

*Noted  
100-26-80  
3-21*

# ACTION

DATE

COMMITTEE \_\_\_\_\_

M.A.P.C. *oppose* \_\_\_\_\_ *4-10-80*

~~B.B.C.~~ / B. CO. C. *Aggravate* \_\_\_\_\_ *5-280*  
*subj to cond terms*

*closed*

CU-232 - First Bible Baptist Church, Inc. requests Conditional Use to Permit Establishment of Multiple Family Dwellings on property proposed for the "AA" One Family Dwelling District

Book 2; F-12-D

Map No. 6247  
Sec. 22  
Twp. 27S  
Range 2E

DATA SHEET  
~~XXXXXX~~ CONDITIONAL USE)

Z-  
SCZ-  
CU- 232  
Filed 3-13-80

ASSOCIATED CASE: SCZ-0450

- APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_
- Applicant: First Bible Baptist Church, Inc.  
Address 1156 North Oliver, 67208 Phone 682-6545
  - Agent: C.V. Slaughter, Chairman of Trustees  
Address 3510 East Kinkaid, 67218 Phone 682-4914
  - General Location: South side of Central, in an area east of Greenwich Road. Address \_\_\_\_\_
  - Proposed Use: To permit establishment of Multiple Family Dwellings on property proposed for the "AA" One Family Dwelling District.

- AREA DATA:
- Acres: 22 ( 983 ( UNDEVELOPED ) ft. by 1278 ft.)
  - Adjoining Zoning: E "R-1" S "R-1" W "R-1&"LC" N "R-1&"LC"
  - Land Use: East UNDEVELOPED South SINGLE FAM & MOBILE HOME  
West SINGLE FAM North FARM HOUSE
  - Sketch Plan Land Use is for: \_\_\_\_\_
  - Present Land Use is for: UNDEVELOPED
  - Area (is) (is not) platted.

PROCEDURE DATA:

- Zoning Committee \_\_\_\_\_ by \_\_\_\_\_
- MAPC Meeting:

Date	Action
4-10-80	approve

- Governing Body (Bd. City Commissioners - Bd. County Commissioners)

Date	Action	Resolution
5-7-80	approve only to conditions	10-2-81

HASTINGS INT. LOG ANGLETS  
No. 2-153C  
LOCAL CH. AMERSON, 71 U. S. A.



**IMPORTANT MESSAGE**

FOR Mr. Spahn  
DATE 11-26 TIME 9:00 A.M.  
F.M.

**WHILE YOU WERE AWAY**  
Mike Moosham  
OF \_\_\_\_\_ 11-27-81  
PHONE No. 265-3400

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RETURNED YOUR CALL	<input type="checkbox"/>

MESSAGE Mr. Spahn - Wants to come in 3 PM Tues - 11-27 + talk on status of the Hardage tract 20± A) 5 mile flatland, 2 E of Greenwich - Have come from, visit + status.

SIGNED Spahn

T9-21

CASE FILE

Book 2;F-12-D

Map No. 6247  
Sec. 22  
Twp. 27S  
Range 2E

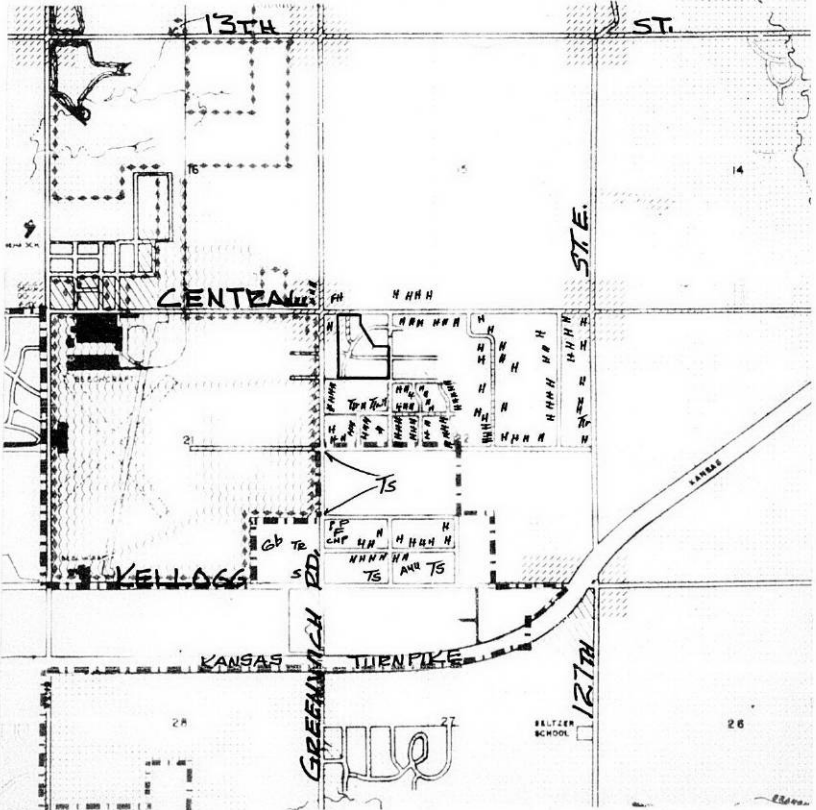
DATA SHEET  
~~CONDOMINIUM~~ & CONDITIONAL USE)

Z- \_\_\_\_\_  
SCZ- \_\_\_\_\_  
CU- 232  
Filed 3-13-80

ASSOCIATED CASE: SCZ-0450

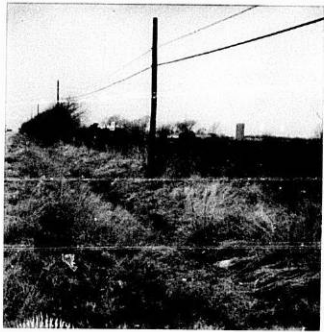
- APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_
- Applicant: First Bible Baptist Church, Inc.  
Address: 1156 North Oliver, 67208 Phone 882-6545
  - Agent: C.V. Slaughter, Chairman of Trustees  
Address: 3510 East Kinkaid, 67218 Phone 882-4914
  - General Location: South side of Central, in an area east of Greenwich Road. Address \_\_\_\_\_
  - Proposed Use: To permit establishment of Multiple Family Dwellings on property proposed for the "AA" One Family Dwelling District.
- AREA DATA:
- Acres: 22 ( 993 (IRREGULAR) ft. by 1278 ft.)
  - Adjoining Zoning: E "R-1" S "R-1" W "R-1" & LCN "R-1" & "LC"
  - Land Use: East UNDEVELOPED South SINGLE FAM. & MOBILE HOME  
West SINGLE FAM North FAM. HOUSE
  - Sketch Plan Land Use is for: \_\_\_\_\_
  - Present Land Use is for: UNDEVELOPED
  - Area (is) (is not) platted. \_\_\_\_\_

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



17-214-2

PICTURE SHEET



WESTERN QUARTER 1100 FEET,  
ONE HALF MILE NORTH, DIRECTLY  
EAST OF THE PROPOSED 11-DEGREE  
ROAD ON EAST GENERAL AVE.



WESTERN QUARTER 1100 FEET,  
ONE HALF MILE NORTH, DIRECTLY  
EAST OF THE PROPOSED 11-DEGREE  
ROAD ON EAST GENERAL AVE.



WESTERN QUARTER 1100 FEET



WESTERN QUARTER 1100 FEET,  
ONE HALF MILE NORTH, DIRECTLY  
EAST OF THE PROPOSED 11-DEGREE  
ROAD ON EAST GENERAL AVE.



WESTERN QUARTER 1100 FEET,  
ONE HALF MILE NORTH, DIRECTLY  
EAST OF THE PROPOSED 11-DEGREE  
ROAD ON EAST GENERAL AVE.



WESTERN QUARTER 1100 FEET,  
ONE HALF MILE NORTH, DIRECTLY  
EAST OF THE PROPOSED 11-DEGREE  
ROAD ON EAST GENERAL AVE.

(Book 2; F-12-D)

Map No. 6247  
Sec. 22  
Twp. 27  
Range 2E

DATA SHEET  
(ZONING & CONDITIONAL USE)

Z-  
SCZ- 0450  
CU-  
Filed 3-13-80

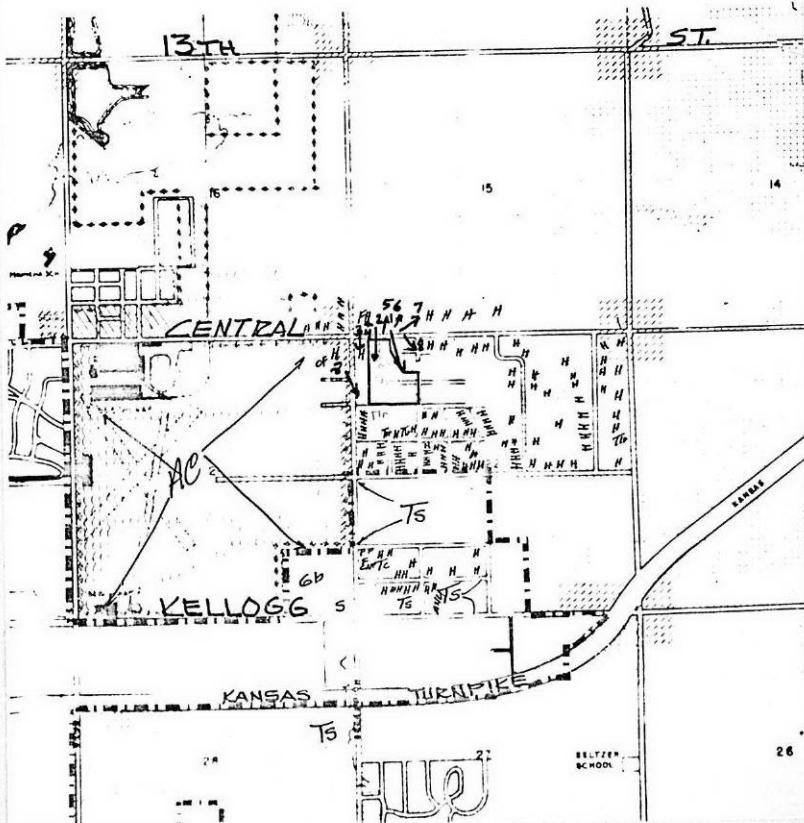
ASSOCIATED CASE: CU-232

- APPLICATION DATA: From "R-1" & "LC" to "AA"
1. Applicant: First Bible Baptist Church, Inc.  
Address: 156 N. Oliver, 67208 Phone: 82-6545
  2. Agent: C.V. Slaughter, Chairman of Trustees  
Address: 3510 East Kinkaid, 67218 Phone: 82-4914
  3. General Location: South side of Central, in an area east of Greenwich Road.  
Address:

4. Proposed Use: \_\_\_\_\_

- AREA DATA: (IRREGULAR)
1. Acres: 22 ( 983 ft. by 1278 ft.)
  2. Adjoining Zoning: E "R-1" S "R-1" W "R-1" & "LC" N "R-1" & "LC"
  3. Land Use: East UNDEVELOPED South SINGLE FARM & MOBILE H  
West SINGLE FARM North FARM HOUSE
  4. Sketch Plan Land Use is for: \_\_\_\_\_
  5. Present Land Use is for: UNDEVELOPED
  6. Area (is) (is not) platted: \_\_\_\_\_

PHOTO DATA: Taken by P Date 3-31-80 Time 12 PM



MAPS, INC.  
LOS ANGELES, CALIFORNIA  
MEMPHIS, TENNESSEE  
U.S.A.

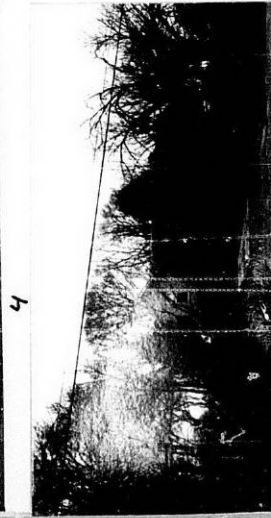
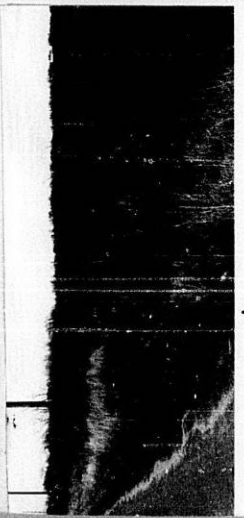
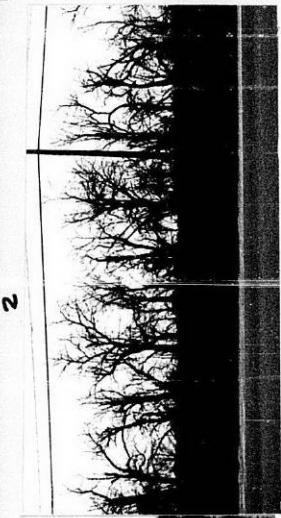
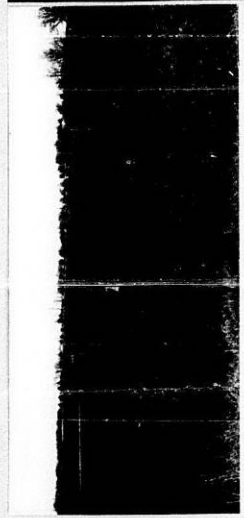
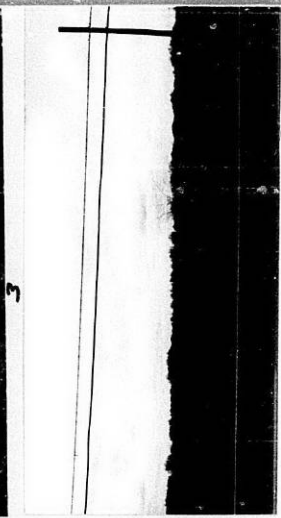


8

7

26

PICTURE SHEET 0450



(Book 2; F-12-1)

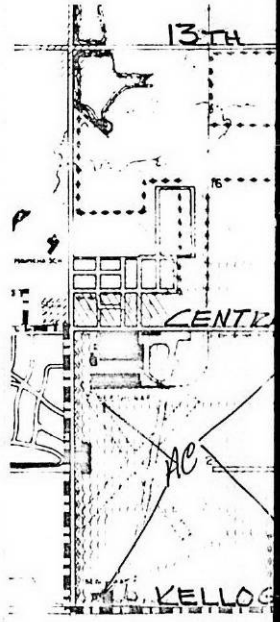
Map No. 6247  
Sec. 22  
Twp. 27  
Range 2E

APPLICATION DATA: From  
1. Applicant: First  
Address: 156 N. Oliver  
2. Agent: C.V. Slau  
Address: 3510 East  
3. General Location: West  
4. Proposed Use:

AREA DATA:  
1. Acres: 22  
2. Adjoining Zoning:  
3. Land Use: East West  
4. Sketch Plan Land Use  
5. Present Land Use is  
6. Area (is) (is not) p

PHOTO DATA:  
Taken by P

LOS ANGELES COUNTY  
REGISTERED PROFESSIONAL  
PHOTOGRAPHER  
MCGREGOR CITY, CALIFORNIA, U.S.A.



R#102-1980

(*Morgan*) Published in The Wichita Beacon on 10-2-81

RESOLUTION

CASE NO. CU-232

A RESOLUTION PERMITTING ESTABLISHMENT OF MULTIPLE FAMILY DWELLINGS IN THE "AA" ONE FAMILY DWELLING DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 5.A.10.1 AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 5.A.10.1 and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow establishment of Multiple Family Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

Starting at the northeast corner of the northwest one-quarter of the Northwest One-Quarter of Section 22, Township 27 South, Range 2 East, of the 6th Principal Meridian in Sedgwick County, Kansas; thence South along the East Line of a parcel described as the East 30.00 acres of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 698 feet to the point of beginning; thence continuing South along the East line of said 30.00 acre parcel, a distance of 630 feet, more or less, to the South Line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22; thence west along the South Line of said Northwest One-Quarter of the Northwest One-Quarter a distance of 983 feet, more or less, to the West Line of said 30.00 acre parcel; thence North along the West Line of said 30.00 acre parcel a distance of 1279 feet, more or less, to a point that is 50 feet South of the North Line of Section 22; thence East parallel to the North Line of Section 22, a distance of 462 feet; thence South, parallel to the East line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 230 feet; thence Southeasterly a distance of 467 feet to a point that is 698 feet south of the North Line of said Section 22; thence easterly a distance of 325 feet to the point of beginning. Generally located on the south side of Central, in an area east of Greenwich Road.

SUBJECT TO THE FOLLOWING:

- a. Approval of the associated zone case SCZ-0450, by the Board of County Commissioners.
- b. The platting of subject property within one year from the date of approval by the Board of County Commissioners; or the application be considered denied and closed.
- c. The number of dwelling units shall not exceed a maximum of 15 dwelling units per net acre.
- d. A minimum of one and one-half parking spaces shall be provided for each dwelling unit.
- e. Prior to forwarding the case to the Board of County Commissioners, the applicant shall submit 5 copies of a revised site plan which reflects the appropriate street right-of-way for Ellson Street and a 25-foot building setback from Central Avenue and Ellson Street.
- f. That no mobile home(s) shall be permitted until and unless a separate request shall be received and approved by the County Commission under terms of the County Zoning Resolution.
- g. At least two points of vehicular access shall be provided to the site.
- h. At least 50% of the net site area (not including public roads) shall remain free from impervious material, i.e. walks, drives, buildings and other similar structures. Setback areas, non-hard surfaced recreation areas, playgrounds, lakes and ponds may be included in the computation of open spaces.
- i. The project shall be fenced with a privacy type fence along all of its boundaries. Where such fence would require the removal of existing trees, the fence should be moved and located so as to allow the preservation of the trees. The fence shall be solid or semi-solid, and constructed to prevent the passage of debris or light and shall be constructed of either brick, stone, architectural tile, masonry units, wood or other similar material (not including woven wire or wire with metal or plastic strip inserts). The fence shall not be less than five feet nor more than eight feet in height except at the opening of driveways (access points) where the fence shall be reduced in height to three feet for such length as to provide adequate vision triangles to allow safe entry to and from the site.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 7 day of May, 1980.

*Everett Patrick*, Chairman  
Everett Patrick



*Tom Scott*, Commissioner  
Tom Scott

*Donald E. Gragg*, Commissioner  
Donald E. Gragg

*Dorothy K. White*  
Dorothy K. White, County Clerk  
*by Dorothy K. White, Deputy*

(SEAL)

Approved as to form by County Counselor

*James W. Patterson*  
for Theodore H. Hill, County Counselor

June 18, 1980

Jim Beckett  
Plant Engineer  
Beech Aircraft Corp.  
9709 East Central  
Wichita, Kansas 67206

Re: SCZ-0450 - "R-1" & "LC" to "AA", &  
✓CU-232 - Special Permit. Generally  
located on the south side of  
Central, in an area east of Green-  
wich Road.

Dear Mr. Beckett:

I have enclosed a copy of the minutes from the May 7, 1980 meeting of the Board of County Commissioners regarding the above cases.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP  
Junior Planner

ADC:el  
Enclosure

**BOARD OF SEDGWICK COUNTY COMMISSIONERS  
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formal protest petitions submitted to the County following the Planning Commission hearing, therefore, there would be no special vote requirement of the Commission. He stated that the "AA" district, under terms of the County zoning resolution, does require municipal type water and sewer. He stated that this would be coming through the Bel-Aire Improvement District.

Commissioner Gragg asked if they had agreed to this, the District.

Mr. Lakin stated that he was not sure that they had agreed in a formal sense. He stated that when the plat goes through, when they do process it, they would require that they either have good petitions to them or good petitions to the County so that there is an acceptance of the plat and the sewer and water requirements. He stated that this would normally come at the planning stage for them.

Commissioner Patrick asked if there was anyone wishing to speak in opposition to this.

Commissioner Gragg asked Mr. Lakin if he wanted the SCZ-0451 and CU-233 both approved at the same time, or did he need to take separate action on them.

Mr. Lakin stated that they could be included in the same motion. He stated that the zoning would be approved subject to platting and the conditional use resolution would be adopted.

MOTION

Commissioner Gragg so moved that the zoning request be approved subject to recommendations, and the conditional use CU-233 be approved subject to conditions.

Commissioner Scott seconded the motion.

VOTE

Chairman Everett Patrick	Aye
Commissioner Donald E. Gragg	Aye
Commissioner Tom Scott	Aye

SCZ-0450

5. SCZ-0450. Request for change in zoning from "R-1" and "LC" to "AA" at the south side of Central in an area east of Greenwich Road to allow the construction of low rise apartment units to alleviate the housing shortage in the Wichita area.

CU-232

6. CU-232. Conditional Use Permit on the south side of Central in an area east of Greenwich Road to establish multiple family dwellings.

The Clerk stated that there were protest petitions filed on these two cases and she presented them to the Commissioners.

Mr. Bob Lakin, MAPD, appeared before the Board and pointed out the location of the two cases to the Commissioners on the map. He stated that the development on the tract is vacant at this time, and there is scattered single family housing in the area to the north; to the east there is a single family home; to the south there is some vacant land; and then single family development in another area. He stated that the city limits come up to a certain point, which he indicated on the map. He stated that there were protest petitions, as the Clerk indicated. He stated that as

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they had computed them, there were 67.3% protest petitions from the residents in that area. He stated that this would require a unanimous vote by this Commission before any change can be approved. He stated that this case is a request for "AA" single family zoning for the entire tract and a conditional use permit for multiple family dwellings. He presented the Commissioners with copies of the petitions that were submitted to the Planning Commission. He stated that one of the most significant issues that came up was if they have sewer and water. He stated that it was his understanding that Bel-Aire was able to supply those. He stated that there is water extended out into this area, so it is generally available. He stated that he did have a letter from Mr. Wynkoop, Director of water and Water Pollution Control, indicating that the city would be capable of providing until Four Mile Creek is built, a sanitary sewer to this site. He stated that once they get over the ridge line the city pumps, and currently has a pump station down here on Kellogg now, that picks the sewage up from this area, pumps it over this hill and back into the Wichita system. He stated that it was his understanding that if the city provides service here, there would have to be a pump station built on the Hardage property and pumped down into the gravity system, and then through the pump station down here back into the city system. He stated that this particular arrangement and proposal would be a matter that would normally be handled at the time of platting. He stated that he had the layout of the apartments and the site design which he would display for the Commissioners to see. He stated that the site design requires the entire development to gain its service from Central Avenue rather than on the interior or side streets that may be required or developed in the future. He stated that it had also come to his attention since the Planning Commission Meeting that there is some concern whether or not this particular project is being proposed or set up for an alternate land use style of mobile homes. He stated that it was his view of the County zoning resolution that although in the "AA" district, the provision says, "conditional uses may be granted for the following" and then it lists a number of things, one of which is multiple family dwellings, it also lists mobile home parks. He stated that it was his judgement, and he had conferred with Mr. Hill on this, that there is no way that mobile homes, as a mobile home park, could go on this without a separate conditional use application being made to the Commission. He stated that he had, in the event that the Commission approved this project, brought with him another resolution which would simply add one additional condition just as a "fail-safe" device that would simply add the following: "that no mobile home shall be permitted until and unless a separate request shall be received and approved by the County Commission under terms of the County zoning resolution". He stated that he thought there would probably be other issues raised by the proponents and opponents. He stated that there were some questions relative to drainage. He stated that the site plan proposes a lake. He stated that the drainage problems, the petitioning for sewer, the granting of right-of-way, the establishment of access control, and these types of things are normally the issues which they would handle at the stage of a preliminary plat when and if submitted to the Planning Commission. He stated that the Planning Commission vote was a split vote with three people voting in favor of the application and two voting opposed.

Commissioner Patrick asked if the developer would like to present his case.

Mr. Dean Leslie, Vice-President of Hardage Enterprises, appeared before the Board and stated that he was representing the rezoning applicant and current landowner, which is the First Bible Baptist Church of Wichita. He stated that he was speaking also in behalf of the developer, which is a joint venture between Mid-Kansas Federal Savings & Loan and Hardage Enterprises.

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He stated that the subject site does consist of 22 acres lying just to the east of Greenwich Road on east Central on the south side approximately 300 to 400 feet east of the intersection. He stated that the present zoning is a combination of "R-1" suburban residential as well as "LC", light commercial. He stated that he would like to point out that the zoning that is currently sought, that being a "AA" suburban residential with a conditional use permit allowing multiple family housing, is in essence, a substantial reduction in the current zoning of a major portion of this tract of land. He stated that he would also like to point out that as a direct result of that, there is a significant impact in the amount of potential traffic and the number of people in the immediate area as a direct result of that. He stated that the multiple family conditional use permit would allow for 15 dwelling units per net acre on the site, which in this case would allow for as many as 330 dwelling units on the 22 acres. He stated that in addition to that, there is a minimum parking requirement of one and a half parking spaces per dwelling unit. He stated that in this case what they are dealing with is a proposed development or proposed project consisting of 328 luxury garden rental apartments, which is slightly less than the maximum allowable. He stated that they are also proposing 517 parking spaces as opposed to the code requirements that would require 498 spaces, which would give them a ratio of 1.58 parking spaces per dwelling unit as opposed to the minimum standard of 1.5 parking spaces. He stated that the project is configured of 49 low rise luxury garden apartments, each building unit ranges from as few as only four apartment units with a maximum of eight units in a building. He stated that he would also like to show the Commissioners an elevation of the larger unit which would contain eight apartment units. He stated that in addition to the 49 low rise buildings, there would be 114 covered parking spaces for dwellers in the project. He stated that they are also providing a luxury community clubhouse and pool facility for the residents. He stated that there is a large community lake associated with this that is both for purposes of landscaping and esthetic appeal as well as for the retention of water for drain-off purposes on a planned and engineered basis which their engineers had worked with them on. He stated that of the 328 proposed units, 118 of them are proposed to be two bedroom townhouse apartments. He stated that in addition to that, there would be an additional 46 two bedroom loft units with large cathedral ceilings providing a dramatic living environment for the renter. He stated that there would be an additional 32 two bedroom garden apartments, which would be single story in nature and an additional or remaining 132 single bedroom units. He stated that water is immediately available to the project, also, normal sewer service is to be made available to their consulting engineers, Professional Engineering Consultants. He stated that the proposed site plan does comply in all respects with the MAPD's original review comments dealing with not only the number of dwelling units and to the minimum number of parking spaces, also their comments regarding street right-of-ways and the building set-backs. He stated that he would like to address the issue of why it was that they were proposing this particular project at this time and in this particular location; and the number one criteria is that of area housing needs. He stated that recent research indicated that within the greater metropolitan area that between immigration of new families and the formation of new families, both in terms of new single families where someone is living on their own, as well as young marrieds, are creating a tremendous demand for smaller rental and smaller, lower cost for sale housing within the greater metropolitan area. He stated that this added annual demand for new housing right now is putting pressure on the local community for an additional 5,500 dwelling units per year. He stated that recent research has also indicated that roughly half of that demand is in the rental market as opposed to for sale houses. He stated that there are a lot of reasons for that, not the least of which is that the rapidly expanding households populated by singles and

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young marrieds are creating a tremendous demand for this because they cannot afford to buy a for sale house. He stated that there is a limited availability of single family housing in the market place and this is whether it be for rental housing or for sale housing. He stated that there is an extremely limited availability of for sale housing obviously at affordable prices and at affordable financing rates in the marketplace, and he was sure that they are all cognizant of that fact. He stated that the point was, that all of these factors had converged locally within the Sedgwick County area and within the metropolitan area, providing an extremely strong demand for the rapid absorption of available multiple family housing for rental housing. He stated that in a recent telephone survey that was performed approximately three and a half weeks ago, rental units area wide, showed that luxury apartment units of this very nature were sitting there with only a one and a half per cent vacancy factor. He stated that was area wide. He stated that what is even more confounding in the marketplace and quite possibly one of the most unusual circumstances that he had ever seen in the real estate field, was that luxury rentals in the northeast quadrant of the metropolitan area are currently operating at less than one tenth of one per cent vacancy. He stated that vacancy factors like this do several things, they provide practically no mobility whatsoever for people who are forced into the circumstances of renting or who desire to rent. He stated that there is no way for them to move from one location to another, whether they want to or whether they have to; much less providing any new housing for people who are forming new families or who are in the process of moving into the area from outlying areas for new job purposes. He stated that area wide household sizes continue to decrease, which is a major influencing factor on the demand for rental housing. He stated that the area wide household sizes within the last seven years have decreased from the average of three people per dwelling unit to two and one half people. He stated that is an even smaller number in multi-family rental housing of this size, which creates yet another added pressure for more new housing because of the creation of more and more family units because of the smaller size. He stated that with a strong emphasis on one and two bedroom rental units which they are trying to serve, the net result when all these factors are taken into combination is that there is and will continue to be an extremely strong demand for the construction and rental of multi-family units, characterized by both one and two bedroom apartments. He stated that one of the most important things that has to be considered as they are all faced with the economic conditions of today, faced with an impending recession that most of us probably believe that we are already in, with the amount of inflation that we have already experienced in the last two years, without an adequate supply of housing, without this supply in specific terms within the northeast quadrant, without this supply, Wichita's growth potential will effectively be emasculated. He stated that this would be the direct result of the lack of available housing. He stated that the rents of existing units are obviously going to be driven up because of the laws of supply and demand, which is going to have an impact on all renters throughout the metropolitan area. He stated that their project does several things. He stated that it does meet the housing requirements of the major segment of the areas new families who need housing. He stated that it also is a quality, first-class luxury garden apartment community that specifically meets the rental housing market segment with the fewest currently available rental units, namely the northeast quadrant of the greater metropolitan area. He stated that their proposed development meets the planning and services requirements stipulated for zoning for conditional use and physical layout and design. He stated that the proposed project was conceived in accordance with the principles of highest and best land use, as exemplified by some of his earlier comments. He stated that he would like to read the definition provided by the M.A.I., Professional Appraisal Society, for "highest and best use". He read as follows:

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"That use of land which may reasonably be expected to produce the greatest net return, speaking in terms of financial returns, to land over a given period of time, the legal use which will yield the highest present value, sometimes call 'optimum use'."

Mr. Leslie stated that is exactly what they were talking about here today, is attempting to utilize this parcel of land in its highest and best use through the application of rezoning. He stated that he would like to state for the record that it was their intention to develop, to rent, to manage, and to maintain a quality residential living environment, costing approximately ten and a half million dollars. He stated that the benefits to the community are obvious in terms of the need for housing. He stated that the positive economic impact on area building contracts, construction trade employees, material suppliers has to be recognized because of their enormity, particularly in light of the fact that these units will be under construction and will be brought on-stream just as the construction down-turn is taking its most drastic toll. He stated that they are committed to the community, they want to bring this on-stream at this time because it serves a market need, and they feel that it is very important to the economic viability of our Sedgwick County/ Metropolitan Area economy. He stated that the Commissioners support of this project would be an affirmative vote for the economic viability of both Sedgwick County and the greater Wichita Metropolitan Area.

Commissioner Gragg asked if this was being financed by HUD, Section 8.

Mr. Leslie stated that it was not.

Commissioner Patrick asked if there was anyone else to speak in favor of this item.

Mr. Virgil Slaughter, 3510 East Kincaid, appeared before the Board and stated that they kept the adjoining eight acres to this for the First Bible Baptist Church. He stated that Mr. Hardage's proposal and his garden apartments and townhouses would be an upgrading in the area. He stated there were some others that wanted to speak on this subject.

Mr. Ike Neufeld, 2052 Woodland, Wichita, appeared before the Board and stated that he was definitely in favor of this project.

Commissioner Patrick asked if there was anyone to speak in opposition.

Mr. Bob Kaplan, representing residents who oppose the project who reside both within and without the formal protest area, appeared before the Board and stated that they oppose the zoning change and the resulting conditional use permit. He stated that he would like to speak to three issues that are applicable to this particular site: the first is the suitability of this property to its intended use; the second is the character of the neighborhood and the compatibility of this development with the neighborhood in which they seek to situate it; and the third is the timing of this project. He stated that he did want to speak to one problem that might be categorized as a site problem, and that is traffic. He stated that at the time this matter came before the Planning Commission, he was not retained. He stated that he was representing the opponents at that time, so his review of the Planning Commission discussion came about from a review of the tapes. He stated that he did go to Mr. Lakin's Office and they very kindly set up the tapes for him and let him listen to the Planning Commission discussion. He stated that the County zoning regulation requires 1.5 parking spaces per dwelling unit. He stated that the numbers that he took out of the minutes that were presented at the Planning Commission by the applicant were somewhat different than the numbers that Mr. Leslie now presents. He stated

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that his numbers were slightly higher than Mr. Leslie's numbers, but he operated his computations on the premise of 328 dwelling units on this site because that is what was presented to the Planning Board and that is what they took action on. He stated that he operated off of 533 parking spaces. He stated that he would like to assume a number-of-trips-per-day factor, for his computations, he used five trips per day and he thought that this was a fair average. He stated that 1.5 in an apartment complex located where this one is, without any city services is going to require more trips per day because you do not have the supermarkets, the dry cleaners, the service stations, the liquor stores, etc. He stated that is going to require you to make more trips per day from this site than you are going to make from an apartment complex that is located where it should be as a city dweller in the confines of a corporate city limit. He stated that by using a five trip per day factor, and he had used 533, that is 2,665 automobiles onto our two land Central Avenue from one point, one driveway, of ingress and egress. He stated that the 1978 traffic count on Central, east of Greenwich Road was 2,292 daily, in 1979 it was 4,608 vehicles. He stated that on this one development, assuming minimum automobiles, is going to cause an increase on Central of more than 100 per cent than the traffic based on the 1978 figure and about 60 per cent more based on the 1979 figure. He stated that in 1979 five auto accidents occurred within a half mile of this intersection; four within a quarter mile of the intersection. He stated that he did not know about the severity of the accidents, he did not know whether they were fender-benders or fatalities, but there were at least 5 vehicle collisions within a half mile of the intersection based on a traffic count of 4,600 automobiles. He stated that they are now going to have 7,000, if you add 2,600 to 4,500, coming onto this two land street from this one point of ingress and egress. He stated that this development is premature, it is that simple, the timing is not right. He stated that urbanization in this area is not right for this development. He stated that he would now like to look at the reasons given by the MAPC for approving this. He stated that the Planning Commission approved it as Mr. Lakin told you three to two with one abstaining. He stated that one of the reasons given by one of the Commissioners was because "the City would furnish water". He asked what does the furnishing of water mean, it means that the development can be serviced. He asked why does the furnishing of water to a development mean that the development is appropriate for the site, why doesn't it just mean that the development can be serviced with water. He stated that is not a valid reason for approving this development on this site because water service is available. He stated that they had said it is on an arterial. He stated that was true, it is on Central Avenue and that is an arterial. He stated that we do not urbanization in this County east of Beech Aircraft at this time in his opinion. He stated that when Central Avenue becomes a four lane throughfare when it is improved to four lane of traffic, two east and two west, and when we have got urbanization and when we have got traffic capability and we have got street capability, that is a whole other thing and a whole other time to look at this application, but this application here and now is absolutely premature. He stated that they have one point of access on Central in this construction to service 328 dwelling units. He stated that they were talking about one access point, one driveway, and out of this driveway, they are going to funnel these 2,500 to 2,700 cars in and out every day; and they are going to funnel them onto a two land street. He stated that the MAPC Commissioner that made the motion also said that after all, it was near Beech Aircraft. He stated that the Commissioner did not relate why its proximity to Beech Aircraft made it a suitable site for apartments. He stated that Beech Aircraft does not impact this area adversely at all except perhaps for traffic, and most of the traffic for Beech Aircraft is going to flow three other directions. He stated that the traffic impact can be the only impact that you can honestly say to him that Beech Aircraft can have on this residential area and that impact is not as great as the traffic that is going to

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come out of this application area. He stated that another reason given for approval of this project, is because of the zoning and use of properties nearby. He stated that in other words, the Commissioner was saying that this 328 unit development is compatible not only with single family development, but with large lot single family development, lots running from a half acre to the lady across the street who has a single family home on 120 acres. He stated that the professional staff supported this project, and that was the only valid reason he could see as to why MAPC approved it. He stated that a more substantial factor perhaps from staff's standpoint is ultimate urbanization of this area, and he disagreed. He stated that he disagreed with Mr. Lakin in seeing any immediate contemplation or any immediate urbanizing of this area, and he would say to the Board that an apartment complex is a city animal, not a County animal at all. He stated that if and when the time comes that we see the capacity on Central Avenue, if and when the time comes that we see urbanization east of Beech Aircraft, then let us talk about County apartment complexes. He stated that we should not talk now about County apartment complexes in an area where we have approximately 150 potential building lots in the protest area. He stated that as compared to 328 units in 22 acres and the Planning Commission says that is compatible use. He stated that he thought the application should be denied at this time. He stated that over 67% of the protest area says no to this application. He stated that the site is poor, the access is inadequate, the streets are not yet improved for this kind of traffic flow. He stated that he did not think that the County rural area fits this apartment complex. He stated that Mr. Leslie had stated that they would be reducing the zoning from "LC" down to "AA". He stated that they were doing it because the County only has one zoning district, which is "AA", the County does not have an "R-5" or an "R-6" zoning district like the City has. He stated that in the County everything comes into a "AA" zoning district and then comes under a conditional use.

Commissioner Patrick asked if there was anyone else to speak in opposition.

Ms. Cecilia Balthrop, Corner of Central and Greenwich Road on 120 acres, appeared before the Board and stated that most of here 120 acres was farmland except for where her home sat. She stated that about five years ago her home was destroyed by fire, and she moved into an apartment until she could make up her mind what to do. She stated that her decision was to go back and build in the same place. She stated that it was a crime to come into this area with apartment buildings, it is for single family homes. She stated that they all had well kept suburban homes and they did not move out there just to avoid city taxes. She stated that they just liked living out there. She stated that contrary to the concern about the sewerage, they did know that any sewerage would have to comply with the Environmental Protection Agency standards so the paper was erroneous in stating that. She stated that they were not objecting to development, but they were objecting to this type of development. She stated that 328 apartments on 22 acres is pretty dense. She stated that she did not think that this was being fair to the people in that vicinity, there are a lot of widow women out there who live there because they feel it is safe. She stated that with an apartment complex out there the crime potential would be increased also. She stated that they just wanted to keep the type of housing that they have out there now.

Ms. Elizabeth King, Minneha Township, appeared before the Board and stated that a number of years ago they were interested in getting on the sewer. She stated that they were told flatly that there was no room on the sewer. She stated that now they are trying to put this development in there and they were saying that there was plenty of room on the sewer. She stated that she

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would like to know why. She stated that they do not object to single family dwellings. She stated that perhaps the increase in traffic is partly due to the development of Crestview and Shadybrook, which are out beyond where she lives. She stated that what she was afraid of was that before long the City would be trying to annex them into the City limits. She stated that another point is that there is very little room for recreational areas.

Commissioner Patrick stated that maybe Mr. Lakin could answer her question.

Mr. Lakin stated that he would not answer definitely the question on the sewer, all he could say was that he had received a report based on some engineering that P.E.C. did for the applicant, evaluating the pump capacities, and it appears, at least according to Mr. Wynkoop, that they can serve it temporarily. He stated that the annexation issue is one that just simply exists. He stated that generally in the past, the city has looked towards annexing those areas that become urban. He stated that he would note that this particular area has been annexable for at least ten years and the city has not annexed it.

Commissioner Scott stated that does not mean that they will not do it. He stated that they went through this fight before on the trailer house. He stated that they fought and fought, and they finally turned it down, and then the next thing the County knew, they were annexed and into the City and the trailer park went in. He stated that he thought that what the people out there were looking at now was that if it is turned down here at the County Commission, he thought it would be annexed into the City within the next six months.

Mr. John Cochran, 12331 East Central, appeared before the Board and stated that he would like to speak to the fact that the complex would be non-compatible with the surrounding area as had already been brought out. He stated that there is inadequate recreational facilities in the proposed plan. He stated that there are no parks in the area. He stated that he thought that makes it incompatible, because of all of these reasons. He stated that it further supports the concerns of property owners around there that there would be trespassing resulting in property damage and possibly personal injury to the trespassers through coming in contact with lakes and animals and so on. He stated that it was his understanding from a meeting the residents had with the developer that this was a federally subsidized loan. He stated that later on in the meeting when one of the people appealed to the developer to consider the compatibility and try to develop within compatible surroundings, they were quick to point out that this was country based on free enterprise and he thought that was not quite appropriate considering that they are using a subsidized loan. He stated that he had got the impression that the developer was not concerned with being compatible at all with the area, only concerned with making money and to get out of the are, or making their money off of the are. He stated that he would ask the Commissioners to look at the national economy at this point in time and how that might affect it.

Commissioner Gragg stated that he thought that if this was denied today, the developer could walk across the street, petition for annexation and it would be annexed by the City of Wichita by the end of summer. He stated that if this Board approved this today, the developer would not have to ask for it to be annexed and go over there. He stated that there was an individual by the name of Mr. R. W. Hayden, who wanted to postpone a trip out of the country so they could be here for this hearing today. He stated that he told Mr. Hayden, he did not believe that was necessary, if he would write a letter he would have it read into the record. He asked Mr. Pattinson to read the letter into the record.

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Mr. Jim Pattinson, Assistant County Counselor, read the letter from Mr. R.W. Hayden, 11811 East Central, dated April 15, 1980, as follows:

"This letter will reply to your request that I write you about the objections we have to the Conditional Use rezoning request described in Case CU-232 by Sam Hardage. Your offer to read this letter into the record, as we have a previous conflict which will not permit us to attend the hearing, is certainly appreciated.

"We object for the following, and other reasons:

- "1. The proposed 328 housing units on the small area of 22 acres is not the highest and best use of the land as described by Kansas Statute.
- "2. The proposed 328 housing units is not in any way compatible with any other dwellings within one mile, and in fact, is eighty-two times more density than any homes in the area.
- "3. Because the proposed tract is so small, and there is not any area designed for recreation; it can be expected that children who might live in the urban development would be continual trespassers, bothering livestock, fences, and posing the threat to present landowners in the area, should any of these minor trespassers be hurt or injured on land while trespassing. Several ponds in the area would be a constant worry in this regard.
- "4. Because the proposed area is so small, and by design, has only a small frontage onto Central Avenue, it would create a serious traffic condition. With Beechcraft in the immediate area the traffic is already congested. There is no access to Greenwich Road, as stated in his remarks by Mr. Hennessey on MAPC.
- "5. The topography of the small area does not promote, nor lend itself to the type of high density building sought. For years the farmer using the land has tried to fill and level without success.
- "6. The small area proposed is part of a natural waterway and drainage. If enough dirt is moved to make the area a suitable building site, it will divert the natural waterway onto the property of others, doing damage to them and decreasing the value of their property.
- "7. The temporary arrangements for sewer are at best minimal. Pumping the sewage from an area to the benefit of only this one promoter smacks in the face of long range planning on the Four Mile Creek Drainage Area Sewer District.
- "8. When we, and others bought in this area, we did so because this is the type of living we wanted. We were aware of the zoning, and must look to you and the other commissioners to protect our way of living. We must have your protection. If spot zoning of small areas such as the proposed one are permitted, the zoning laws lose their meaning, and one might expect to wake up next to a boiler factory, commercial feed lot, or something similar.

"Much of the area just east of Greenwich Road, from Central south to Douglas is zoned R-1, and is already platted in one-half acre lots."

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"Many new houses have been built, and utilities extended as the need arises. The growth pattern in the area has been consistent with, and compatible with other homes in the area.

"Since there is a lot of land already zoned for high-density housing that is for sale, I hate to see a promoter, who has no intension of living in the area make an unreasonable profit simply by spot zoning a small area, and moving on to let the neighborhood suffer.

"We are sure that over eighty percent of the land area within the 1000 feet is represented in the protest petitions submitted to your commission. We can only hope, trust, and ask that you consider the desire of these many constituents vs. one opportunist promoter when you cast your vote. Please make it a vote not to allow high-density urban apartment dwelling in a rural suburban area.

"Thank you for allowing me this means of expressing my feelings.

"Sincerely,

"R.W. Hayden  
"Dubylene L. Hayden"

Mr. John Sugran, 335 North 127th Street, East, appeared before the Board and stated that he would like to ask Mr. Leslie to define the luxury.

Mr. Leslie stated that speaking of the typical rental unit, a one bedroom apartment would rent out at roughly \$285.00 a month; a two bedroom town-house apartment would rent at approximately \$200.00

Mr. Sugran asked if this would allude in any way to square footage within that apartment.

Mr. Leslie stated that it does.

Mr. Sugran stated that the reason he was asking, although he lived in this area now and have been building and improving the lot which he was on (one and one-third acres), and he had some popies down on eight acres just a quarter of a mile south of his property. He stated that this is a residential area, rural in nature with the large lots, but he came from the City of Wichita, and was raised right in Hilltop Manor. He stated that Hilltop Manor is a World War II development west of Oliver between Harry and Lincoln. He stated that he was wondering whether or not that qualified as luxury, because this development right here is proposing to be twice as dense as Hilltop Manor. He stated that he did not see any open spaces with playground equipment on this plat, and he felt that a responsible developer would take that into account. He stated that obviously, whoever is going to develop it is looking for profit. He stated that they are not for the defined best use of the land, they are trying to get the highest density in there without making it so unbearable that people won't live out there. He stated that these are not homes that are owned, they are apartments that really are not even rented by stock in the corporation, and as such those people owe allegiance to that corporation and are subject to being evicted upon brief notice if they in any way disregard the rules that apply to that corporation. He stated that they have an out of town developer come in and develop this area with a density twice as dense as hilltop without the controls. He stated that this was inappropriate for their area, and as for the annexation issue, you are not annexed until the final decree is spoken and there are some valid arguments against annexation even though people had already told them that they were destined for annexation because of the water issue. He stated that he was urging the Board to deny this petition.

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Mr. Wayne Hubbard, Protestor, appeared before the Board and stated that he had lived in this area in 1914. He stated that in 1943, he bought this five acres right here and had lived there ever since. He stated that there had been various other developers that had come in here, but things had never worked out. He stated that he thought they should put their apartment housing somewhere else, and leave that out there residential as it is now.

Mr. Larry Robbins, a landowner in this area and protestor, appeared before the Board and stated that he was this as a two party group; one is interested just in the money, the builder and the land seller, and the other people are interested in the living conditions in this area. He stated that they had already had this imposed on them as very high density. He stated that his main concern was that they get protection from becoming a large over-populated area. He stated that when he moved out there it was supposed to be residential zoning. He stated that he did not think that there was any zoning at all, because the first time a builder comes along, they change the zoning.

Mr. Don Stephan, 11906 East Central, appeared before the Board and stated that the people are the ones that matter in this situation, they bought their homes out there, they care about them, they love them, they do not expect to have someone come in and plat an apartment complex in the middle of nowhere. He stated that they have nowhere to turn, but to the Commission, if they could they would barricade the property and not allow them on, but they cannot do that. He stated that he was asking the Commission to vote against this. He stated that it was mentioned that the City was going to annex this property, let them try, they will fight them on that too.

Mr. Bill Ralston, Corner of Greenwich Road and Central on 10 acres, appeared before the Board and stated that not only did they get 69% of the signatures they needed for the official petition, but they also received informal petitions. He stated that informal petitioners were people that lived outside of the so-called 1,000 foot area, and they have about 8 to 10 pages of those petitions. He stated that these are people that are very interested in what happens to our area, just because they are 1,000 feet away does not make them any less important than anyone else. He stated that when he attended the MAPC Meeting, one of the members made a statement concerning this issue, and he quoted "this is a misuse of land". He stated that he was referring to the fact that the property owners in this area have sizable lots or acreage, and he had always been led to believe that one of the privileges they have in this country is owning property.

Commissioner Patrick asked Mr. Leslie if had any rebuttal.

Mr. Leslie stated that Mr. Kaplan made reference to some statistics that he would like to take issue with, not the least of which is the amount of traffic that his calculation process comes up with. He stated that if you would talk to the traffic engineer, the way that the model for determining traffic is substantially different than the calculation procedure that Mr. Kaplan utilized, and he would question severely the statement that approximately 100 per cent additional traffic would be placed on East Central. He stated that he had heard a lot of commentary about recreational facilities within the project, lack of playgrounds, and the children and so forth that will be encroaching on neighborhood property. He stated that he had taken it upon himself to contact the Wichita School Board's research department to look at the projections as to the number of children that would be accommodated within a project of this type, and based upon their formula, there would be a total of 71 children ranging from age 0, newborns all the way through graduation from high school. He stated that was roughly 43 children within the elementary school range or younger, 14 junior high school children, and 14 high school kids. He stated that he did not think that the magnitude of that

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quite justifies commentary. He stated that another point he would like to make is that they are reducing a substantial amount of traffic that could potentially occur in the area by rezoning a portion of the light commercial area. He stated that if you would look at the corner intersection here that is currently zoned light commercial, if that were to develop under current zoning, the way it sits right now, the actual number of this could go as high as 75 trips per day per 1,000 square feet of commercial development on that site, at the intersection. He stated that what they were talking about was 300 feet away from the intersection in a substantially reduced volume. He stated that what is there and could be developed tomorrow by a developer with no argument, could impact your area probably tenfold, is what we are talking about today. He stated that he would also like to point out that if you are concerned about egress and ingress from a single location on East Central, that is exactly what you have at the mobile home park south of there. He stated that the reason for that is that in dealing with planning standards, the intent is based on planning criteria. He stated that they were not trying to dump traffic onto a main arterial, they were trying to gear it away from secondary streets that run in front of your homes. He stated that there are property owners and land owners in the area that are vitally concerned about density, this density is specifically provided for under County zoning codes. He stated that it is half the normal density of an apartment complex within the urbanized area, and it is exactly half for that very reason. He stated that it is intended for the County areas as opposed to the city locations. He stated that it is conformity with the County zoning ordinance based on the very specific reasons that it was promulgated in the first place. He stated that he knew that there were a number of people in opposition to this who were owners of land and/or homes in the area, but he had yet to hear one word from the 328 families that were not going to have housing in that community or from the 300 construction workers that were going to work on this project during the recession in the next 18 months. He stated that he thought this was the highest and best use of the land, and he thought it was in perfect conformity with planning criteria, the zoning ordinance, and he would request that it be zoned accordingly.

RECESS FOR  
LUNCH

Commissioner Patrick stated that they were going to take a one hour recess for lunch, the meeting would reconvene at 2:00 p.m.

MEETING RE-  
CONVENED AT  
2:00 P.M.

Commissioner Patrick called the meeting back to order at 2:00 p.m. He stated to let the record show that all three Commissioners were present.

Mr. Bob Kaplan stated that Mr. Leslie had stated that this was "LC" and it can be immediately developed and in a sense, he is saying that they are doing these folks a good turn because they are down zoning it to "AA" and they are reducing the density in effect and reducing the traffic and so forth. He stated that is an accurate argument out of the book and out of the zoning district, but it is not appropriate to this situation. He stated that the bulk of the light commercial is that area that is owned by Mr. Bill Ralston, and that is the acreage that is immediately to the west of the subject application property to the section line to Greenwich Road. He stated that Mr. Ralston owned four to four and one half acres in there. He stated that the Ralston's had lived there close to half a century now, and he had no intentions of converting that to "LC". He stated that Mr. Leslie also directed some comments to the density, that is one half the density that you would find in an urban complex. He stated that it is only true if you are talking about an "r-6" zoning district in the City. He stated that it is comparable to the city "R-5" zoning district and he must take issue with the fact that it is only one half the density of an urban complex. He stated that it may be one half the density of some urban complexes. He stated that his figures were correct, he had verified his formulas with the land planners and the architectural group that his firm uses when they represent developers, and also the city engineer.

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He stated that he was trying to emphasize his point which was that this development was premature, that it is not timely, that it is not ready, whether it is a good or bad development, he did not think that it was relevant. He stated that Mr. Leslie's reasons for this site were for the housing, the jobs, and because we are in an economic recession. He stated that Mr. Leslie did not give you one reason to support this site. He stated that the only thing Mr. Leslie said was that they have to support apartment construction and they have got to support apartment development because we need the housing and we need the jobs and we need the economics. He stated that they they could do that on other sites as well as on this site. He stated that he was seriously concerned whether there was any good substantial reasons or considerations for approval of this particular site for this particula project at this particular time.

Commissioner Gragg stated that they force these people out into the County because of taxes, and they complain about our roads, we do not have any tax base and we have got these gaps in between. He stated that he had noticed that Mr. Kaplan lived in Butler County, which is way in excess of their population projections as far as gains go.

Mr. Kaplan stated that was correct about the growth of his community, which happened to be Andover. He stated that he was simply saying that regardless of the growth in Butler County or regardless of the growth in Andover, the time is not right yet on this particular site and in this particular area. He stated that there had been claims that this was going to be urbanized, and if it does, bring the application back in and look at it, but wait until it urbanizes. He stated to wait until Central is capable of carrying it.

Commissioner Patrick asked Mr. Kaplan when he thought the time would be right.

Mr. Kaplan stated that he was saying that the time would be right if and when the area urbanizes; if and when Mr. Lakin is right and we see development all the way to the County line, and we see urban development east of Beechcraft and to the County line. He stated that we just do not have it there yet, this is strictly an "R-1", it is strictly a suburban, rural area.

Commissioner Gragg stated that there is development to the west, and starting at 127th Street to the Butler County line, it is almost entirely under construction, or if it is not, it is platted and construction is under way. He stated that you have a gap between these two.

Mr. Kaplan stated that they are getting subdivision development, and they are getting very quality subdivision.

Commissioner Gragg asked if it took over that particular area.

Mr. Kaplan stated that it did. He stated that the Commissioner knew some of the ownership of some of that land in there, and coming back down west of 147th Street. He stated that they are getting quality subdivision development, we are getting the Shadybrook development, and they have got the Crestview development, they are gettin' very quality single family subdivision development. He stated that the exception might be that they do have condo's on Central in the Crestview development, but these are high quality, expensive condos. He stated that they do not have this kind of development, this density development, and he did not think that the County needed an apartment zoning district. He stated that the apartment complex was a city animal, it needs services, retail services.

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Mr. Chet Mattix, 124 North Ellson, appeared before the Board and stated that after looking at the map and the aerial photo of the area he saw that there were quite a few discrepancies. He stated that since this aerial photo was taken from February of 1977, it does not show a lot of the development that has taken place in this area. He stated that there are probably eight to ten new homes that have been built, and these are all high quality homes. He stated that the area right adjoining the proposed site is platted in half acre lots and is ready to be developed. He stated that there could be some extremely nice homes go in there. He stated that they once talked about the density of the over all area they have got , not only do they have one trailer park, there is now another trailer park in another area out there. He stated that they are going to end up sitting right in the middle hemmed in between all sorts of people. He stated that he moved out there to get away from the City, he was tired of having a neighbor's house 16 feet to the side of his. He stated that he also noticed on the map representing the property owners that signed petitions protesting the rezoning of land, there are a few minor discrepancies here, in fact, title search was not done correctly or they did not come up with the right property owners for all of it. He stated that they have Mr. and Mrs. Ralston listed for owning an area about 150 feet by 425 feet, when in actuality, they own an entire 10 acres. He stated that when they look at this map and they take everything on the east of Greenwich, they actually have approximately 96% to 98% of the owners of property within the 1,000 feet area that signed the protest petitions. He stated that what they have on the other side of Greenwich if property that is mainly owned by Beech, and they are going to be non-committal on this. He stated that Beech had told them they could not really get into it one way or the other. He stated that they would love to see this area developed, but they felt that it could be developed with real nice homes, something compatible with the surrounding area. He stated that all they were asking for was a chance to get something going on this so that they can develop. He stated that there had to be a builder somewhere or another that would be interested in buying that up and developing it into homes. He stated that if not, they have talked about the possibility of maybe coming up with a group of the property owners from this area to approach the church and see if they can work out some kind of deal with them, that they could buy the land. He stated that they could go in and put some type of restrictions on it so that it would be strictly single family dwelling. He stated that all he was asking was a chance to do something with it.

Commissioner Patrick asked if anyone else wanted to speak. He asked Mr. Leslie if he had anything else to add.

Mr. Leslie stated that the planning staff had made their recommendation, the planning commissioners had made their recommendation, and he had stated his case, so as far as he was concerned, his case rests at this point.

Commissioner Patrick asked if anyone else wished to speak.

Mrs. King stated that she would like to say one more word. She stated that at the shift time change of Beech out there the traffic is terrible. She stated that also, they do not have any kind of a guarantee that the developer is going to keep this up as he is building it and planning it. She asked what they would have if someone got it that did not want to keep it up. She stated that before the land is developed, even for single family homes, she would would very much like to see the Commissioners take into consideration the road and be sure that it is a four lane before any development is allowed at all. She stated that they had that difficulty all over town and out in the County and townships, a development is going in before the roads are prepared for it. She stated that she would sincerely hope that the Commissioners would vote against this.

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Commissioner Gragg stated that he did believe that it was a valid point that one access onto Central Street is not sufficient. He stated that his main concern was not particularly traffic from the complex, but if a fire occurs you have got just the one entry, and if that entry is jammed you cannot get in or out, or if you needed to get an ambulance in there you could not. He stated that when you are talking about an apartment unit of 300 and some units, he thought you needed more ingress and egress, more than just the one entrance. He stated that he thought that they should take a very good look at having more entrances into that for emergency vehicles which also could be used the other way, too, for this type property. He stated that Beech has stated repeatedly that would prefer to stay out of these type of public hearings, and they had said to him recently that until just this last plant they haven't built any additional production facilities in Wichita or Sedgwick County in the last ten years because of the lack of the availability of housing for employees. He stated that management keeps telling them that they are not going to expand in this area unless we do develop housing units, and they do classify apartment units in that, because the vacancy rate has been low on single family housing.

Commissioner Scott stated that he was quite concerned her for the congestion that would be in that area, and in reviewing this, he did not really realize that you only had one entrance in and out of that place. He stated that he knew the problem that they are having down there in the trailer park, and that they were going to expand it down there, but there is more than one entrance to that area. He stated that was his main concern. He stated that if there could be something expanded there where you could have some entrance either to the south or to the west or east, he thought that is what they should be looking to do.

Commissioner Gragg stated that if this is approved, they would have to direct that when the plat comes back there has to be more than one entrance or the plat will not be approved.

Commission Scott stated that was his main concern. He stated that if this was not approved here at this Board, he knew that in less than six months it would be within the City limits of Wichita. He stated that then they would have no control over it, and you would have trailer parks in it probably then. He stated that he thought they could vote here today to approve this, put a complex in there that will be a very nice development in that area.

Commissioner Patrick asked the developer if he would like to comment on having another entrance in there.

Mr. Leslie stated that on behalf of the developers, they were in a position to commit to do whatever is necessary from the standpoint of refinement of the plan and the final platting process to make the thing work.

Mr. Lakin stated that he might add that on the entrances, there is one currently planned to the north from a matter of design, and he thought that could be redesigned fairly easy to the north. He stated that quite often when they have these plats going through that they set up emergency exits that are changed and where the fire trucks can get in fairly easy from the side streets. He stated that if the one that is being proposed on this plat on the east side would provide an alternate access for emergency on that, and you can provide that and he would carry that back to the subdivision committee as it considers the plat for that area.

Mr. Kaplan stated that if the consensus of the Commission is at this point approval, if this Commission does unanimously grant a conditional use, such

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other restrictions as you feel are appropriate may be imposed. He stated that he was thinking specifically in terms of green areas, open areas and that type of thing. He stated that fifty per cent green area requirement probably would not be out of line on this type of complex.

MOTION

Commissioner Gragg stated that having considered the factors as contained in Policy Statement No. 10, in conjunction with Zoning Case No. SCZ-0450 and Conditional Use Permit CU-232, he would move that they recommend to the governing body that the application be approved for the following reasons:

- (a) The character of neighborhood is residential, but it is urbanizing and it does have the availability currently of water and sewer hook-up.
- (b) The zoning uses of properties nearby zoned light commercial to the east, it is vacant to the south and in several other areas it is already urbanized. The length of time the subject property has remained vacant as zoned has been since 1958.

He stated that in the Conditional Use permit he would like to add the wording which the Director of Planning had used this morning which would prohibit the use of mobile homes in the area, and also to allow for at least two points of ingress and egress. He stated both the MAPC and the MAPD recommended approval of this as proper land use for the area by a vote of 3 to 2.

Commissioner Patrick seconded the motion.

AMENDMENT TO THE MOTION

Commissioner Scott stated that he would like to add an amendment to that motion that we require at least 50 per cent of the area to be green area, and secondly, he would like to ask the developer before a vote is taken, if a portion of this could be set aside for a small park for the people in that area.

Mr. Leslie stated that there are planned recreational areas in here, and as far as the green space is concerned, he thought the zoning ordinance provided for 75 per cent of coverage by building space as well as paving area. He stated that if the Commissioners were to indicate that 50 per cent was to be green space, it would substantially impact the project itself because of the parking requirements. He stated that there are recreational areas provided, and there is sufficient green space for that purpose. He stated that they have a clubhouse complex, all of which will be recreational in nature. He stated that there is another area set aside for recreation although they have not drawn in swings and teeter-totters and so forth. He stated that the key was, there are only 71 children in the entire complex, which is the statistics provided by the Wichita School Board.

Mr. Kaplan asked if it would be inappropriate under the circumstances, to defer this matter solely for the purpose of giving him and Mr. Leslie an opportunity to sit down and work together and determine what green area can be accommodated without impairing his density and if Mr. Leslie would accept that request.

Mr. Leslie stated that would be fine.

Mr. Lakin stated that the plat would not normally come to this body for approval, it would go to the City of Wichita. He stated tht it will require your signatures for acceptance of roadway and that type of thing

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before the filing. He stated that they certainly bring it back for your information. He stated that he might add, he had not talked to the developer on it, that the apartment project that they just looked at in the Planning Commission on Meadowlark Drive Inn Theatre with a density of 29 dwelling units an acre carried with it a provision that at least 50 per cent of the area should remain green, and that did not include building setback areas. He stated that they believed and agreed that they could put in buildings, driveways, and still maintain 50 per cent on that density, so if they can do it on 29 dwelling units per acre, he would guess this project could also do that.

Mr. Hill stated that he wanted to make it understood that you have got to get settled today those requirements that you want to make as far as the conditional use permits are concerned, and as far as the green area or open space area, it will have to be settled today, you will not get the plat back and you'll get nothing to say about it.

Commissioner Gragg asked if they put it in there, then when the plat was approved by the city, could they change it.

Mr. Lakin stated that the city has the authority to approve the plat even though it might be different. He stated that his guess would be that you could put a condition in the conditional use permit prior to any building permit being issued or this type of thing that a given landscape, a given building coverage plan, be submitted to this Commission for your approval. He stated that would be appropriate and enforceable.

Mr. Hill stated that if the Commissioners subject their conditional use permit to that requirement, then there is no conditional use permit until that requirement is met.

Mr. Lakin stated that from a practical standpoint, we would bring you a site plan back which met the criteria of 50 per cent of whatever you would establish. He stated that it would take that before your building permit people would be in a position to issue any permits irrespective of whatever plat might be approved by the City of Wichita.

Mr. Hill stated that we all know that a lot of times pictures have a way of changing when they get finally developed.

Mr. Lakin stated that you could put in the conditional use that this specific site plan, subject to the two accesses would be what would be built. He stated that they have not done that as a matter of practice, but it is possible in the range of what he perceived to be the Commissioner's power. He stated that in Mr. Scott's amendment, if he were to state that as to add to the Conditional Use that the site plan showing at least 50 per cent open space shall be submitted to the Board of County Commissioners prior to the issuance of any building permits and approved by them.

Commissioner Scott stated that he did not want to hinder the project in any way. He stated that he thought they had a project here that when it is built they will be proud of it. He stated that he did want it to be an area that when people drive through it, the people in that area should be proud of. He stated that he did not think you could ever please the people in that area on this project, but he did think that we ought to make every effort we can to do this and if 50 per cent of it being green in the area is going to hinder the project, he certainly didn't want to do that. He stated that he did want to make this area as presentable to the public as they could, and he certainly wanted more than one entrance to the project.

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Commissioner Gragg asked Mr. Leslie what percentage now is green area.

Mr. Leslie stated that he did not have the exact calculations, but he thought it was in excess of 40 per cent right now. He stated that it might be close to 50 per cent, but he could not guarantee it.

Commissioner Scott asked Mr. Leslie if he would agree to fifty per cent of the greenery right now.

Mr. Leslie stated that he would.

Commissioner Scott asked Mr. Kaplan if he agreed to that.

Mr. Kaplan stated that if they approved it, he would like that condition to be added, yes.

AMENDMENT TO THE MOTION

Commissioner Gragg seconded the amendment to the motion to become a part of the conditional use permit.

Mr. Kaplan stated that there was one other matter. He stated that Mr. Stephan had taken a little caucus of his neighbors here, and they would like to further request fencing. He asked Mr. Leslie if that was appropriate.

Mr. Leslie stated that he could not give a firm answer on that.

Mr. Stephan stated that the reason that the fence was brought up, was that they have a lot of ponds out there, and if you lived in a rural area you could understand. He stated that it was as much a concern from the kids' standpoint even though Mr. Leslie says there is only 10 kids out there, it doesn't make any difference, there is going to be a bunch of them in a concentrated area. He stated that he thought it was essential that they have some protection to their property because they do not want kids running over on their property nor do they want the dog packs running on their property. He stated that in a rural area it would be to the benefit of the homeowners.

Commissioner Gragg asked Mr. Lakin if there were any requirements in the subdivision regulations within the three-mile range in regards to fencing a project such as this.

Mr. Lakin stated that they have none in the subdivision requirements nor do they have any in your zoning requirements, it had not been their policy to fence residential against residential. He stated that they have no general requirement, you could add it as a condition of you conditional use. He stated that if they do, he would like to have some indication of what type fencing they would desire; barrier fencing such as wire fencing or are you talking about board, decorative, and that type of thing. He stated that way there will not be any disappointments once the project is on the ground, and the people understand that they are getting one thing and might get another.

Mr. Kaplan stated that it would be his impression that they are talking about privacy fencing which he would suspect would be solid wood fencing, probably a minimum of six foot high.

Mr. Sam Hardage, 236 N. Crestway, appeared before the Board and stated that they would not object to fencing if that was a requirement. He stated that their objective here was to develop a first-class development. He stated

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that they intend to leave as many of the trees as possible. He stated that there are two very attractive hedge rows on both the east and the west sides of the property, and they would not want to put any fencing in that would detract from those. He stated that they were as concerned as Mr. Stephan is about security and the attractiveness of the property. He stated that they intended to have a full time staff on board at all times on the property for security purposes, so he would hate to see an absolute requirement for fencing, but he would certainly not impede the deal. He stated that they would like to be able to develop this so that it fits in with the natural environment as much as possible and not stand out as an unobtrusive security fence. He stated that they would not want to detract from the value of the property.

Commissioner Scott asked if the Board would consider that fencing. He stated that the developer has agreed that if we make it a part of the conditional use that he would have no objection to it as long as we did not destroy the nature look of it. He asked if the Board would be interested in considering that for the residents in the area. He stated that what he was trying to work out was a happy medium with these people that are going to be living out there by it, so they will be able to get a little something out of it.

Commissioner Gragg stated that he would go along with that, but if you start tearing out a bunch of trees to put up fence, then you have got problems too.

Mr. Lakin stated that so there is no surprises, there is a proposed street on the east, and there is some existing street right-of-way on the old plat to where if that street is ever built, then this plat would further reinforce that. He stated that hedge row will obviously be eliminated then.

Ms. Balthrop stated that where the trees are there is where the right-of-way is for that street on the east end.

Commissioner Gragg stated that if Commissioner Scott would want to move to that effect, he would be happy to second it, and then have a call for the vote.

AMENDMENT TO THE MOTION

Commissioner Scott stated that he would make an amendment to the original motion and add that they are requiring in the conditional use that there would be a fence put up. He stated that he would not be in favor of a chain link fence.

Mr. Lakin stated that they have some fairly standard language which they use for Board of Zoning Appeals and others which gives people the options of fence, masonry, decorative and so forth so that they do not wind up with corrugated iron fences. He stated that they write up the range of criteria for them and he could put that into this resolution. He stated that he assumed they were talking about around the project except for where they have ingress and egress areas. He stated that the hedge row exists on the side where there is an existing partial street right-of-way right now, so he would anticipate that hedge at some point in time to be gone.

Commissioner Gragg asked where they would put the fence and where the project line went.

Mr. Lakin stated that the project line would be slightly inside of the red line because of the Planning Commission requirement in platting would be to dedicate additional right-of-way and they have them redesign their project

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and move parking garages and things back off of that area. He stated that there appears also to be a scattered hedge over here against Mr. Ralston's land. He stated that he did not know the quality of it, how thick it was. He stated that the Commissioners could give him what direction they would like to go, whether they would want fencing there and if they do include fencing, it could be such that it would sufficiently far enough inside the project line that it does not require the removal of the hedge.

AMENDMENT TO THE MOTION

Commissioner Gragg stated that he would second the amendment to the motion, if Mr. Scott was agreeable that they use the wording that Mr. Lakin suggested, because that does exclude chain link fence and whatever.

Commissioner Scott stated that was agreeable with him.

VOTE ON AMENDMENT TO THE MOTION

Chairman Everett Patrick	Aye
Commissioner Donald E. Gragg	Aye
Commissioner Tom Scott	Aye

VOTE ON MOTION

Chairman Everett Patrick	Aye
Commissioner Donald E. Gragg	Aye
Commissioner Tom Scott	Aye

The motion carried as amended.

DEPARTMENT  
OF PUBLIC  
WORKS

CHANGE ORDER  
FROM SEDGWICK  
COUNTY ELECT-  
RIC COOP

DEPARTMENT OF PUBLIC WORKS

1. Change Order from Sedgwick County Electric Cooperative Association Inc. to relocate electric utility poles on Project No. 87-RS-244 (6). An increase in the amount of \$7,000.

Mr. Craig Robinson, Assistant County Counselor, appeared before the Board and stated that this item is a change order submitted by Rural Electric Cooperative of Cheney on FAS project No. 87-RS-244 (6). He stated that it is a road that goes west out of Andale and, as he understood it, the work was contracted out last July of thereabouts. He stated that work commenced shortly thereafter and through some delay on the job, the work was halted. He stated that since that time there had been no work completed. He stated the counsel for the Rural Electric Cooperative that they finished about 50 per cent of the job and now they are back for a change order increase in the amount of \$7,000 from the total, which was \$12,800 to \$19,800. He stated that he had sent a memo to the Commissioners earlier this week voicing what he believed to be some problems or considerations the Board should look into before a change order of this nature be granted. He stated that one of the factors was that there was no documentation in terms of salary increase, energy costs and so on in the balance sheet figures to support a change order increase of \$7,000. He stated that the other thing that he thought should be brought up is that according to a letter from Mr. Jack Hutchinson, the manager of REC, sent to the Board of County Commissioners; he made mention of the fact that at approximately 50 per cent of the work completed, they had expended \$9,338. He stated that in his opinion, that illustrated a cost overrun on the original contract of approximately \$3,000, and all this took place back in October when they halted work. He stated that this

May 27, 1980

Dean Lesley  
Hardage Enterprises, Inc.  
Vickers KSB&T Building  
125 North Market  
Wichita, Kansas 67202

Re: CU-232 - Conditional Use Permit  
to Establish Multiple-Family  
Dwellings.

Dear Mr. Lesley:

Bob Lakin asked that I forward to you a signed copy of the resolution approving the above captioned case, which is enclosed. As I am sure you are aware, this resolution will not be published until the platting of the property occurs. You have until May 7, 1981 to complete and record the plat.

After your review of this resolution, if you have any questions concerning any of the conditions, please call either Bob Lakin or me.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:el

Enclosure

( ) Published in The Wichita Beacon on \_\_\_\_\_, 1980

R E S O L U T I O N

CASE NO. CU-232

A RESOLUTION PERMITTING ESTABLISHMENT OF MULTIPLE FAMILY DWELLINGS IN THE "AA" ONE FAMILY DWELLING DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 5.A.10.1 AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 5.A.10.i and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow establishment of Multiple Family Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

Starting at the northeast corner of the northwest one-quarter of the Northwest One-Quarter of Section 22, Township 27 South, Range 2 East, of the 6th Principal Meridian in Sedgwick County, Kansas; thence South along the East Line of a parcel described as the East 30.00 acres of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 698 feet to the point of beginning; thence continuing South along the East line of said 30.00 acre parcel, a distance of 630 feet, more or less, to the South Line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22; thence west along the South Line of said Northwest One-Quarter of the Northwest One-Quarter a distance of 983 feet, more or less, to the West Line of said 30.00 acre parcel; thence North along the West Line of said 30.00 acre parcel a distance of 1279 feet, more or less, to a point that is 50 feet South of the North Line of Section 22; thence East parallel to the North Line of Section 22, a distance of 462 feet; thence South, parallel to the East line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 230 feet; thence Southeasterly a distance of 467 feet to a point that is 698 feet south of the North Line of said Section 22; thence easterly a distance of 325 feet to the point of beginning. Generally located on the south side of Central, in an area east of Greenwich Road.

SUBJECT TO THE FOLLOWING:

- a. Approval of the associated zone case SCZ-0450, by the Board of County Commissioners.
- b. The platting of subject property within one year from the date of approval by the Board of County Commissioners; or the application be considered denied and closed.
- c. The number of dwelling units shall not exceed a maximum of 15 dwelling units per net acre.
- d. A minimum of one and one-half parking spaces shall be provided for each dwelling unit.
- e. Prior to forwarding the case to the Board of County Commissioners, the applicant shall submit 5 copies of a revised site plan which reflects the appropriate street right-of-way for Ellson Street and a 25-foot building setback from Central Avenue and Ellson Street.
- f. That no mobile home(s) shall be permitted until and unless a separate request shall be received and approved by the County Commission under terms of the County Zoning Resolution.
- g. At least two points of vehicular access shall be provided to the site.
- h. At least 50% of the net site area (not including public roads) shall remain free from impervious material, i.e. walks, drives, buildings and other similar structures. Setback areas, non-hard surfaced recreation areas, playgrounds, lakes and ponds may be included in the computation of open spaces.
- i. The project shall be fenced with a privacy type fence along all of its boundaries. Where such fence would require the removal of existing trees, the fence should be moved and located so as to allow the preservation of the trees. The fence shall be solid or semi-solid, and constructed to prevent the passage of debris or light and shall be constructed of either brick, stone, architectural tile, masonry units, wood or other similar material (not including woven wire or wire with metal or plastic strip inserts). The fence shall not be less than five feet nor more than eight feet in height except at the opening of driveways (access points) where the fence shall be reduced in height to three feet for such length as to provide adequate vision triangles to allow safe entry to and from the site.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_, Chairman  
Everett Patrick

\_\_\_\_\_, Commissioner  
Tom Scott

\_\_\_\_\_, Commissioner  
Donald E. Gragg

ATTEST:

\_\_\_\_\_  
Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

\_\_\_\_\_  
Theodore H. Hill, County Counselor

May 12, 1980

Jim Beckett  
Plant Engineer  
Beech Aircraft Corp.  
9709 East Central  
Wichita, Kansas 67206

Re: SCZ-0450 and CU-232

Dear Mr. Beckett:

I have enclosed a copy of the staff reports and the referral sheets, with the Planning Commission Minutes, for the above cases. The Minutes of the Board of County Commissioners will not be ready for about thirty days. We will forward a copy of the minutes when they are ready.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP  
Junior Planner

ADC:el  
Enclosures



SEDGWICK COUNTY, KANSAS

**BOARD OF COUNTY COMMISSIONERS**

EVERETT PATRICK

CHAIRMAN

COMMISSIONER THIRD DISTRICT

TOM SCOTT

CHAIRMAN, PRO-TEM

COMMISSIONER SECOND DISTRICT

DONALD E. GRAGG

COMMISSIONER

FIRST DISTRICT

*Ja  
Jee*

COUNTY COURTHOUSE • SUITE 320 • WICHITA, KANSAS 67203 • TELEPHONE (316) 268-7311

DATE: MAY 1, 1980

TO: AREA PROPERTY OWNERS GENERALLY LOCATED -  
EAST CENTRAL AND NORTH GREENWICH ROAD

FROM: DON GRAGG

RE: ZONING AND CONDITIONAL USE PERMIT REQUESTS

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PUBLIC HEARING

ON THE FOLLOWING ITEMS:

ZONING PERMIT <sup>SZZ</sup>SZZ-0450 - REQUEST FOR A CHANGE IN  
ZONING FROM R-1 AND LC TO AA AT THE SOUTH SIDE  
OF CENTRAL IN AN AREA EAST OF GREENWICH ROAD,  
TO ALLOW THE CONSTRUCTION OF LOW-RISE APARTMENTS  
TO ALLEVIATE THE HOUSING SHORTAGE IN THE WICHITA  
AREA.

CONDITIONAL Use PERMIT CU-232 - REQUEST FOR A  
CONDITIONAL USE PERMIT ON THE SOUTH SIDE OF  
CENTRAL IN AN AREA EAST OF GREENWICH ROAD, TO  
ESTABLISH MULTIPLE FAMILY DWELLINGS.

9:00 A.M. - WEDNESDAY, MAY 7, 1980

SEDGWICK COUNTY COURTHOUSE

525 NORTH MAIN

3RD FLOOR - SEDGWICK COUNTY COMMISSION MEETING ROOM

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THE CITY OF WICHITA



DEPARTMENT OF WATER  
AND WATER POLLUTION CONTROL  
OFFICE OF THE DIRECTOR  
CITY HALL - EIGHTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

RECEIVED

MAY 1 1980

METROPOLITAN PLANNING  
ROUTE  CU-232  
 \_\_\_\_\_

May 1, 1980

Mike Schomaker P.E.  
Professional Engineering  
Consultants  
1440 East English  
Wichita, Kansas 67211

Dear Mr. Schomaker:

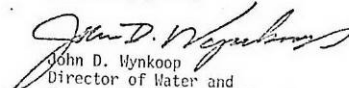
We appreciated the opportunity to meet with you and your client, Hardage Enterprises, to discuss their proposed apartment development on Central Avenue just East of Greenwich Road.

In order for the City to provide the site with sanitary sewer service on a temporary basis, until the Four Mile Creek Sewerage District is a reality, we propose the following:

1. Hardage Enterprises would construct, at their expense, a lift station on their property and a force main to the City's sewer system of sufficient size to provide sewer service to those service areas adjacent to the Hardage property. The extent of these areas to be defined by the Department of Public Works Engineering Division.
2. The City, in turn, would release Hardage Enterprises from any future expenses associated with the replacement of pumps at the City's lift station, located at Kellogg and Greenwich Road.

Please let me know if your client is agreeable to these terms.

Very truly yours,

  
John D. Wynkoop  
Director of Water and  
Water Pollution Control

JDW/b

cc: Robert Lakin, Director of Planning ✓  
Darrell Brewer, Supt. of Sewer Maintenance  
Don Schneider, Sanitary Engineer

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-232

CONSIDERED BY MAPC: 4-10-80

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"Establishment of Multiple Family Dwellings."

GENERAL LOCATION: On the south side of Central in an area east of  
Greenwich Road.

LEGAL DESCRIPTION:

(see excerpt from Planning Commission minutes of  
April 10, 1980)

APPLICANT: First Bible Baptist Church, Inc., 1156 N. Oliver.

AGENT FOR APPLICANT: Dean Lesley, Hardage Enterprises, Inc., Vickers  
KSB&T Building, 125 N. Market.

PROTESTORS ( LIST AGENT ) IF ANY: R. W. Hayden, 11191 E. Central;  
Larry Robbins, 240 N. Greenwich Road; Don Stephan, 11906 E. Central;  
Cecelia Balthrop, 11220 E. Central; Walt Kuykendall, 11629 E. Central.

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

LAND USE: Existing and East, Undeveloped; North, Farm home and undeveloped;  
South, Mobile homes & undeveloped; West, Single family home and undeveloped.

PLANNING COMMISSION RECOMMENDATION:

That the Conditional Use Permit be approved subject to the conditions as  
shown in the excerpt from Planning Commission minutes of April 10, 1980.  
Hennessy moved, Savina seconded and it carried with a vote of 3 in favor  
(Hennessy, Savina and Shook), and 2 opposed (Bayouth and Gardner). Jones  
abstained from voting. Goebel, Lofton and Martens were absent. One vacancy.

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

ACTION: 1. Concur with the findings of fact of the Metropolitan Area Plan-  
ning Commission, approve the application subject to recommended conditions  
of approval, adopt a resolution establishing the conditional use and  
instruct the Planning Department to withhold publication of the resolution  
until the plat has been recorded with the Register of Deeds; or  
2. Deny the application.

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0450

CONSIDERED BY MAPC: 4-10-80

REQUEST FOR: "R-1" & "LC" to "AA"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow the construction of low rise apartment units  
to alleviate the housing shortage in the Wichita area."

GENERAL LOCATION: South side of Central in an area east of Greenwich  
Road.

LEGAL DESCRIPTION:

(see excerpt from Planning Commission minutes of  
April 10, 1980)

APPLICANT: First Bible Baptist Church, Inc., 1156 N. Oliver.

AGENT FOR APPLICANT: Dean Lesley, Hardage Enterprises, Inc., Vickers  
KSB&T Bldg., 125 N. Market.

PROTESTORS ( LIST AGENT ) IF ANY: R. W. Hayden, 11181 E. Central;  
Larry Robbins, 240 N. Greenwich Road; Don Stephan, 11906 E. Central;  
Cecelia Balthrop, 11220 E. Central; Walt Kuykendall, 11629 E. Central.

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

LAND USE: Existing and East, Undeveloped; North, Farm home and undeveloped;  
South, Mobile homes & undeveloped; West, Single family home and undeveloped.

PLANNING COMMISSION RECOMMENDATION:

That the application be approved subject to platting within one year from  
the date of the approval of the zone change by the Board of County  
Commissioners, or the zone case be considered denied and closed; and that  
the resolution establishing the zone change not be published until the  
plat has been recorded with the Register of Deeds. Hennessy moved, Shook  
seconded and it carried unanimously. Jones abstained. Goebel, Lofton and  
Martens were absent. One vacancy.

NOTE: The percentage of the protest petitions received on this application  
will be pointed out at the time the case is considered by the County Com-  
mission.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area  
Planning Commission, approve the application subject to the condition of  
platting, adopt a resolution establishing the zone change and instruct the  
Planning Department to withhold publication of the resolution until the  
plat has been recorded with the Register of Deeds; or  
2. Deny the application.

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 10, 1980

- 9a. Case No. SCZ-0450 - First Bible Baptist Church, Inc. requests zone change from "R-1" & "LC" to "AA" starting at the northeast corner of the northwest one-quarter of the Northwest One-Quarter of Section 22, Township 27 South, Range 2 East, of the 6th Principal Meridian in Sedgwick County, Kansas; thence South along the East Line of a parcel described as the East 30.00 acres of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 698 feet to the point of beginning; thence continuing South along the East line of said 30.00 acre parcel, a distance of 630 feet, more or less, to the South Line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22; thence west along the South Line of said Northwest One-Quarter of the Northwest One-Quarter a distance of 983 feet, more or less, to the West Line of said 30.00 acre parcel; thence North along the West Line of said 30.00 acre parcel a distance of 1279 feet, more or less, to a point that is 50 feet South of the North Line of Section 22; thence East parallel to the North Line of Section 22, a distance of 462 feet; thence South, parallel to the East line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 230 feet; thence Southeasterly a distance of 467 feet to a point that is 698 feet south of the North Line of said Section 22; thence easterly a distance of 325 feet to the point of beginning. Generally located on the south side of Central, in an area east of Greenwich Road.
- 9b. Case No. CU-232 - First Bible Baptist Church, Inc. requests Conditional Use Permit for: (See legal description above for Case No. SCZ-0450).

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

Case No. SCZ-0450:

COMMENTS:

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

The applicant is requesting a change of zoning from "R-1" Suburban Residential and "LC" Light Commercial to the "AA" Single-family on 22 acres in order to develop the property with multiple-family dwelling units.

The intent section of the County "AA" District permits this district to be established only when municipal sewer and water services are available. The applicant has indicated that sanitary sewer and water service will be provided by extension of these services from the City of Wichita.

It should be noted that subject property is located in a low density suburban residential area.

Subject property will need to be platted into a lot to provide for appropriate street rights-of-way, access controls and building setbacks.
2. A recommendation of approval by the Planning Commission should be subject to platting within one year from the date of the approval of the zone change by the Board of County Commissioners, or the zone case be considered denied

and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds.

Case No. CU-232:

COMMENTS:

1. The applicant has submitted a site development plan which proposes 328 multiple-family dwelling units and 533 parking spaces on the 22 acre site. The plan also reflects common open space areas, private drives and community buildings on the site. The proposed development density is 14.9 dwelling units per acre.
2. The site development plan does not reflect the existing right-of-way for the west half of Ellson on the east 30' of subject property, nor the appropriate 25' building setback from Central Avenue on the north and Ellson on the east.
3. It should be noted that the plan proposes access only to Central with no access to any adjoining residential streets.
4. A recommendation for approval by the Planning Commission should be subject to the following conditions:
  - a. Approval of the associated zone case SCZ-0450, by the Board of County Commissioners.
  - b. The platting of subject property within one year from the date of approval by the Board of County Commissioners; or the application be considered denied and closed.
  - c. The number of dwelling units shall not exceed a maximum of 15 dwelling units per net acre.
  - d. A minimum of one and one-half parking spaces shall be provided for each dwelling unit.
  - e. Prior to forwarding the case to the Board of County Commissioners, the applicant shall submit 5 copies of a revised site plan which reflects the appropriate street right-of-way for Ellson Street and a 25-foot building setback from Central Avenue and Ellson Street.

CHAMBERS said that the applicant had indicated that sanitary sewer and water service would be provided by the extension of these services from the City of Wichita. He said that there was some indication from the City Engineering Division of making a sewer benefit district with the application area and the land immediately to the south, and the sewer would be a temporary system until facilities are made available in the Four Mile Creek Basin.

JONES said that he would abstain on any discussion or voting on this matter, but in order that the Commission would have a quorum, if it was agreeable, he would remain at the bench.

MOTION: That the Planning Commission acknowledge Commissioner Jones' request. Gardner moved, Bayouth seconded and it carried unanimously. Jones abstained. Goebel, Lofton and Martens were absent. One vacancy.

DEAN LESLEY, Vice-President of Hardages Enterprises, representing the applicant, stated that the program involves the development of a luxury garden rental apartment project consisting of 328 units and providing 517 parking spaces. He said that

water and sewer were available to the site. LESLEY said that the proposed site plan has been revised from the original which did not comply with setbacks for buildings and right-of-way for future public streets. He said that there was an extremely limited availability of single family housing, either rental or for sale, in the area, as well as the prices in the market place literally precluded many people from being able to buy a home. He felt that rentals were the only way these types of people were going to find housing.

MOTION: That time be extended to allow Mr. Lesley to finish his presentation. Hennessy moved, Gardner seconded and it carried unanimously. Jones abstained. Goebel, Lofton and Martens were absent. One vacancy.

LESLEY said that there was a tremendous need for multiple family housing, and without a sufficient supply of these types of units, rents for existing units are going to be driven up tremendously. He felt that this investment was well worthwhile both from the standpoint of serving the community as well as their own business interest.

VIRGIL SLAUGHTER, Trustee of First Bible Baptist Church, spoke in favor of the applications.

R. W. HAYDEN, 11181 East Central, said that they have signatures of at least 80 percent of the people in the area that do not want any part of the proposal. He was concerned about debris, overloading of the sewer and traffic. He was also concerned about the permitted use of mobile homes in this district.

LAKIN stated that conditional uses for mobile homes parks are required use in this district as are conditional use permits for apartments. Each would have to be a separate application.

SAVINA asked if this was an urban growth area.

LAKIN said yes, it is a part of Four Mile Creek. The only way to serve it is through the temporary use of the City of Wichita's sewer system.

GARY WILEY, Professional Engineering Consultants, stated that his firm did prepare a sewer study. He said that there was a capacity at the lift station at Kellogg of some thousand gallons per minute. The existing peak flow on that station is some 200 gallons per minute. The proposed development would add about another 12 percent (120 gallons per minute) to the existing peak flow, leaving a balance of 68 percent (680 gallons per minute) capacity in the lift station in its current condition.

LARRY ROBBINS, 240 North Greenwich Road, stated that not too long ago a mobile home court plan was prepared for this property. He asked that the slide be run again pointing out that there was not a tree planted on the site.

MOTION: That SCZ-0450 and CU-232 be discussed together and voted on separately. Hennessy moved, Shook seconded and it carried unanimously. Jones abstained. Goebel, Lofton and Martens were absent. One vacancy.

DON STEPHAN, 11906 East Central, said that he wanted to comment on how opposed the people in the area are to these requests. He said that the people in the area completed a meeting at 8:30 p.m. and by noon the next day the petitions were signed in opposition. He said that the composition of the neighborhood was not made for this kind of project and was not planned for this kind of project. The utilities are not there now to handle it. STEPHAN said that the neighborhood was definitely opposed to this request. He read a letter from the Sedgwick County Conservation District stating that they had recognized that in this area he and his wife, had developed this land and had beautified it, by making improvements. STEPHAN also stated that this is the first time an award of this nature had been presented.

BAYOUTH asked how many signatures were on the petition. STEPHAN said that there were 107 signatures.

CECELIA BALTHROP, 11220 East Central, said that she had been attending zoning meetings for 32 years, and it had always been the understanding in this district that they had to have at least one acre per dwelling unit. She said that she did not oppose the zoning, but did oppose the density of the apartments. She said that they have been very selective about selling any of their land that would downgrade the neighborhood. She was opposed to 320 units on that piece of ground.

WALT KUYKENDALL, 11629 East Central, felt that this large development of housing in the area would be a problem for traffic onto Central, and an increase of crime in the area with such a large density. He said that he was opposed to the request.

J. E. BECKETT, Plant Engineer for Beech Aircraft, commented on the sewer rather than the zoning. He said that the engineer said that the sewer had plenty of capacity now. Presently it ends at Douglas and Greenwich Road, flowing south to Kellogg where it goes into a pump station that pumps it on to the west. BECKETT said that some point in time the pump station capacity was going to have to be increased. He felt the expense of how this was going to be handled should be better defined at this time. He said that presently the sewer was in a sewer benefit district. Beech Aircraft has 378 acres of equity in this benefit district, and they would care to know more positively what was going to happen in the future with that sewer since it would eventually service the east half of their property.

SAVINA explained that those matters would be taken up at the Subdivision Committee level.

MOTION: Having considered the factors as contained in Policy Statement No. 10; the character of the area, and the "LC" zoning to the west, I move that we recommend to the County Commission that the zone change (SCZ-0450) be approved subject to platting within one year from the date of the approval of the zone change by the Board of County Commissioners, or the zone case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds. Hennessy moved, Shook seconded and it carried unanimously. Jones abstained. Goebel, Lofton and Martens were absent. One vacancy.

SHOOK asked if 14.9 dwelling units per acre was extraordinarily heavy for this purpose.

LAKIN said that in the urbanizing area, garden apartments are roughly 25-30 dwelling units an acre. Up until recent years there has not been much development outside of the City, because apartments require sewer.

BAYOUTH commented that at the time the Springdale application came in, it was denied because of the density. A year later, the applicant returned with a new design, protecting the neighborhood with single family. BAYOUTH said that he felt the density was too high in this neighborhood with such beautiful homes in the area that needed to be protected. He did not feel he could vote for the conditional use permit.

MOTION: Having considered the factors as contained in Policy Statement No. 10; the character of the area adjacent to Greenwich Road, and the "LC" and "E" zoning along Greenwich Road, I move that we recommend to the County Commission that that conditional use permit be approved subject to:

- a. Approval of the associated zone case SCZ-0450, by the Board of County Commissioners.
- b. The platting of subject property within one year from the date of approval by the Board of County Commissioners; or the application be considered denied and closed.
- c. The number of dwelling units shall not exceed a maximum of 15 dwelling units per net acre.
- d. A minimum of one and one-half parking spaces shall be provided for each dwelling unit.
- e. Prior to forwarding the case to the Board of County Commissioners, the applicant shall submit 5 copies of a revised site plan which reflects the appropriate street right-of-way for Ellson Street and a 25-foot building setback from Central Avenue and Ellson Street.

Hennessy moved, Savina seconded and it carried with a vote of 3 in favor (Hennessy, Savina and Shook), and 2 opposed (Bayouth and Gardner). Jones abstained from voting. Goebel, Lofton and Martens were absent. One vacancy.

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67.37  
Protect

( ) Published in The Wichita Beacon on \_\_\_\_\_, 1980

RESOLUTION

CASE NO. CU-232

A RESOLUTION PERMITTING ESTABLISHMENT OF MULTIPLE FAMILY DWELLINGS IN THE "AA" ONE FAMILY DWELLING DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 5.A.10.1 AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 5.A.10.1 and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow establishment of Multiple Family Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

Starting at the northeast corner of the northwest one-quarter of the Northwest One-Quarter of Section 22, Township 27 South, Range 2 East, of the 6th Principal Meridian in Sedgwick County, Kansas; thence South along the East Line of a parcel described as the East 30.00 acres of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 698 feet to the point of beginning; thence continuing South along the East line of said 30.00 acre parcel, a distance of 630 feet, more or less, to the South Line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22; thence west along the South Line of said Northwest One-Quarter of the Northwest One-Quarter a distance of 983 feet, more or less, to the West Line of said 30.00 acre parcel; thence North along the West Line of said 30.00 acre parcel a distance of 1279 feet, more or less, to a point that is 50 feet South of the North Line of Section 22; thence East parallel to the North Line of Section 22, a distance of 462 feet; thence South, parallel to the East line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 230 feet; thence Southeasterly a distance of 467 feet to a point that is 698 feet south of the North Line of said Section 22; thence easterly a distance of 325 feet to the point of beginning. Generally located on the south side of Central, in an area east of Greenwich Road.

SUBJECT TO THE FOLLOWING:

- a. Approval of the associated zone case SCZ-0450, by the Board of County Commissioners.
- b. The platting of subject property within one year from the date of approval by the Board of County Commissioners; or the application be considered denied and closed.
- c. The number of dwelling units shall not exceed a maximum of 15 dwelling units per net acre.
- d. A minimum of one and one-half parking spaces shall be provided for each dwelling unit.
- e. Prior to forwarding the case to the Board of County Commissioners, the applicant shall submit 5 copies of a revised site plan which reflects the appropriate street right-of-way for Ellson Street and a 25-foot building setback from Central Avenue and Ellson Street.
- f. That no mobile home(s) shall be permitted until and unless a separate request shall be received and approved by the County Commission under terms of the County Zoning Resolution.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_, Chairman  
Everett Patrick

\_\_\_\_\_, Commissioner  
Tom Scott

\_\_\_\_\_, Commissioner  
Donald E. Gragg

ATTEST:

\_\_\_\_\_  
Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

\_\_\_\_\_  
Theodore H. Hill, County Counselor

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

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

April 14, 1980

R. W. Hayden  
11181 East Central  
Wichita, Kansas 67206

Re: SCZ-0450 "R-1" & "LC" to "AA"  
CU-232 Establishment of  
Multiple-family dwellings

Dear Mr. Hayden:

The Planning Commission at its regular meeting of April 10, 1980, considered the above-captioned zone change and conditional use request, and their action was as indicated on the attached letter.

This is to advise you that if you and others owning property within 1000 feet of the application area desire to submit legal protest petitions, they must be submitted to the Office of the County Clerk no later than 5:00 p.m., Monday, April 21, 1980. Enclosed are 12 copies of the protest petition form, and if you have need for more forms, they may be obtained at this office.

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

Sincerely yours,

*ADC*  
Arthur D. Chambers, AICP  
Junior Planner

ADC:sad

Encl.

cc: Larry Robbins, 240 North Greenwich Road, 67206  
Don Stephan, 11906 East Central, 67206  
Walt Kuykendall, 11629 East Central, 67206  
Cecelia Balthrop, 11220 East Central, 67206

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 266-4561

April 14, 1980

Dean Lesley  
Hardage Enterprises Inc.  
Vickers KSB&T Bldg.  
125 North Market  
Wichita, Kansas 67202

Re: SCZ-0450 "R-1" & "LC" to "AA"  
CU-232 Establishment of  
Multiple-family  
dwellings

Dear Mr. Lesley:

At its regular meeting on April 10, 1980, the Metropolitan Area Planning Commission considered the above-captioned zone change request and conditional use permit. The action of the Commission was to approve the zone change request subject to platting within one year from the date of the approval of the zone change by the Board of County Commissioners, or the zone case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds. The Commission approved the conditional use permit subject to the following conditions:

- a. Approval of the associated zone case SCZ-0450, by the Board of County Commissioners.
- b. The platting of subject property within one year from the date of approval by the Board of County Commissioners; or the application be considered denied and closed.
- c. The number of dwelling units shall not exceed a maximum of 15 dwelling units per net acre.
- d. A minimum of one and one-half parking spaces shall be provided for each dwelling unit.

WICHITA - SEDGWICK COUNTY

- e. Prior to forwarding the case to the Board of County Commissioners, the applicant shall submit 5 copies of a revised site plan which reflects the appropriate street right-of-way for Ellson Street and a 25' foot building setback from Central Avenue and Ellson Street.

In accordance with condition "e" above, we will need five (5) copies of the revised site plan submitted to our office by April 25 so that the above captioned cases can be scheduled for the next regular meeting of the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, May 7, 1980, in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely yours,

*ADC*  
Arthur D. Chambers, AICP  
Junior Planner

ADC:sad

- cc: First Bible Baptist Church, Inc., 1156 N. Oliver, 67208  
Virgil Slaughter, Trustee of First Bible Baptist Church,  
3510 East Kinkaid, 67218  
Larry Robbins, 240 N. Greenwich Rd., 67206  
Walt Kuykendall, 11629 East Central, 67206  
Cecelia Balthrop, 11220 East Central, 67206  
R. W. Hayden, 11181 East Central, 67206  
Don Stephan, 11906 East Central, 67206

April 14, 1980

Jim Beckett  
Plant Engineer  
Beech Aircraft Corp.  
9709 East Central  
Wichita, Kansas 67206

Re: SCZ-0450 "R-1" & "LC" to "AA"  
CU-232 Establishment of  
Multiple-family dwellings

Dear Mr. Beckett:

The case will be forwarded to the County Commission for consideration on May 7, 1980. The questions regarding the sewer will be handled during the platting process of this property.

If you have any questions, please contact Mike Lindebak of the Public Works Department at 268-4502.

Sincerely yours,

Arthur D. Chambers, AICP  
Junior Planner

ADC:sad

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 4-10-80

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Case No. CU-232 Request: Establishment of Multiple-family Dwellings

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Location: On the south side of Central in an area east of Greenwich Road.

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Acres: 22 Size: 938' x 1278' (irregular)

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COMMENTS:

1. The applicant has submitted a site development plan which proposes 328 multiple-family dwelling units and 533 parking spaces on the 22 acre site. The plan also reflects common open space areas, private drives and community buildings on the site. The proposed development density is 14.9 dwelling units per acre.
2. The site development plan does not reflect the existing right-of-way for the west half of Ellson on the east 30' of subject property, nor the appropriate 25' building setback from Central Avenue on the north and Ellson on the east.
3. It should be noted that the plan proposes access only to Central with no access to any adjoining residential streets.
4. A recommendation for approval by the Planning Commission should be subject to the following conditions:
  - a. Approval of the associated zone case SC2-0450, by the Board of County Commissioners.
  - b. The platting of subject property within one year from the date of approval by the Board of County Commissioners; or the application be considered denied and closed.
  - c. The number of dwelling units shall not exceed a maximum of 15 dwelling units per net acre.
  - d. A minimum of one and one-half parking spaces shall be provided for each dwelling unit.
  - e. Prior to forwarding the case to the Board of County Commissioners, the applicant shall submit 5 copies of a revised site plan which reflects the appropriate street right-of-way for Ellson Street and a 25-foot building setback from Central Avenue and Ellson Street.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 4-10-80

Case No. SCZ-0450 Request: "R-1" & "LC" to "AA"

Location: South side of Central in an area east of Greenwich Road.

Reason: To allow the construction of low rise apartment units to alleviate the housing shortage in the Wichita area.

Acres: 22 Size: 983' x 1278' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1" & "LC"
North	Farm home & undeveloped	"R-1" & "LC"
East	Undeveloped	"R-1"
South	Mobile homes & undeveloped	"R-1"
West	Single-family home & undeveloped	"R-1" & "LC"

Appropriate rights-of-way to be provided at the time of platting.

Platted: No History: V-0220 - vacation of platted lots, streets and easements.  
12-20-62 MAPC approve except for the N. 50' and the E. 30' for street rights-of-way  
2-05-63 Approve as recommended

COMMENTS:

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

The applicant is requesting a change of zoning from "R-1" Suburban Residential and "LC" Light Commercial to the "AA" Single-family on 22 acres in order to develop the property with multiple-family dwelling units.

The intent section of the County "AA" District permits this district to be established only when municipal sewer and water services are available. The applicant has indicated that sanitary sewer and water service will be provided by extension of these services from the City of Wichita.

Page 2  
SCZ-0150  
MAPC AGENDA  
4-10-80

It should be noted that subject property is located in a low density suburban residential area.

Subject property will need to be platted into a lot to provide for appropriate street rights-of-way, access controls and building setbacks.

2. A recommendation of approval by the Planning Commission should be subject to platting within one year from the date of the approval of the zone change by the Board of County Commissioners, or the zone case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds.

Scz  
SBE-0450 &  
✓CU-232

} 72 "Notice to Adjoining Property Owners" mailed 3/27/80 for the MAPC meeting  
for 4/10/80

1 to Joe Freeman, Assistant County Engineer

—  
73 TOTAL

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

March 27, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a zoning change and a conditional use in your area. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support or in opposition to these requests. The MAPC will consider the following cases in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on APRIL 10, 1980, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

CASE NO. SCZ-0450

Zone Change from the "R-1" Suburban Residential District  
and the "LC" Light Commercial District  
to the "AA" One Family Dwelling District

Starting at the northeast corner of the northwest one-quarter of the Northwest One-Quarter of Section 22, Township 27 South, Range 2 East, of the 6th Principal Meridian in Sedgwick County, Kansas; thence South along the East Line of a parcel described as the East 30.00 acres of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 698 feet to the point of beginning; Thence continuing South along the East Line of said 30.00 acre parcel, a distance of 630 feet, more or less, to the South Line of the Northwest One-Quarter of the Northwest One-Quarter of said section 22; thence west along the South Line of said Northwest One-Quarter of the Northwest One-Quarter a distance of 983 feet, more or less, to the West Line of said 30.00 acre parcel; thence North along the West Line of said 30.00 acre parcel a distance of 1279 feet, more or less, to a point that is 50 feet South of the North Line of Section 22; thence East parallel to the North Line of Section 22, a distance of 462 feet; thence South, parallel to the East Line of the Northwest One-Quarter of the Northwest One-Quarter of said Section 22, a distance of 230 feet; thence Southeasterly a distance of 467 feet to a point that is 698 feet south of the North Line of said Section 22; thence easterly a distance of 325 feet to the point of beginning. Generally located on the south side of Central, in an area east of Greenwich Road.

AND

CASE NO. CU-232

Conditional Use Request to Permit Establishment of  
Multiple Family Dwellings on Property Proposed  
for the "AA" One Family Dwelling District

Legal Description and General Location as stated above.

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

Robert A. Lakin  
Secretary

March 24, 1980

Donald K. Stephan  
5920 East Central  
Suite 205  
Wichita, Kansas 67208

Re: SCZ-0450 - Zone change from "R-1"  
and "LC" to "AA"; and  
✓ CU-232 - Construction of Multiple  
Family Dwellings. Generally located  
on the south side of Central, in an  
area east of Greenwich Road.

Dear Mr. Stephan:

In the latter part of 1979, you requested to be notified of any applications filed on the south side of Central between Greenwich Road and a point one-half mile east thereof.

This is to advise you that we have received two applications for a tract of land containing 22 acres and located approximately 330 feet east of Greenwich Road.

The applicant is requesting a change of zoning from the "R-1" Suburban Residential and "LC" Light Commercial Districts to the "AA" One-Family Dwelling District. The applicant also has filed an application for a conditional use to permit the construction of multiple-family dwellings on subject property at a density of 15 dwelling units per acre. A site plan has been submitted with the conditional use application indicating the location of structures, parking, circulation, etc., which is available for review, if you so desire.

These cases have been scheduled for consideration by the Metropolitan Area Planning Commission at their meeting on April 10, 1980, of which you will receive notice of the time and place of such hearing as a property owner in the notification area.

Page Two  
Donald K. Stephan  
March 24, 1980

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

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:GLS:el

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT  
FOR PROPERTY LOCATED WITHIN THE JURISDICTION  
OF THE BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

*Book 2  
F-12-D  
6247  
275  
2*

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

*CU-232*

I. Name of applicant or applicants and/or their agent or agents. All owners of all property requested to be considered in this application must be listed in this item.

*(Case Scz-0450)*

A. APPLICANT First Bible Baptist Church, Inc.

ADDRESS 1156 North Oliver *67208* PHONE 682-6545

AGENT C. V. Slaughter, Chairman of Trustees

ADDRESS 3510 East Kinkaid *67218* PHONE 682-4914

B. APPLICANT NA

ADDRESS NA PHONE NA

AGENT NA

ADDRESS NA PHONE NA

C. APPLICANT NA

ADDRESS NA PHONE NA

AGENT NA

ADDRESS NA PHONE NA

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

II. The applicant proposes to establish a Multiple-Family dwellings

(XXXX)

on property legally described as Lot(s) NA

, Block(s) NA of the

NA Addition.

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

The East 30 acres of the Northwest Quarter of the Northwest Quarter of Section 22,, Township 27 South, Range 2 East of the 6th P. M., Sedgwick County, Kansas, except the North 50 feet and the East 30 feet thereof for street right of way and 8 acres in the Northeast corner reserved for church site.

Form PR-3

*See attached sheet for legal*

I I. THIS PROPERTY IS LOCATED AT (ADDRESS) NA

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE NA CORNER OF NA AND NA, OR

B. ON THE south SIDE OF Central (AVENUE)  
*in an area east of*  
~~STREET BETWEEN~~ Greenwich Road (AVENUE) ~~STREET AND~~  
127th (ACCESS) STREET.

IV. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED AA (ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:

To allow the construction of low rise apartment units to alleviate the housing shortage in the Wichita area,

VI. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABSTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

<u>First Bible Baptist Church, Inc.</u>	<u>NA</u>
BY <u><i>C. W. Laughton</i></u>	BY <u>NA</u>
AUTHORIZED AGENT (IF ANY)	AUTHORIZED AGENT (IF ANY)
<u>NA</u>	<u>NA</u>
BY <u>NA</u>	BY <u>NA</u>
AUTHORIZED AGENT (IF ANY)	AUTHORIZED AGENT (IF ANY)
<u>NA</u>	<u>NA</u>
BY <u>NA</u>	BY <u>NA</u>
AUTHORIZED AGENT (IF ANY)	AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at 4:30 (AM, PM) on March 13, 1980 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 70<sup>00</sup>.

*G. Lynn Shirley* Name  
*Jr Planner* Title

STARTING AT THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 27 SOUTH, RANGE 2 EAST, OF THE 6TH PRINCIPAL MERIDIAN IN SEDGWICK COUNTY, KANSAS; THENCE SOUTH ALONG THE EAST LINE OF A PARCEL DESCRIBED AS THE EAST 30.00 ACRES OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 22, A DISTANCE OF 698 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID 30.00 ACRE PARCEL, A DISTANCE OF 630 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 22; THENCE WEST ALONG THE SOUTH LINE OF SAID NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER A DISTANCE OF 983 FEET, MORE OR LESS, TO THE WEST LINE OF SAID 30.00 ACRE PARCEL; THENCE NORTH ALONG THE WEST LINE OF SAID 30.00 ACRE PARCEL A DISTANCE OF 1279 FEET, MORE OR LESS, TO A POINT THAT IS 50 FEET SOUTH OF THE NORTH LINE OF SECTION 22; THENCE EAST PARALLEL TO THE NORTH LINE OF SECTION 22, A DISTANCE OF 462.00 FEET; THENCE SOUTH, PARALLEL TO THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 22, A DISTANCE OF 230 FEET; THENCE SOUTHEASTERLY A DISTANCE OF 467 FEET TO A POINT THAT IS 698 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 22; THENCE EASTERLY A DISTANCE OF 325 FEET TO THE POINT OF BEGINNING; SAID TRACT OF LAND CONTAINS 22 ACRES, MORE OR LESS.

*Duplicate list for  
CU-232 and  
SC2-0450*

OWNERSHIP LIST

Lot	Addition	Property owner
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,	Barth Addition	Beech Aircraft Corp 9709 E. Central PO Box 85 67206
Lot 1, Block A	Brown & Cummin Addition	Lester D. & Elizabeth Beals 11407 E. Waterman 67207
Lot 2, Block A	" " "	D.M. & Hazel Merriman address unknown
Lot 3, Block A	" " "	Leo L. & Ruby V. Bledsoe 134 N. Greenwich Rd. 67206
Lot 4 & 5, Block A	" " "	Robert D. & Bernice M. Johnston 120 N. Greenwich Rd. 67206
Lot 6, Block A	" " "	Alfred B. & Opal R. Bergkamp 738 S. Glenn 67213
Lot 7, Block A	" " "	Keith M. & Linda J. Arnold 11300 E. Douglas 67206
Lots 8 & 9, Block A	" " "	Administrator of Veterans Affairs 5500 E. Kellogg 67218
Lot 10, Block A	" " "	Harold W. Roberts 135 N. Dowell 67206
Lot 11, Block A	" " "	Loren Dean & Pauline Duncan 145 N. Dowell 67206
Lot 12, Block A	" " "	Clifford E. & Ruby A. Fitzwater 155 N. Dowell 67206
Lot 1, Block B	" " "	Marvin Everett & Tressie Lucille Folger 11401 E. 1st 67206
Lot 2, Block B	" " "	Daryl D. Anderson 2930 E. Harry 67211
Lot 3, Block B	" " "	Lowell H. & Gail K. Rohloff 134 N. Dowell 67206
Lot 4, Block B	" " "	Billy G. Keeney & Freda F. Keeney 11400 E. Douglas 67206
Lot 5, Block B	" " "	Lawrence E. & Fonda M. Hisken 11416 E. Douglas 67206
Lot 6, Block B	" " "	David A. & Linda A. Mickey 11426 E. Douglas 67206
Lots 7 & 8, Block B	" " "	Vivian K. Kinkaid 7428 E. Lincoln 67207
Lots 9 & 10, Block B	" " "	Clarence E. Kennedy Jr, Frieda M. Kennedy 135 N. Ellson 67206

Lot	Addition	Property owner
Lot 11, Block B	Brown & Cummin Addition	Michael O'Bryan & Connie L. O'Bryar 145 N. Ellison 67206
Lot 12, Block B,	" " "	Roberta K. Uhren Barbara K. Cook 11525 E. 1st 67206
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, Block A & Lots 1, 2, 3, 4, 5, 6, 7, 8, Block B	Gott Addition	Cordelia Gott address unknown
Lots 9, 10, 11, Block B	" " "	R.W. & Dubylene L. Hayden 11811 E. Central 67206
Lots 12, 13, 14, 15, 16, 17 & 18, Block B	" " "	Cordelia Gott address unknown
Lots 1, 2, 3, 4, Block C	" " "	Gary J. Ast, Sr. & Linda L. Ast 11601 E. 2nd 67206
Lot 5, Block C	" " "	Erma Lee & Betty Rose Garnett address unknown
Lot 6, Block C	" " "	Erma Lee & Betty Rose Garnett address unknown
Lot 7, Block C	" " "	Claude M. & Audrey M. Crabtree 11626 E. 1st 67206
Lot 8, Block C	" " "	Daniel F. & Minnie A. Wiens 11700 E. 1st 67206
Lot 9, Block C	" " "	Victor C. & Arlene R. TenEyck 11716 E. 1st 67206
Lot 10, Block C	" " "	Rick J. & Cindy L. Byers 201 N. Berniece 67206
Lot 11, Block C	" " "	Lauren A. & Brenda L. Frantz 235 N. Berniece 67206
Lot 12, Block C	" " "	James E. & Zona M. Lofgren 245 N. Berniece 67206
Lot 13, Block C	" " "	George M. Norris Jr. Janette D. Norris 2927 E. Evans 67216
Lot 1, Block D	" " "	Roy J. & Nadine M. Hayden 2107 S. Mosley 67211
Lots 2 & 3, Block D	" " "	Charles W. & Judy L. Norris 909 N. Ridgewood 67208
Lot 4, Block D	" " "	Ben F. & Wanda I. McCann address unknown
Lot 5, Block D	" " "	Martin William & Janet Eileen Goens 11825 E. 2nd 67206

Lot	Addition	Property owner
Lot 6, Block D	Gott Addition	Eldon James & Zelta Joan Lofgren 235 N. Zelta 67206
Lot 7, Block D	" " "	Roy J. & Nadine M. Hayden 2107 S. Mosley 67211
Lot 8, Block D	" " "	Randall C. & Nancy M. Sobba 224 N. Berniece 67206
Lot 9, Block D	" " "	Michael Carl Dibble 225 N. Zelta 67206
Lot 12, Block D	" " "	Paul C. Lansdowne 11130 W. 39th St. South 67215
Lot 13, Block D	" " "	Edward N. & Susan E. Stevens 11810 E. 1st 67206
Lot 14, Block D	" " "	Ruth Kicklin 11800 E. 1st 67206
Lot 1, Block G	" " "	Gary W. & H. Irene Riffel 11801 E. 1st 67206
Lot 2, Block G	" " "	Fred W. Leech 11810 E. 1st 67206
Lot 1, Block H	" " "	Donovan R. Endorf 11601 E. 1st 67206
Lot 2, Block H	" " "	Frederick H. & Judith Lee Thibault 144 N. Ellson 67206
Lot 3, Block H	" " "	Larry L. & Judith A. Cable 134 N. Ellson 67206
Lot 4, Block H	" " "	Chester L. Mattix Jr. Suzanne Mattix 124 N. Ellson 67206
Lots 10 & 11, Block H	" " "	Charles E. & Kathleen A. Hastings 125 N. Berniece 67206
Lot 12, Block H	" " "	Celestine & Monica Pfeifer 11625 E. 1st 67206
Lot 13, Block H	" " "	Clarence R. & Lois A. Guy 605 N. Andover Rd. 67230
Lot 14, Block H	" " "	Joseph E. & Virgie G. Manning 155 N. Berniece 67206

SW/4 of SW/4 of Section 15, Township 27 South, Range  
2 East of 6th P.M.

Beginning 396' West of Southeast corner of SE/4 SW/4  
of Section 15, Township 27 South, Range 2 East, thence  
North 1320' to North line of SE/4 SW/4, thence West  
594', thence South 660', thence East 330', thence South  
660' to South line SW/4, thence East 264' to point of  
beginning.

Cecelia Balthrop  
11220 East Central 67206

L.J. & LaVon P. Fugit  
11808 East Central 67206

Lot	Addition	Property owner
	Beginning SE corner of SW/4 of Section 15, Township 27 South, Range 2 East, thence North 1320', thence West 396', thence South 1320', thence East 396' to point of beginning, except South 40' for road	Lynn E. & Donald K. Stephan 5920 East Central Room 205 67208
	Beginning 990' West of SE corner of SW/4 of Section 15, Township 27 South, Range 2 East of 6th P.M., thence North 1320', thence West 330', thence South 1320', thence East 330' to beginning.	L.S. & Grace O'Hara 12123 East Central 67206
	Beginning 660' West of Southeast corner of SW/4 of Section 15, Township 27 South, Range 2 East of 6th P.M., thence North 660', thence West 330', thence South 660', thence East 330' to beginning.	Loren A. & Geneva A. Wainscott 11712 East Central 67206
	Beginning 40 rods West of NE corner of NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M., thence West 26 rods, thence South 40 rods, thence East 26 rods, thence North 40 rods to point of beginning.	Doris M. Kuykendall 11629 East Central 67206
	Beginning NE corner of W/2 W/2 NW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M., thence South 425', thence West 150', thence North 425', thence East to point of beginning.	Wm. H. & Shirley A. Ralston 11221 East Central 67206
	East 30 acres of NW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M. except North 50' & East 30' for street	First Bible Baptist Church 1156 N. Oliver 67208
4-6-81	West 107.25' of East 692.25' of North 134.37' of North 5 acres of South 25 acres of SW/4 NW/4 & West 87.75' of East 780' of North 164.37' of North 5 Acres of South 25 Acres SW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M.	Marvin Giles address unknown
Range (1)	East 30 acres of NW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M. except North 50' & East 30' for road	David P. Hoult Maude H. Lorak address unknown
	Beginning 20 rods West of NE corner NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M., thence South 40 rods, thence West 20 rods, thence North 40 rods, thence East 20 rods to beginning.	Roland W. & Dubylene L. Hayden 11811 East Central 67206
	North 5 acres of South 30 acres of SW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M.	Virginia L. McAdam 224 N. Greenwich 67206
	North 5 Acres of South 25 Acres of SW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M. except East 780'	Helen M. & William Alan Kenney 2310 Jardine Drive 67219

Lot	Addition	Property owner
Beginning at a point 195' West of SE corner of a tract described as North 5 acres of South 25 acres of SW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M., thence west along the southern boundary of above described tract a distance of 195', thence North 165' more or less to the northernmost boundary of above described tract, thence East 195', thence South 165' to point of beginning.	Louis B. & Helen C. Riga 2208 Woodland 67204	
Tract in SW/4 NW/4 of Section 22, Township 27 South, Range 2 East described as the West 195' of East 585' of North 134.47' of North 5 acres of South 25 acres of said NW/4	Louis B. & Helen C. Riga 2208 Woodland 67204	
SW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M. except South 35 acres	Leslie H. White 256 N. Greenwich 67206	
North 5 Acres of South 35 Acres of SW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M.	Larry L. Robbins & Bernita J. Robb 240 N. Greenwich 67206	
Tract in SW/4 NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M. described as East 195' of North 134.37' of North 5 acres of South 25 acres of said NW/4	Oris R. & Evedna M. Hollingshead 11516 East 1st. 67206	
Beginning at NE corner of Section 21, Township 27 South, Range 2 East of 6th P.M., thence West 174.5', thence South 356', thence East 174.5', thence North to point of beginning	Beech Aircraft Corp. 9709 East Central 67206	
Beginning 743' South of NE corner of Section 21, Township 27 South, Range 2 East of 6th P.M., thence South 1/2', thence West 627', thence North 1/2', thence East 627' to point of beginning.	Beech Aircraft Corp. 9709 East. Central 67206	
Beginning 566' South of NE corner of NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M., thence South 177.5', thence West 627', thence North 177.5', thence East 627' to point of beginning.	Beech Aircraft Corp. 9709 East Central 67206	
Beginning 174.5' West of Northeast corner of NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M., thence West 144.65', thence South 356', thence East 144.65', thence North 356' to point of beginning.	Mary E. Brown 11115 E. Central 67206	
Tract in NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M., beginning 405' South of NE corner, thence West 174.5', thence South 161', thence East 174.5', thence North to beginning.	Beech Aircraft Corp. 9709 East Central 67206	
S/2 of NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M. except West 818'	Beech Aircraft Corp. 9709 East. Central 67206	

Lot	Addition	Property owner
	A tract in SE/4 of Section 16, Township 27 South, Range 2 East of 6th P.M., beginning at SE corner of said SE/4, thence West 154.47', thence North 282', thence East 154.47' to point of beginning.	Georgia Gamelson #1 Stratford Rd. 67206
	Beginning 485' West of SE corner SE/4 Section 16, Township 27 South, Range 2 East of 6th P.M. thence North 660', thence West 175', thence South 660', thence East to point of beginning.	Joe M. Bogle Sr. Lucille G. Bogle 11014 East Central 67206
	Tract in SE/4 of Section 16, Township 27 South, Range 2 East of 6th P.M., beginning 231.705' West of SE corner of SE/4, thence North 282', thence West 253.295', thence South 282', thence East to beginning.	Aaron J. & Grace V. Hulse 11018 E. Central 67206
	Beginning 660' North of Southeast corner of Section 16, Township 27 South, Range 2 East of 6th P.M., thence North 668.8' to Northeast corner of S $\frac{1}{2}$ SE/4 of Section 16, thence west along North line of S $\frac{1}{2}$ SE $\frac{1}{4}$ of section 16, 1563.46', thence South 668.56' to a point 660' North of South Line of Section 16, thence East 1563.46' to beginning.	Ethel A. Wolf 8326 Rose Lane 67207
	Beginning at NE corner of SE/4 SE/4 SE/4 of Section 16, Township 27 South, Range 2 East of 6th P.M. thence west 485', thence South parallel with East line of said SE/4 381.23', thence East 485', thence North 380.94' to beginning.	Kansas Gas & Electric 201 N. Market 67202
	Beginning 154.47' West of SE corner of Section 16, Township 27 South, Range 2 East, thence North 282', thence West 77.235', thence South 282', thence East 77.235' to beginning.	Martha M. & Laurance A. Thompson 7500 N. Hillside 67219
	A tract beginning 319.1514' West of NE corner of NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M., thence West 307.8486', thence South 566', thence East 307.8436', thence North to point of beginning.	Beech Aircraft Corp. 9709 East Central 67206
	Tract in NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M., beginning at a point 356' South of NE corner of Sec. 21, thence West 319.15', thence South 210', thence East 137.65', thence North 80.5', thence East 7', thence North 80.5', thence East 174.5' to East line of NE/4, thence North 49' to point of beginning.	Beech Aircraft Corp. 9709 E. Central 67206
	Beginning 627' West of NE corner of NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M., thence South parallel with East line of said Sec., 1313.5', thence West parallel with North line of said Quarter Section 665.272' more or less to a point 1347.728' East of West line of said Quarter section, thence North parallel with West line of said Quarter Sec. 1313.5' to a point 1347.728' East of NW corner of NE/4 of Sec. 21, thence East 665.272' more or less to point of beg. except West 82' of East 1292.272' of North 321.5' of NW $\frac{1}{4}$	Beech Aircraft Corp. 9709 East Central 67206

Lot

Addition

Property owner

A tract beginning 566' South & 174.5' West of NE corner of NE/4 of Section 21, Township 27 South, Range 2 East of 6th P.M., thence West 7', thence North 80.5', thence East 7', thence South 80.5' to point of beginning.

Beech Aircraft Corp.  
9709 E. Central 67206

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

A 1000 foot radius of East 30 acres of NW/4 of NW/4 of Section 22, Township 27 South, Range 2 East of 6th P.M. Sedgwick County, Kansas

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 12th day of February, 1980 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By:

*Mary Soble*  
Vice President

Order No. 285406  
rmk

FORM 021 PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
	70.00

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
FUND \_\_\_\_\_ DUE DATE \_\_\_\_\_  
COMMENTS \_\_\_\_\_  
DATE \_\_\_\_\_ BY \_\_\_\_\_

FORM 021 PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

RAID  
MAR 20 '80  
TEL #1  
CITY OF WICHITA

DESCRIPTION	AMOUNT
Conditional Use Permit	70.00

NAME Samuel Hardage  
ADDRESS 125 N. Market St  
FUND 755-40071-003-000-000 DUE DATE \_\_\_\_\_  
COMMENTS \_\_\_\_\_  
DATE 3/12/80 BY JSH

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT REQUIRED.

SAMUEL A. HARDAGE  
BUSINESS ACCOUNT  
WICHITA, KANSAS

DELUXE - FORM WVC-3 V-2

DATE	DESCRIPTION	AMOUNT
3/12/80	Conditional Use Permit for 22 acres on East Central	\$70.00