMINARY PLAT
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 73-3 Name KELLOGG MALL ADDITION
Date Application Rec'd. 1-8-73 Preliminary Approval _____
Scheduled S/D Meeting 1-18-73

DESCRIPTION

General Location North of Kellogg and west of Rock Road

Owner Chrysler Realty Corporation
Surveyor/Engineer Baughman Company
Address 330 Laura Phone 262-7271

- | | | | |
|---|--|---|-----------------|
| 1. Gross Acreage of Plat | <u>104.47</u> | 7. Lineal Feet of New Streets: | |
| 2. Number of Lots: | | a. <u>65</u> R/W <u>1820</u> ft. | |
| Residential | | b. _____ R/W _____ ft. | |
| Commercial | <u>6</u> | c. _____ R/W _____ ft. | |
| Industrial | | d. _____ R/W _____ ft. | |
| Other | | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>6</u> | TOTAL | <u>1820</u> ft. |
| 3. Minimum Lot Frontage | <u>75</u> ft. | 8. Sidewalk adjacent to all | |
| 4. Minimum Lot Area | <u>38,500</u> sq. ft. | streets? <u>yes</u> <input checked="" type="checkbox"/> <u>no</u> | |
| 5. Existing Zoning | <u>LC</u> | | |
| 6. Proposed Zoning | <u>LC</u> | | |
| 9. Public Water Supply | <u>_____</u> (Yes-No), Name <u>_____</u> | | |
| 10. Public Sanitary Sewers | <u>_____</u> (Yes-No), Name <u>_____</u> | | |
| 11. Health Department Approval (where applicable) | <u>_____</u> | | |
| 12. City of Wichita | <u>X</u> : Three-Mile Area <u>_____</u> | | |

STAFF COMMENTS:

- A. The associated case amendment to DP-12, Kellogg Mall commercial C.U.P. has been approved by the Board of City Commissioners subject to platting.
- B. The access controls to Rock Road, Douglas and Kellogg as approved on the associated C.U.P., shall be indicated on the plat.
- C. Of major concern is the expected traffic generation resulting from the proposed major shopping center development on subject property, which will require additional rights-of-way and major redesign of Rock Road and Kellogg. The Traffic Commission is to consider recommendations for improvements to Rock Road at their meeting on January 17, 1973. It is therefore recommended that a final plat not be submitted until the design for Rock Road and Kellogg are determined and it is known how much additional rights-of-way will be required from subject property and what the applicant's responsibility will be regarding guarantees for the improvements to said streets.
- D. 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.
- E. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

January 12, 1973

Mrs. Edwin H. Cooper
7507 Huntington Avenue
Wichita, Kansas 67206

Subject: S/D 73-3 - Preliminary
Plat of KELLOGG MALL ADDITION

Dear Mrs. Cooper:

As you and others in the area have requested that you be notified when a plat has been filed on the Kellogg Mall C.U.P., this is to advise you that a preliminary plat has been submitted and will be heard by the Subdivision Committee of the Planning Commission on January 18, 1973, at 1:00 p.m. in Room 401, City Building Annex, 104 South Main.

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

Sincerely,

Curtis L. Newby
Junior Planner

CLN:rme

cc: Robert McCroskey, 7413 Pagen, 67206
Wm. Tinker, Jr., Suite 530, R. H. Garvey Bldg., 67202
W. M. Houghland, President, Rockwood Homes Association
7514 Plaza Lane, 67206
Mrs. Janice Bishop, 8002 Mockingbird, 67207
R. D. Martens, 217 Post Oak, 67206
Mrs. Elizabeth Skinner, 8008 Mockingbird, 67207
Mr. and Mrs. Wm. Banta, 27 Huntington, 67206
Jack Cook, 26 East Douglas, 67206

Page 2 - Preliminary plat of KELLOGG MALL ADDITION
January 12, 1973

Harold Dick, 10 Lakeside Boulevard, 67207
Thomas J. Curry, 8002 Peach Tree, 67207
Lynn Whiteside, 8101 Mockingbird, 67207
Paul Messner, 162 Lochinvor, 67207
H. Briggs Walls, 201 Rutland, 67206
Mrs. Elan Boyers, 8102 Willowbrook, 67207
Carol McMillen, 8001 Willowbrook, 67207
Robert Wagnon, 320 Heather Road, 67207
Lloyd W. Harris, 24 Willowbrook, 67207
Mrs. Lorene Sutherland, 8026 Mockingbird Lane, 67207

Map No.: 5947
Section No.: _____
Twp. No.: _____
Range: _____

S/D No. 73-3

APPLICATION FOR SUBDIVISION APPROVAL

Name of Subdivision: KELLOGG MALL ADDITION
General Location: N. Kellogg & Rock Road
Name of Property Owner: Chrysler Realty Corporation % James R. Schaefer
Address: Brown Building Phone: 262-4403
Name of Subdivider: Kellogg Mall Associates % Keith Parker
Address: The Law Company, 313 S. Market Phone: 265-8584
Name of Agent/Surveyor: Baughman Co.
Address: 330 Laura Phone: 262-7271
Date of Application: Jan. 2, 1972

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat 104.47
2. Number of Lots:
 - Residential _____
 - Commercial 6
 - Industrial _____
 - Other _____
 - Total Number of Lots 6
3. Minimum Lot Frontage 75 ft.
4. Minimum Lot Area 38,500 ft.
5. Existing Zoning _____
6. Proposed Zoning _____
7. Lineal Feet of New Streets:
 - a. 65 R/W 1820 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 1820 ft.
8. Sidewalk adjacent to all streets? yes no
9. Public Water Supply _____ (Yes-No), Name _____
10. Public Sanitary Sewers _____ (Yes-No), Name _____
11. Health Department Approval (where applicable) _____ (Yes-No)
12. City of Wichita Three-Mile Area

The owner herein agrees to comply with the Subdivision Regulations for the Wichita-Sedgwick County Metropolitan Area, as approved, and all other pertinent ordinances of the City of Wichita and/or Resolutions of Sedgwick County, Kansas, and Statutes of the State of Kansas. He further agrees that he waives the 60-day statutory period in which the Planning Commission or governing body must act. In addition, it is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds, as well as all costs of publication of initiating resolutions approving any petition for improvements, such as streets, sewer, sidewalks, etc. shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature: James R. Schaefer - Agent

Wichita-Sedgwick County Metropolitan Area
Planning Commission, Room 402, City Building
Annex, 104 South Main Street, Wichita, Kansas

Received by Paul Newby
Date 1-8-72
Fee Submitted \$65.00

Form 203-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION AMOUNT

Subdiv. ...

Name *...*

Address *...*

Type Due Date

Comments:

Date *1-13-73* By *...*

Lawyers Title Insurance Corporation

A Stock Company
Home Office - Richmond, Virginia
INTERIM TITLE INSURANCE BINDER

Case No. GTCO 12040
TO METROPOLITAN AREA PLANNING DEPARTMENT No.

LAWYERS TITLE INSURANCE CORPORATION, herein called the Company, hereby insures:
That the title to the land described in Schedule A hereof, was on June 1, 1973
at 7:00 o'clock A. M., vested in fee simple in

CHRYSLER REALTY CORPORATION

subject only to the defects, objections, liens and encumbrances, as shown in Schedule B hereof.

That upon compliance with and/or satisfaction of the requirements set forth under Section 1 of Schedule B of this Binder, and upon payment of its premium for title insurance, this Company will issue to you, as the insured, its policy of title insurance, on the usual form, in the sum of \$to be determined, showing under Schedule B thereof only such exceptions as appear in Section 2, of Schedule B of this Binder and such liens, encumbrances or objections attaching to the title subsequent to the date hereof and prior to the issuance of the policy which are not satisfied and/or removed.

This Binder is delivered and accepted upon the understanding that you have no personal knowledge or intimation of any defect, objection, lien or encumbrance affecting said premises other than those shown under Schedule B hereof, and your failure to disclose any such personal information shall render this Binder and any policy issued based thereon, null and void as to such defect, objection, lien or encumbrance.

Nothing herein contained shall be construed as a guarantee against the consequences of the exercise and enforcement or attempted enforcement of governmental "police power" over the property described herein.

This Company shall be liable under this Interim Title Insurance Binder only for actual loss or damage incurred by reliance upon the insuring provisions hereof.

This Interim Title Insurance Binder is subject to the terms, provisions and Conditions and Stipulations of the form of policy applied for.

This Binder is preliminary to the issuance of the policy of title insurance and shall become null and void, unless policy is issued, and the premium therefor paid, within six (6) months from the date hereof, and shall not be binding until it shall have been countersigned by an authorized Officer or Agent of the Company.

IN WITNESS WHEREOF the Company has caused this binder to be executed pursuant to its by-laws
at Wichita, Kansas on June 1, 1973

Countersigned:
GUARANTEE TITLE CO., INC.

Daniel P. Hawkins
Authorized Officer or Agent

Lawyers Title Insurance Corporation

George V. Scott
President

Phillip B. Stet
Secretary

Schedule A

Legal description of the land referred to in this Binder.

Part of the Southeast Quarter of Section 19, Township 27 South, Range 2 East, described as beginning at the Southeast Corner of Lot Two (2), ROCKWOOD SOUTH THIRD ADDITION, Wichita, Sedgwick County, Kansas; thence North along the East line of said Lot, 905 feet; thence West 410 feet to the Northwest Corner of said Lot; thence North with an angle to the right of 88 degrees 49', a distance of 434.3 feet to the P. C. of a curve to the left having a central angle of 46degrees, 53' 15", and a radius of 399.67 feet; thence along said curve a distance of 327.07 feet to the P. T. of said curve; thence on tangent to said curve, 395.34 feet to the P. C. of a curve to the right, having a central angle of 38 degrees, 50' 15", and a radius of 437.87 feet; thence along said curve, 296.81 feet to the P. T. of said curve; thence along tangent to said curve, 370 feet; thence East 40 feet South of and parallel to the North line of said Southeast Quarter, a distance of 1916.89 feet to a point 350 feet West of the East line of said Southeast Quarter; thence Southeasterly 105.89 feet to a point 75 feet South and 250 feet West of the Northeast Corner of said Quarter Section; thence East 175 feet; thence South parallel with the East line of said Quarter Section, 175 feet; thence Southeasterly, 101.09 feet to a point 350 feet South and 60 feet West of the Northeast Corner of said Quarter Section; thence South 60 feet West of and parallel with the East line of said Quarter Section, a distance of 2060.35 feet to the North line of Lot One (1), ROCKWOOD SOUTH SECOND ADDITION to Wichita, Kansas; thence West 186 feet to the Northwest Corner of said Lot One (1); thence South along the West line of said Lot, 154 feet to a point 30 feet North of the North right-of-way line of U.S. Highway 54 as condemned in Case A - 17549; thence West along a line 30 feet North of and parallel to said right-of-way, 973.6 feet to the place of beginning.

Schedule B—Section 1
Requirements

Showing requirements to be complied with; defects and objections to be removed or eliminated, and liens and encumbrances to be satisfied and discharged of record before policy of title insurance will be issued without exception thereto.

Item (a) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

Item (b) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Schedule B—Section 2
Exceptions

Showing defects, objections, liens and encumbrances, if any, to be shown as exceptions under Schedule B of the policy (such as easements, restrictive covenants, leases, unpaid taxes and assessments maturing subsequent to date hereof, prior lien or liens assumed).

1. General taxes for the year 1973 and subsequent years together with special assessments due and payable therewith.
2. Pipeline right-of-way in favor of Continental Pipe Line Company, over the East 75 feet of the Southeast Quarter of Section 19, Township 27 South, Range 2 East, recorded in Book 99, Page 153.
3. Guy and anchor easement in favor of Kansas Gas and Electric Company, being 5 feet left and right of a line beginning 90 feet North and 1333 feet East of the Southwest Corner of the Southeast Quarter of Section 19, Township 27 South, Range 2 East; thence North parallel with the West line of said Southeast Quarter a distance of 25 feet. (To be released and replaced with other utility easements upon the platting of property described herein).
4. Easement for Water System in favor of City of Wichita, filed October 10, 1972, in Book 34, Page 254, Document No. 1-30417, described as being 20 feet wide adjacent to and West of line beginning at the Northeast Corner of Lot Two (2), ROCKWOOD SOUTH THIRD ADDITION; thence West 410 feet to the Northwest Corner of said Lot; thence North with an angle to the right of 88 degrees 49', 434.3 feet to P. C. of curve to left having a radius of 399.67 feet and central angle of 46 degrees 53' 15"; thence along said curve 327.07 feet to P. T. of said curve; thence on tangent to said curve 395.34 feet to P. C. of a curve to right having a central angle of 38 degrees 50' 15" and a radius of 437.87 feet; thence along said curve 296.81 feet to P. T. of said curve; thence along tangent to said curve 370 feet to point 40 feet South of North line of the Southeast Quarter of Section 19, Township 27 South, Range 2 East.

NOTE: If policy is to be issued in support of a mortgage loan, attention is directed to the fact that the Company can assume no liability under its policy, the closing instructions, or Insured Closing Service for compliance with the requirements of any consumer credit protection or truth in lending law in connection with said mortgage loan.