

ACTION

DATE

COMMITTEE

M.A.P.C.

Denial

2-28-83

B.C.C./B. CO. C.

Denial

10-5-83

FW

Postal Box Area 8-1283

closed

U-262 - L.V. Bell requests a Conditional Use Permit to Establish a Mobile Home Park on property proposed for "AA" One Family. Generally located on the east side of 135th St. West, in an area north of 5th St. West.

Map No. 4646C
Sec. _____
Twp. _____
Range _____

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 262
Filed 8-3-83

ASSOCIATED CASE: SCZ-0518

APPLICATION DATA: From _____ to _____

1. Applicant: L. V. Bell
Address 360 N. 135th St. West, 67235 Phone 722-4176
2. Agent: Larry Womack, 3232 So. Clifton, 67216 684-1171
ENGR: ~~xxxxx~~ P.E.C., P.A. (Gary Wiley) 1440 E. English 67216 Phone 262-2691
3. General Location: East side of 135th St. West in an area north of
U.S. Highway 54.
4. Proposed Use: Conditional Use Permit to Establish a Mobile Home Park
on property proposed for "AA" One Family

AREA DATA:

1. Acres: 99.0 (_____ ft. by _____ ft.)
2. Adjoining Zoning: E "R-1" ("AA") S "C" W "R-1" N "R-1"
3. Land Use: East _____ South _____
West _____ North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted.

PROCEDURE DATA:

1. Zoning Committee _____ by _____, _____, _____
2. MAPC Meeting:

Date	Action
<u>9-2-83</u>	<u>Denied</u>
_____	_____
_____	_____

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

Date	Action	Resolution
<u>10-5-83</u>	<u>Denied</u>	_____
_____	_____	_____
_____	_____	_____

NOTES: Arnold Eck picked up 50 protest petition 8/29/83

LOS ANGELES COUNTY
REGISTERED PROFESSIONAL SURVEYOR
MCDERMOTT, TXALOCUST GROVE, CA
U.S.A.

Synrad
No. 2153C

Map No. 4646C
Sec. _____
Twp. _____
Range _____

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 262
Filed 8-3-83

ASSOCIATED CASE: SCZ-0518

APPLICATION DATA: From _____ to _____

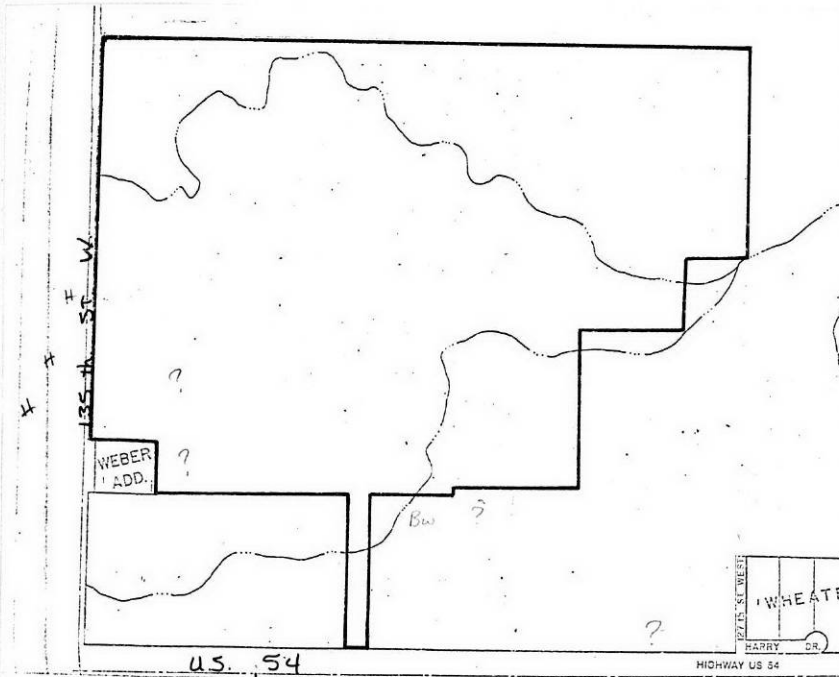
1. Applicant: L. V. Bell
Address 360 N. 135th St. West, 67235 Phone 2-4176
2. Agent: Larry Womack, 3232 So. Clifton, 67216 Phone 684-1171
~~Address~~ P. E. C. P.A. (Gary Wiley) 1440 E. English 67211 Phone 2-2691
3. General Location: East side of 135th St. West, in an area north of U.S. Highway 54.
4. Proposed Use: Conditional Use Permit to Establish a Mobile Home Park on property proposed for "AA" One Family

AREA DATA:

1. Acres: 99.0 (1674 ft. by 2623 ft.)
2. Adjoining Zoning: E "R-1" ("AA"s "C" W "R-1" N "R-1"
3. Land Use: East VACANT South BOYING, VACANT (FRONTED)
West SINGLE FAMILY, VACANT North AGRICULTURE
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



October 5, 1983

Gary Wiley
Professional Engineering Consultants, P.A.
1440 East English
Wichita, Kansas 67211

Re: SCZ-0518 - "R-1" & "C" to "AA";
CU-262 - Mobile Home Park

Dear Mr. Wiley:

The Board of County Commission on this date, considered the above captioned cases. Their action was to deny the Conditional Use request for mobile home park.

Regarding the zone change request to "AA", the action of the Commission was to defer this case to their meeting of November 2, 1983. The meeting begins at 9:00 a.m. in Room 320, Sedgwick County Courthouse, 525 North Main.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Ron Worley, County Zoning Officer
L.V. Bell, 360 North 135th Street West, Wichita 67235
Larry Womack, 3232 S. Clifton, Wichita 67216
Homer L. Shultz, 14431 Maple, Wichita 67235
Adnan J. Timsah, 11716 E. Kellogg, Wichita 67207
Arnold J. Eck, 1305 S. 135th St. West, Wichita 67235
Patricia L. Goering, 1349 S. 135th St. West, Wichita 67235
Edward T. Neville, 9625 W. Maple, Wichita 67209

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING AND APPROVAL OF CONDITIONAL USE PERMIT

CASE NO. SCZ-0518 - ZONE CHANGE FROM THE "R-1" SUBURBAN RESIDENTIAL
AND "C" COMMERCIAL TO "AA" SINGLE-FAMILY DWELLING DISTRICT. AND,

CASE NO. CU-262 - APPROVAL OF A CONDITIONAL USE TO ESTABLISH A
MOBILE HOME PARK, GENERALLY LOCATED ON THE EAST SIDE OF 135TH
STREET WEST IN AN AREA NORTH OF U.S. HIGHWAY 54.

MAPC Recommendation: That these applications be denied.
(see minutes for full motion)

Hansen moved, Banzer seconded and it carried unanimously.
Crockett and Moore were absent.

NOTE: A recommendation of denial by the Planning Commission requires
a unanimous vote of the County Commission in order to approve the
application.

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. *60%*

- ACTION: 1. Concur in the recommendation of the Metropolitan Area
Planning Commission and deny the applications; or
2. Take such action as the County Commission deems
appropriate.

DATA AND MINUTES

MAPC Hearing Date: 9-08-83

BCoC Hearing Date: 10-05-83

AREA DATA:

Acres: 99.0 *533 acres* Size: 1674'x2623' (irregular)
5.4 units per acre

Reason: To develop a mobile home park

	<u>Land Use</u>	<u>Zoning</u>
Existing	Vacant recreational facility and undeveloped	"R-1" & "C"
North	Agriculture	"R-1"
East	Undeveloped & contractor's storage yard	"R-1" & "C"
South	Undeveloped, bowling alley, indoor soccer	"C"
West	Undeveloped & single-family	"R-1"
History:	SCZ-0192 "R-1" to "C"	5-05-66 MAPC Deny 6-02-66 MAPC Approve 6-29-66 BCoC Approve
	SCZ-0332 "C" to "R-1"	never considered - case closed
	CU-119 Mobile Home Park	10-09-69 MAPC Approve 3-30-73 case closed - conditions not met
	CU-167 Mobile Home Park	never considered - case closed
	CU-169 Mobile Home Park	12-12-74 MAPC Deny 1-08-75 BCoC ret. to MAPC 2-13-75 MAPC case withdrawn

Applicant: L.V. Bell, 360 North 135th Street West, Wichita 67235

Protestors: Homer L. Shults, 14431 W. Maple; Dr. Adnan J. Timsah,
11716 E. Kellogg; Marlow Goering, 1349 135th St. W.; Arnold Eck,
1305 So. 135th St. W.; Edward T. Neville, 9625 W. Maple.

EXCERPT FROM PLANNING COMMISSION MINUTES OF SEPTEMBER 8, 1983

- 9a. Case No. SCZ-0518 - L. V. Bell requests zone change from "R-1" & "C" to "AA" for a tract of land in the Southwest Quarter of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as beginning at a point on the north line of U.S. Highway 54 (As Condemned in Case No. A-38302) and 1468.75 feet west of the east line of said Southwest 1/4, measured along the north line of said Highway right-of-way; thence north with an interior angle of $90^{\circ}12'$ a distance of 630.5 feet; thence east, with an interior angle of $90^{\circ}00'50''$, 341.08'; thence north, at 90° , 30.5'; thence east, at 90° , 499.68'; thence north with an angle to the right of $90^{\circ}02'40''$, 641.94 feet; thence east, with an interior angle of $90^{\circ}03'$, 411.37 feet; thence north, with an angle to the right of $91^{\circ}30'18''$, 312.54 feet; thence east, with an interior angle of $91^{\circ}30'49''$, 250 feet to the east line of said 1/4 Section; thence north, along the east line of said 1/4 Section, 907.41 feet to the northeast corner of said 1/4 Section; thence west, along the north line of said 1/4 Section; 2,623.91 feet to the northwest corner of said 1/4 Section; thence south, along the west line of said 1/4 Section, 1674.2 feet; thence east, with an interior angle of $88^{\circ}51'10''$, 300 feet; thence south, parallel to the west line of said 1/4 Section, 218 feet; thence east, with an interior angle of $88^{\circ}51'10''$, 747.62 feet; thence south, with an interior angle of $89^{\circ}59'10''$, 630.17 feet to the north line of U.S. Highway 54; thence east, along the north line of U.S. Highway 54, 80 feet to the point of beginning, except the west 50 feet for road and except condemnation case C-10792-67. Generally located on the east side of 135th Street West, in an area north of U.S. Highway 54.
- 9b. Case No. CU-262 - L. V. Bell requests Conditional Use Permit for a tract of land in the Southwest Quarter of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as beginning at a point on the north line of U.S. Highway 54 (As Condemned in Case No. A-38302) and 1468.75 feet west of the east line of said Southwest 1/4, measured along the north line of said Highway right-of-way; thence north with an interior angle of $90^{\circ}12'$ a distance of 630.5 feet; thence east, with an interior angle of $90^{\circ}00'50''$, 341.08'; thence north, at 90° , 30.5'; thence east, at 90° , 499.68'; thence north with an angle to the right of $90^{\circ}03'40''$, 641.94 feet; thence east, with an interior angle of $90^{\circ}03'$, 411.37 feet; thence north, with an angle to the right of $91^{\circ}30'18''$, 312.54 feet; thence east, with an interior angle of $91^{\circ}30'49''$, 250 feet to the east line of said 1/4 Section; thence north, along the east line of said 1/4 Section, 907.41 feet to the northeast corner of said 1/4 Section; thence west, along the north line of said 1/4 Section; 2,623.91 feet to the northwest corner of said 1/4 Section; thence south, along the west line of said 1/4 Section, 1674.2 feet; thence east, with an interior angle of $88^{\circ}51'10''$, 300 feet; thence south, parallel to the west line of said 1/4 Section, 218 feet; thence east, with an interior angle of $88^{\circ}51'10''$, 747.62 feet; thence south, with an interior angle of $89^{\circ}59'10''$, 630.17 feet to the north line of U.S. Highway 54; thence east, along the north line of U.S. Highway 54, 80 feet to the point of beginning, except the west 50 feet for road and except condemnation case C-10792-67. Generally located on the east side of 135th Street West, in an area north of U.S. Highway 54.

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

COMMENTS:

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

The applicant is requesting a zone change from "R-1" Suburban Residential and "C" Commercial to "AA" Single-family and approval of a conditional use to establish a mobile home park on the 99 acre site. The site is located on the old Frontier Fun Center site on the east side of 135th Street West in an area north of U.S. Highway 54. The proposed site plan shows a maximum of 533 mobile home pads which would be a density of 5.4 homes per net acre.

The applicant has indicated on the proposed site plan that each mobile home lot will have a minimum of 5,000 square feet. In addition, a minimum of two trees are proposed for each lot. Standards regarding parking areas and streets are shown on the proposed site plan. Access would be one opening to the frontage road along U.S. 54 and two openings to 135th Street West.

The only open space (approximately 15 acres) shown is in the northern portion along the existing drainage channel where retention ponds are proposed.

2. The County Zoning Resolution states that mobile home parks may be permitted as a conditional use in the "AA" One-family zoning district, provided that the applicant shall first have met all applicable conditions established in the County Trailer Code. The County Trailer Code provides that the applicant shall submit three copies of a site design plan to the Health Department detailing the number, location, and size of all trailer spaces, all proposed building locations, street layouts, topography and drainage and grading plans. The applicant has submitted to the MAPD a preliminary development plan which does not contain all of the information required by the Trailer Code. The Health Department has reviewed the preliminary site plan and a study on sanitary sewer facilities for the mobile home park. They have advised that development of the mobile home park should be limited to that area outlined as Phase One (161 mobile homes) until municipal type sanitary sewer services are available. The existing three cell lagoon system will need to be modified and upgraded to a two cell non-discharging system to handle the 161 mobile homes. According to the City Engineer, municipal sewer service will not be available for three years at a minimum. Since the area to the east is included in the annexation litigation, services cannot be provided to this site until the court makes its decision.
3. The County Department of Public Works has indicated that this site should be platted into one lot so that the sewer lagoon can be privately maintained. They also indicated that development should be restricted to Phase One until municipal sewer service is available. Another concern they have is the amount of traffic that might use 135th Street which is an unimproved, gravel section line road.
4. The City of Wichita Water Department has indicated that water could be extended south from Maple along 135th at the developer's expense. Although there is a water transmission line owned by the City of Goddard along the south side of U.S. 54, this area is to be served by the City of Wichita. This is because Wichita and Goddard have agreed to make 135th the water agreement line with Wichita providing water east of 135th.
5. While staff generally supports mobile home parks, we have some concerns about this proposed park. With the sanitary sewer limitations, it seems that a 99 acre mobile home park permitting 533 mobile homes may be premature since it will be a minimum of three years before municipal sewer service will be available. Secondly, the proposed design of the park is less than desirable. The lot layout and vehicular layout would result in a very uniform and sterile residential area which, we believe, would not be compatible with housing in the general area. The site

plan proposed in 1974 utilized curvilinear streets, smaller lots, more useable open space, as well as a small commercial area while accommodating 593 mobile homes. The location and utility of the proposed open space as it relates to the mobile home spaces and the proposed uses is not well designed or located because all of the open space is located along the proposed retention ponds in the northern portion of the site. It seems that some useable open space should be provided throughout the site because of the large number of mobile homes permitted. If the MAPC agrees to a phased development an improved recreational area should be provided in the area outlined as Phase One.

6. A recommendation of approval of the zone change by the Planning Commission should be subject to the entire property being platted to provide for drainage, a sewer system, access control, etc., within one year from date of approval or 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.
7. Should the Commission, determine that this is an appropriate area for a mobile home park, then the following conditions would be consistent with other approved mobile home parks:
 - a. The applicant shall plat the entire area within one year from the date of approval of the conditional use by the Board of County Commissioners to provide for drainage, a sanitary sewer system, access control, etc.; or the application be considered denied and closed. Said plat shall be recorded with the Register of Deeds prior to the publication of the resolution establishing the conditional use.
 - b. Development of the site shall be restricted to Phase 1 (maximum of 161 mobile homes) until municipal sanitary sewer service is available. The developer shall be responsible for modifying the existing lagoons in accordance with all county and state regulations prior to any mobile home being placed on the site. When municipal sewer services are available, the owner(s) shall be responsible for closing the sewer lagoons and connecting existing and future development to the municipal system.
 - c. An improved recreational area (approximately 8%) shall be provided in the development of Phase One.
 - d. The applicant shall meet all the applicable conditions established in the County Trailer Code.
 - e. Submission of two copies of the "Mobile Home Park Development Plan", approved by the Health Department, to the Metropolitan Area Planning Department for their files.
 - f. The water and sewer system shall be designed by a licensed engineer and shall be approved by the Environmental Health Department.
 - g. No individual mobile home space shall have direct access to a public street.
 - h. Either an off-street parking slab constructed of asphalt or other hardsurface material and sufficient in size to accommodate two automobiles shall be provided for each mobile home space; or a continuous parking lane shall be provided along the frontage of all mobile home spaces.
 - i. All private roads within the mobile home park shall be paved with concrete, asphaltic concrete or asphalt, to the minimum standard for flexible or rigid pavement as included in the

"Guide for Mobile Home Court Improvements" as published by the Federal Housing Administration.

- j. There shall be no open storage and each mobile home space shall be provided with a storage building.
- k. The density of the mobile home park shall not exceed 7 units per acre.
- l. All mobile homes shall comply with the anchorage to the ground provisions as required by State statutes.
- m. The mobile home park shall devote at least eight percent of its gross area to recreation space for the use and enjoyment of the occupants of the park. Each such recreational space shall not be less than 10,000 square feet of land area.

GALBRAITH stated that there had been considerable history on this piece of property over the last several years. He reviewed the history of the case, and stated that over the years he could recall three different mobile home applications considered for this site. GALBRAITH pointed out that the applicants have asked for "AA" zoning in the event the conditional use part of the application is not approved so they could develop single family lots with a lot size of 6500 square feet. He said that in the County "AA" zoning is only granted where municipal type sewer and water services exist but at this particular site municipal water or sewer does not exist. Water has to be extended south from Maple Street along 135th Street. GALBRAITH said that Goddard has a water line along Kellogg, but the agreement between Goddard and Wichita is that Wichita will serve everything east of 135th Street with water. Goddard will pick up water service west of 135th Street.

GALBRAITH said that there were lagoons on this property that had been operating since Frontier Village was developed. He said that staff had contacted the Health Department about the lagoons and they believe that the lagoon system could be reconstructed into two cells as a nondischarging lagoon. Then it could operate as a private lagoon for Phase 1, with 161 mobile homes. He said that the Department of Engineering has indicated that eventually municipal sewer would be extended from the City of Wichita to serve this entire area. However, the City is precluded, at this time from extending services because of litigation on annexation of the property directly to the east of this site.

GALBRAITH pointed out that several lakes exist on the north. He said that on mobile home park applications, the usual requirement is that the applicant provide 8 percent useable open space. In this instance the applicants are indicating that essentially all of the open space as a lake area. He said that one of staff's concerns was that there was no useable open space for Phase 1. They believe that as this is developed in phases, that each phase should have useable space for children and adult recreational areas.

GALBRAITH pointed out that to the east there is a contractor's storage yard which is an illegal operating use. He said that Ron Worley, County Department of Public Works, has advised that he has issued a citation for that use to cease operation.

GALBRAITH stated that over the years staff has generally been supportive of mobile home parks. That was the case the last time this site was considered in 1974. He said that they recognize that there are problems with extending sewer to this area. He felt that things had changed considerably over the last eight years regarding acceptable sewer service. Staff is still supportive of mobile home parks, but feel that both the "AA" zoning that has been requested, as well as the requested mobile home park, for the entire site was premature. He also felt that staff could support a mobile home park on a redesigned Phase 1 in the interior of the site. They are advised

that the lagoon, if reconstructed, could accommodate 161 units. Then when municipal sewer was available, the applicants could come back and file for expansion of that mobile home park, or perhaps develop and buffer their own mobile home park with the "AA" zoning that they are requesting. Staff believes that "AA" zoning likewise is premature at this time because sewer service is not available. "AA" zoning would not become effective until the property is platted. He added that the applicants would not be able to plat all of it without being able to provide municipal sewer and water services.

GALBRAITH commented that staff feels that the design is not very imaginative and it is a pretty sterile design with almost straight streets and a noncurvilinear pattern.

LAKIN commented that the City of Wichita has annexed the land to the east of this site. There has been a lawsuit filed challenging that process. It is currently in the District Court system and is nearing a final trial date. LAKIN said that he has testified on behalf of the Planning Department and City. He said that based on the adopted Capital Improvement Program, the City is prepared to extend sanitary sewer into this general area from the Cowskin Creek. LAKIN said that it would be a minimum of three years before sewer would be available to this site irrespective of mobile homes, conventional single family, etc., assuming the discussion was favorable to the City of Wichita and there is no appeal. If there is an appeal, then that time span would be longer.

GARY WILEY, Professional Engineering Consultants, appearing on behalf of the co-owners and proposed developers for this site, stated that the developers presently own and operate the Colonial Mobile Home Park in southeast Wichita. It is a 572 unit mobile home park. It is rated a four star park by the Mobile Home Association, and is rated number one in the State of Kansas. He said that the owners are not novice developers. They know what they are doing and have been successful over the years. WILEY pointed out that the Colonial Mobile Home Park had taken eight years to develop. They are comfortable with the fact that it may be three to five years before sanitary sewer is available to this site.

WILEY mentioned that the 1974 plan that Galbraith referred to was originally submitted with smaller lots and more open space. He said that approximately 90 percent of today's mobile homes are at least 70 foot long. So they are talking about mobile homes that would not have fit on the lots in the 1974 design. That plan had 50' x 84' lots.

WILEY pointed out that the central street system coming down the middle acts as a collector street and is free of any driveways. It becomes a central street system that directs the traffic out to Kellogg Drive and then disperses it onto Kellogg at three different locations. He said that this was what the developers desire. They want to funnel all of the traffic out to Kellogg and keep it off of 135th Street West. They want to do this for security purposes. He mentioned that their park in the 3200 block on Clifton has just one entrance, the other entrances are chained off and used for emergency purposes only. WILEY said that they would be satisfied with some condition of this nature as far as access to 135th Street especially at the southern end. There might be a need to have an opening at the northern end. WILEY said that these lots far exceed the County's minimum recommendations as outlined in their trailer code. He said that the County's trailer code provides for 1500 square foot sites, one parking space, gravel roads, and no open space whatsoever. WILEY said that their plan was for a 5,000 square foot minimum lot size. They provide two paved parking spaces, a 10 x 20 patio area, 6 x 6 storage building, two trees minimum per lot and approximately 15 percent of the site in open space. He said that the lakes comprise about 9 acres, leaving approximately 6 acres in land for recreational uses around the lakes. He felt that this far exceeds even the City's standards as far as the 8 percent open space

requirement. WILEY said that the other thing that the applicants do is to provide storm cellars for the parks. It is not a requirement, but they feel that it is necessary, and this park would also have a storm shelter included in the area.

WILEY said that he wanted to clarify something that was in the staff report. The staff report read: "The applicant has submitted to the MAPD a preliminary development plan which does not contain all of the information required by the Trailer Code". WILEY said that he was informed by Chambers that it was not meant that way, but he just wanted to clarify that they have submitted everything required at this time in requesting the conditional use. The additional information that is required comes at the time of licensing the mobile home park.

MOTION: That Wiley be granted an additional minute to finish his presentation. Hansen moved, Peters seconded and it carried unanimously. Crockett and Moore were absent.

WILEY stated that they have had extensive conversations with the Health Department regarding item b, that limits the site to 161 units. WILEY said that their original intent was to modify the existing lagoons to provide a capacity for 161 dwelling units. He said that they could expand the lagoons and put more dwelling units in, and Mike Everhart, Health Department, is in agreement with this. He said that he would like for item b. to read, "limit the development of the site to 161 units until additional sanitary sewer capacity is provided, i.e., expansion of the lagoons or municipal sewer service is provided."

WILEY said that under item c. regarding the open space requirement in Phase 1, the owners are agreeable to setting aside a couple of acres adjacent to Phase 1 on a temporary basis. They still desire to see all of the improvements for recreational areas to be around the lake.

HANSEN asked if there was any discussion ever given to doing something a little more imaginative than just a plain grid system. She said that she sees mobile home parks that are just beautiful even though they are not quite as profitable per square foot.

WILEY said that they have an unusual situation for one thing. This site is high on the west and slopes to the east. It is in a straight contour grid system. They have some curved streets north of the open space, and some on the perimeters. The longest street they have in there on a straight line is less than 1600 long. The plan brings everything to the central road system. The road running north and south right up the middle does not have a driveway on it other than the drives for the particular row.

GARDNER commented that staff had indicated that based on Health Department commentary they advised that the development be limited to that area outlined as Phase 1. He said that he was having difficulty differentiating in the initial presentation and some of Wiley's comments as to whether or not the application is for the full site or just Phase 1.

WILEY stated that his firm had prepared a report on the lagoons and what improvements would be required to make the existing lagoons suitable to service 161 dwelling units. He said that if sanitary sewer service from the City does not move fast enough to serve this site, they could go back and expand the lagoons to handle additional units. He reiterated that the Colonial Mobile Home Park consists of 572 units, and it took some eight years from conception to completion. So it is not something one would complete all at once.

GARDNER said that what he was looking for was some indication from Wiley was to whether or not this was more or less a Phase 1 type application for a conditional use with 161 units or whether he is looking for a conditional use permit for 533 units at this point. GARDNER felt that some of the conversation in the initial presentation and some of the comments would indicate that they were dealing more with Phase 1 as opposed to a conditional use permit for the entire area.

WILEY said that the application was for the entire area. He explained that they outlined Phase 1 to give the Planning staff an idea of where their first phase of development would occur. They have no intention of stopping with Phase 1.

PETERS asked if the soil was sandy.

WILEY said no, it was clay soil.

PETERS asked if there would be leakage from the lagoon.

WILEY said no, there would have to be a study made after the lagoon was renovated to prove that there would be no leakage.

LAKIN commented that relative to lagoons they have used lagoon systems as an interim measure from time to time. He said that he remembered a consulting report prepared by a local firm for this Commission which is a basis for the sewer plan. It recommended that they do not continue to do any more of the private lagoon systems. LAKIN said that he was a little concerned that they might set up something that might continue on a long term basis. He said that if they were going to do it on a long term basis then they were going to need to be talking to the County relative to a County sewer district being responsible for the operation and maintenance of the system. Sewer service will move into the area when the litigation is settled. He said that he did not want to be sitting out there with large private lagoon systems that have not been proven to be all that workable primarily because of the responsibility in the maintenance of them.

WILEY commented that there is a lagoon there now that is a private lagoon and is operating.

CHISHOLM pointed out that at the Colonial Mobile Home Park they have been using 572 units for 8 years. That is 70 plus units a year. In two years they would be up to the 161 maximum. He said that he found that a little scary knowing that the earliest they can have municipal sewer is three years. From his point of view, it is asking quite a bit to approve 500 units with only a provision to limit it to 161.

WILEY said that he has not had a chance to talk with the clients, but one way to address the problem would be to limit it to Phase 1 and only for 161 units with a covenant on the grounds that the additional area not be developed until such time as public sewer was provided.

CHISHOLM said that that would help.

HOMER L. SHULTS, 14431 West Maple, in opposition, stated they have lived at the present address on West Maple for 20 years. They have watched the community go from basically a farm community to what is now a rural residential area. These two areas work very well with each other and they are very compatible. He said that he has not heard anybody that has a lot backing into a wheat field or open ground that say that they do not like it. They like the open space. He said that he was not a developer or real estate person, but through some circumstances that he just kind of fell into, he developed the Maple Hill Addition to the northwest of this site. He said that the Metropolitan Area Planning Commission helped in

the development of that addition. SHULTS said he felt that planning was very important, not only present day planning, but future planning. What might be a good plan today might not be so good in ten years. So if they are going to plan a community, plan the whole community, not just part of it. He asked what effect would this mobile home park have on the houses directly across the street from it. He said that he suspected that some of the houses directly across the street from this park would currently sell for several hundred thousand dollars. What effect would it have on the entire community or the surrounding property? What effect would it have on the future development of the area and the quality of the development? SHULTS said that if this lowers the quality of the neighborhood, maybe it should have a buffer zone around it to protect the quality that is there now. He asked if this would open the door for other mobile home parks in the area. Will this park actually be a liability or asset to the community? He said that in 1974 the MAPC denied a request for a similar park for this same ground. He said that it was his wish today that the Commission would make that same decision.

DR. ADNAN J. TIMSAH, 11716 East Kellogg, in opposition, stated that he owns 80 acres to the southeast of the proposed mobile home park. He said that he objects for many reasons. He said that several years ago a part of the land that is north of his nursery on East Kellogg was in the County. He said that he had no problems then, but that since the trailer court was built on the east side of Greenwich and south of Douglas he has had nothing but problems. He has to pick up the trash and garbage from the people who live in the trailer court after the Health Department told him to. Finally he decided to put up a six foot chainlink fence which cost him 6,132 dollars. Yet it did not stop anything. The children climbed the fence to have a party and cut his trees down. TIMSAH said that it was obvious to everybody that when a trailer court moves into a community, the value of the land goes down. He said that he could not understand how two or three people could come in and make millions when 99 percent of the neighbors have to suffer lower property values. For example, in 1974 the nursery was valued at 22,000 dollars an acre. Nine years later the value was 18,500 dollars.

TIMSAH stated that he was under the impression that this site was in a flood plain.

BAYOUTH asked Galbraith if the site was in the flood plain.

GALBRAITH said yes, the eastern part was in the flood plain, and that was a matter that would be addressed in the platting of the area.

MARLOW GOERING, 1349 South 135th Street West, in opposition, stated that one of the problems he has with this proposal was 135th Street. It is still a sandy road. He said that 135th Street was dusty and rough, and the extra traffic which this proposal would put on 135th bothers him. He was also concerned about the partial development that has been brought up as a last minute effort, apparently to get this proposal through. He questioned the wisdom of allowing a partial development where so many facts indicate that there are doubts about being able to finish the whole project. GOERING said that there were several mobile home parks within two miles west of the proposed area. He said that there are vacancies in them. The general area is not growing that rapidly, and he questions the need for this whole project.

ARNOLD ECK, 1305 South 135th Street West, in opposition, wondered if the Goddard School Board has the facilities to handle all of the extra people that would be coming into it. He said that he was in the real estate business and has sold property next to mobile home parks before. He said that he has spent quite a bit of money on his place and he plans on staying there

and keeping it in good shape. If this proposal goes in, he felt that it would be a detriment to the value of his property. ECK asked if they were going to put in a class mobile home park, how can they get by with 5,000 square feet for one unit when "AA" zoning requires 6500 square feet. He felt that if they were going to put in a class mobile home park they could at least come up to the standards in the "AA" district.

EDWARD T. NEVILLE, 9625 West Maple, in opposition, stated that he has checked with three different parks to the west and south of this area, and one indicated that he had 80 acres that he could expand it when he needed it. There are vacancies in all of the parks. NEVILLE said that he did not feel there was a need for something like this in a nice area.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the low density residential character of the general area; the suburban residential to the north, east and west; the single family uses to the east and west; the opposition of area residents and the recommendations made by staff; I move that we recommend to the governing body that both the zone change to "AA" and the conditional use requests be denied. Hansen moved, Banzer seconded and it carried unanimously. Crockett and Moore were absent.

September 12, 1983

Arnold J. Eck
1305 South 135th Street West
Wichita, Ks. 67235

Re: SCZ-0518 & CU-262 -
"R-1" & "C" to "AA"

Dear Mr. Eck:

The Planning Commission at its regular meeting of September 8, 1983, considered the above-captioned cases and their action was as indicated on the attached letter.

Inasmuch as you have already submitted valid protest petitions to the County Clerk, this is a reminder that should you have additional protest petitions to file, they must be submitted to the Office of the County Clerk no later than 5:00 p.m., Monday, September 19, 1983.

If you have any questions concerning this matter or should you need additional protest petition forms, please call.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad

cc: Homer L. Shults, 14431 Maple, Wichita 67235
Adnan J. Timsah, 11716 East Kellogg, Wichita 67207
Patricia L. Goering, 1349 South 135th Street West, Wichita 67235
Edward T. Neville, 9625 West Maple, Wichita 67209

September 12, 1983

Gary Wiley
Professional Engineering Consultants, P.A.
1440 East English
Wichita, Ks. 67211

Re: SCZ-0518 & CU-262 -
"R-1" & "C" to "AA"

Dear Mr. Wiley:

At its regular meeting of September 8, 1983, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Commission was to recommend that both the zone change and CU requests be denied.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, October 5, 1983 in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad

cc: Ron Worley, County Zoning Officer
L. V. Bell, 360 North 135th Street West, Wichita 67235
Larry Womack, 3232 South Clifton, Wichita 67216
Homer L. Shults, 14431 Maple, Wichita 67235
Agnan J. Timsah, 11716 East Kellogg, Wichita 67207
Arnold J. Eck, 1305 South 135th Street West, Wichita 67235
Patricia L. Goering, 1349 South 135th Street West, Wichita 67235
Edward T. Neville, 9625 West Maple, Wichita 67209

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

SCZ-0518 - ZONE CHANGE FROM THE "R-1" SUBURBAN RESIDENTIAL AND "C" COMMERCIAL TO "AA" SINGLE-FAMILY DWELLING DISTRICT & CU-262 - Approval of a Conditional Use to establish a Mobile Home Park Generally located on the east side of 135th Street West in an area north of U.S. Highway 54.

MAPC HEARING DATE: 9-8-83

Acres: 99.0

Size: 1674'x2623' (irregular)

Reason: - To develop a mobile home park

	<u>Land Use</u>	<u>Zoning</u>
Existing	Vacant recreational facility and undeveloped	"R-1" & "C"
North	Agriculture	"R-1"
East	Undeveloped & contractor's storage yard	"R-1" & "C"
South	Undeveloped, bowling alley, indoor soccer	"C"
West	Undeveloped & single-family	"R-1"
History:	SCZ-0192 "R-1" to "C"	5-05-66 M/C Deny 6-02-66 MAPC Approve 6-29-66 BCoC Approve
	SCZ-0332 "C" to "R-1"	never considered - case closed
	CU-119 Mobile Home Park	10-09-69 MAPC Approve 3-30-73 case closed - conditions not met
	CU-167 Mobile Home Park	never considered - case closed
	CU-169 Mobile Home Park	12-12-74 MAPC Deny 1-08-75 BCoC ret. to MAPC 2-13-75 MAPC case withdrawn

Applicant: L.V. Bell, 360 North 135th Street West, Wichita 67235

COMMENTS:

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

The applicant is requesting a zone change from "R-1" Suburban Residential and "C" Commercial to "AA" Single-family and approval of a conditional use to establish a mobile home park on the 99 acre site. The site is located on the old Frontier Fun Center site on the east side of 135th Street West in an area north of U.S. Highway 54. The proposed site plan shows a maximum of 533 mobile home pads which would be a density of 5.4 homes per net acre.

The applicant has indicated on the proposed site plan that each mobile home lot will have a minimum of 5,000 square feet. In addition, a minimum of two trees are proposed for each lot. Standards regarding parking areas and streets are shown on the proposed site plan. Access would be one opening to the frontage road along U.S. 54 and two openings to 135th Street West.

The only open space (approximately 15 acres) shown is in the northern portion along the existing drainage channel where retention ponds are proposed.

2. The County Zoning Resolution states that mobile home parks may be permitted as a conditional use in the "AA" One-family zoning district, provided that the applicant shall first have met all applicable conditions established in the County Trailer Code. The County Trailer Code provides that the applicant shall submit three copies of a site design plan to the Health Department detailing the number, location, and size of all trailer spaces, all proposed building locations, street layouts, topography and drainage and grading plans. The applicant has submitted to the MAPD a preliminary development plan which does not contain all of the information required by the Trailer Code. The Health Department has reviewed the preliminary site plan and a study on sanitary sewer facilities for the mobile home park. They have advised that development of the mobile home park should be limited to that area outlined as Phase One (161 mobile homes) until municipal type sanitary sewer services are available. The existing three cell lagoon system will need to be modified and upgraded to a two cell non-discharging system to handle the 161 mobile homes. According to the City Engineer, municipal sewer service will not be available for three years at a minimum. Since the area to the east is included in the annexation litigation, services cannot be provided to this site until the court makes its decision.
3. The County Department of Public Works has indicated that this site should be platted into one lot so that the sewer lagoon can be privately maintained. They also indicated that development should be restricted to Phase One until municipal sewer service is available. Another concern they have is the amount of traffic that might use 135th Street which is an unimproved, gravel section line road.
4. The City of Wichita Water Department has indicated that water could be extended south from Maple along 135th at the developer's expense. Although there is a water transmission line owned by the City of Goddard along the south side of U.S. 54, this area is to be served by the City of Wichita. This is because Wichita and Goddard have agreed to make 135th the water agreement line with Wichita providing water east of 135th.
5. While staff generally supports mobile home parks, we have some concerns about this proposed park. With the sanitary sewer limitations, it seems that a 99 acre mobile home park permitting 533 mobile homes may be premature since it will be a minimum of three years before municipal sewer service will be available. Secondly, the proposed design of the park is less than desirable. The lot layout and vehicular layout would result in a very uniform and sterile residential area which, we believe, would not be compatible with housing in the general area. The site plan proposed in 1974 utilized curvilinear streets, smaller lots, more useable open space, as well as a small commercial area while accommodating 593 mobile homes. The location and utility of the proposed open space as it relates to the mobile home spaces and the proposed uses is not well designed or located because all of the open space is located along the proposed retention ponds in the northern portion of the site. It seems that some useable open space should be provided throughout the site because of the large number of mobile homes permitted. If the MAPC agrees to a phased development an improved recreational area should be provided in the area outlined as Phase One.
6. A recommendation of approval of the zone change by the Planning Commission should be subject to the entire property being platted to provide for drainage, a sewer system, access control, etc., within one year from date of approval or the zone change by the Board of City Commissioners, or the zone case be considered denied and closed; and that the ordinance establishing the zone change not be published until the plat has been recorded with the Register of Deeds.
7. Should the Commission, determine that this is an appropriate area for a mobile home park, then the following conditions would be consistent with other approved mobile home parks:

- a. The applicant shall plat the entire area within one year from the date of approval of the conditional use by the Board of County Commissioner to provide for drainage, a sanitary sewer system, access control, etc.; or the application be considered denied and closed. Said plat shall be recorded with the Register of Deeds prior to the publication of the resolution establishing the conditional use.
 - b. Development of the site shall be restricted to Phase 1 (maximum of 161 mobile homes) until municipal sanitary sewer service is available. The developer shall be responsible for modifying the existing lagoons in accordance with all county and state regulations prior to any mobile home being placed on the site. When municipal sewer services are available, the owner(s) shall be responsible for closing the sewer lagoons and connecting existing and future development to the municipal system.
 - c. An improved recreational area (approximately 8%) shall be provided in the development of Phase One.
 - d. The applicant shall meet all the applicable conditions established in the County Trailer Code.
 - e. Submission of two copies of the "Mobile Home Park Development Plan", approved by the Health Department, to the Metropolitan Area Planning Department for their files.
 - f. The water and sewer system shall be designed by a licensed engineer and shall be approved by the Environmental Health Department.
 - g. No individual mobile home space shall have direct access to a public street.
 - h. Either an off-street parking slab constructed of asphalt or other hardsurface material and sufficient in size to accommodate two automobiles shall be provided for each mobile home space; or a continuous parking lane shall be provided along the frontage of all mobile home spaces.
 - i. All private roads within the mobile home park shall be paved with concrete, asphaltic concrete or asphalt, to the minimum standard for flexible or rigid pavement as included in the "Guide for Mobile Home Court Improvements" as published by the Federal Housing Administration.
 - j. There shall be no open storage and each mobile home space shall be provided with a storage building.
 - k. The density of the mobile home park shall not exceed 7 units per acre.
 - l. All mobile homes shall comply with the anchorage to the ground provisions as required by State statutes.
 - m. The mobile home park shall devote at least eight percent of its gross area to recreation space for the use and enjoyment of the occupants of the park. Each such recreational space shall not be less than 10,000 square feet of land area.
-

SCZ-0518)
&)
✓CU-262) 26 "Notices to Adjoining Property Owners" (doublestuffed)
mailed 8-25-83 for the MAPC meeting of 9-8-83.

1 of each to ^RDon Worley, County Zoning Officer

27 TOTAL of each case.

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

August 25, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for 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 this request. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on September 8, 1983 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. CU-262

Conditional Use Permit to Establish a Mobile Home Park
on property proposed for "AA" One-Family Dwelling District

A tract of land in the Southwest Quarter of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as beginning at a point on the north line of U.S. Highway 54 (As Condemned in Case No. A-38302) and 1468.75 feet west of the east line of said Southwest 1/4, measured along the north line of said Highway right-of-way; thence north with an interior angle of $90^{\circ}12'$ a distance of 630.5 feet; thence east, with an interior angle of $90^{\circ}00'50''$, 341.08'; thence north, at 90° , 30.5'; thence east, at 90° , 499.68'; thence north with an angle to the right of $90^{\circ}03'40''$, 641.94 feet; thence east, with an interior angle of $90^{\circ}03'03''$, 411.37 feet; thence north, with an angle to the right of $91^{\circ}30'18''$, 312.54 feet; thence east, with an interior angle of $91^{\circ}30'49''$, 250 feet to the east line of said 1/4 Section; thence north, along the east line of said 1/4 Section, 907.41 feet to the northeast corner of said 1/4 Section; thence west, along the north line of said 1/4 Section; 2,623.91 feet to the northwest corner of said 1/4 Section; thence south, along the west line of said 1/4 Section, 1674.2 feet; thence east, with an interior angle of $88^{\circ}51'10''$, 300 feet; thence south, parallel to the west line of said 1/4 Section, 218 feet; thence east, with an interior angle of $88^{\circ}51'10''$, 747.62 feet; thence south, with an interior angle of $89^{\circ}59'10''$, 630.17 feet to the north line of U.S. Highway 54; thence east, along the north line of U.S. Highway 54, 80 feet to the point of beginning, except the west 50 feet for road and except condemnation case C-10792-67. Generally located on the east side of 135th Street West, in an area north of U.S. Highway 54.

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

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 672021688

August 25, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

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

The MAPC will consider the following case at its meeting in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, beginning at 1:30 p.m., on September 8, 1983:

CASE NO. SCZ-0518

Zone change from the "R-1" Suburban Residential District
and the "C" General Commercial District
to the "AA" One-Family Dwelling District

A tract of land in the Southwest Quarter of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as beginning at a point on the north line of U.S. Highway 54 (As Condemned in Case No. A-38302) and 1468.75 feet west of the east line of said Southwest 1/4, measured along the north line of said Highway right-of-way; thence north with an interior angle of 90°12' a distance of 630.5 feet; thence east, with an interior angle of 90°00'50", 341.08'; thence north, at 90°, 30.5'; thence east, at 90°, 499.68'; thence north with an angle to the right of 90°03'40", 641.94 feet; thence east, with an interior angle of 90°03', 411.37 feet; thence north, with an angle to the right of 91°30'18", 312.54 feet; thence east, with an interior angle of 91°30'49", 250 feet to the east line of said 1/4 Section; thence north, along the east line of said 1/4 Section, 907.41 feet to the north-east corner of said 1/4 Section; thence west, along the north line of said 1/4 Section; 2,623.91 feet to the northwest corner of said 1/4 Section; thence south, along the west line of said 1/4 Section, 1674.2 feet; thence east, with an interior angle of 88°51'10", 300 feet; thence south, parallel to the west line of said 1/4 Section, 218 feet; thence east, with an interior angle of 88°51'10", 747.62 feet; thence south, with an interior angle of 89°59'10", 630.17 feet to the north line of U.S. Highway 54; thence east, along the north line of U.S. Highway 54, 80 feet to the point of beginning, except the west 50 feet for road and except condemnation case C-10792-67. Generally located on the east side of 135th Street West, in an area north of U.S. Highway 54.

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

Robert A. Lakin
Secretary

T9-216
11-81

Summary Description of County Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres.
- "R-1" - Suburban Residential District
Permits one single-family dwelling for each lot of 20,000 square feet of land area if served by a public water supply, or 40,000 square feet if served by a private domestic water supply source.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 6,500 square feet.
- "BB" - Office District
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District
Permits one-family dwellings and any retail commercial uses conducted within an enclosed building.
- "C" - General Commercial District
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District
Permits most manufacturing uses and uses permitted in "C". Mobile home parks and trailer camps are not permitted.
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits. Mobile home parks and trailer camps are not permitted.
- "CU" - Conditional Use in any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.
- NOTE: - The above list is not intended to be all inclusive. For complete regulations see the Sedgwick County Zoning Resolution.

THE CITY OF WICHITA

OFFICE OF WATER DEPARTMENT

DATE August 11, 1983

TO Arthur D. Chambers, Senior Planner
FROM Joe Botinelly, Assistant to the Director

SUBJECT Water and Sewer Service to
The Harbors

Public water and sewer service is not now available to the area north and east of the intersection of U.S. 54 and 135th Street West, where The Harbors mobile home park is proposed to be located.

A 12" water main will need to be extended south in 135th Street from Maple a distance of over 4,300 feet. If the park is outside the city limits, the property owner will be required to pay the entire cost, estimated at \$110,000, including meter installation. If the property is annexed prior to extension of service, the water utility will pay \$22,000 of that cost. In addition to the main extension, the property owner will need to provide a distribution system of mains and service lines inside the park boundaries.

Sewer capacity to this and nearby areas is limited by the lift station at 10000 West Harry. This condition will be relieved only if the Cowskin Interceptor is constructed. The feasibility of the interceptor is under study at this time, but a construction date has not been established.

A main extension to serve the proposed area is in the Capital Improvement Plan for 1988, at a cost of \$170,000, to be paid half by the city and half by special assessments. The status of the area through which this extension would pass is now under litigation; construction cannot be considered until this litigation is concluded. Transporting wastewater from the park through force main along alternate routes to existing sewers in Maple could degrade the capacity to Rainbow Lakes and is not recommended by the city's design engineer.

If you need any further information on this, please let me know.

Joe Botinelly
Joe Botinelly
Assistant to the Director

JB/b

RECEIVED

AUG 12 1983

METROPOLITAN PLANNING

ROUTE _____

August 8, 1983

Mike Everhart, Environmental Health; John Wynkoop, Director, Water Dept.;
Claude Shelor, Director Co. Public Works; Ron Worley, County Zoning Officer
Arthur D. Chambers, AICP, Senior Planner

SCZ-0518 "R-1" & "C" to "AA" and CU-262 - Generally located on the east
side of 135th Street West, in an area north of U.S. Highway 54.

Attached is a site plan for a proposed mobile home park on the old
Frontier Fun Center site. Due to the number of mobile homes (509)
proposed, we are asking for comments about water and sewer availability.
It is my understanding that Mike Everhart and Phil Dietrich, County Public
Works, have received a copy of a sewer study done by PEC for the lagoons
on this site. In looking at the number of mobile homes that might be put
on this site and the size of the sewer lagoons, it might be appropriate for
the County to assume maintenance of the lagoons after they are modified.

We would appreciate receiving any comments you might have regarding water,
sewer, drainage, access, etc., by Friday, August 12, 1983.

If you have any questions, please call.

Arthur D. Chambers, AICP
Senior Planner

ADC:sad

Attachment

August 8, 1983

MacDonald Manning
City Administrator
Goddard City Hall
122 North Main
Goddard, Ks. 67052

Re: SCZ-0518 - "R-1" Suburban Residential
and "C" Commercial to "AA" Single-family
and CU-262

Dear Mr. Manning:

Attached for your review and information is a copy of a site plan for a proposed mobile home park on the old Frontier Fun Center site that would be located north of Kellogg on the east side of 135th Street West. The site plan shows a total of 532 spaces that would ultimately be available for mobile homes. However, only 193 mobile homes would be permitted until the existing sewer lagoons are significantly enlarged or municipal sewer service was available.

Although this site is not within Goddard's three mile-ring, we felt that it is of sufficient size that you should be advised. We have scheduled these two cases before the MAPC on September 8, 1983.

If you have any questions, please call.

Arthur D. Chambers, AICP
Senior Planner

ADC:sad
Attachment

cc: John Hoisington, Chairman, GCPC, 102 Brazos Street, Goddard, Ks. 67052
Francis J. Langston, Mayor, 401 North Main St., Goddard, Ks. 67052

August 8, 1983

Chairman, Board of Education
Goddard Unified School District
301 South Main
Goddard, Ks. 67052

Re: SCZ-0518 - "R-1" Suburban Residential
and "C" Commercial to "AA" Single-family
and CU-262

Gentlemen:

Attached for your information is a copy of a site plan for a proposed mobile home park that would be located north of Kellogg on the east side of 135th Street West. The site plan shows a total of 532 spaces that would ultimately be available for mobile homes. However, only 193 mobile homes would be permitted until the existing sewer lagoons are significantly enlarged or municipal sewer service is available.

We have scheduled these cases for MAPC consideration on September 8, 1983.

If you have any questions, please call.

Arthur D. Chambers, AICP
Senior Planner

ADC:sad

Attachment

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

C.U. 262
Assoc. with SCZ-0518

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.

1. 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.

- A. APPLICANT L.V. Bell
ADDRESS 360 N. 135th St. West 67235 PHONE 722-4176
AGENT Larry Womack
ADDRESS 3232 So. Clifton 67216 PHONE 684-1171
- B. APPLICANT _____
ADDRESS _____ PHONE _____
AGENT _____
ADDRESS _____ PHONE _____
- C. APPLICANT _____
ADDRESS _____ PHONE _____
~~Agent~~ Engineer P.E.C., P.A. (Gary Wiley)
ADDRESS 1440 E. English 67211 PHONE 262-2691

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

2. a. The applicant proposes to establish a Mobile Home Park
_____ (use)
on property legally described as Lot(s) _____
_____, Block(s) _____
of the _____ Addition.
(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

See Attached Sheet

2. b. There are 99.0 acres (round to nearest tenth) in the above described property.

T9-333-2

Map 464LC zoning NR-1 SC ER-1(AA) WR-1

Associate with SCZ-0518

Revised 8/80

4/83
9-22-83 \$ 500.00

3. THIS PROPERTY IS LOCATED AT (ADDRESS) 13004 West Highway 54

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Northeast CORNER OF U.S. Highway 54 AND 135th Street West, OR

B. ON THE East SIDE OF 135th (AVE.) STREET, ~~BETWEEN~~ ^{west} _____ (AVE.) STREET AND _____ (AVE.) STREET. ^{is an area north of U.S. Highway 54.0}

4. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED _____ (ZONING DISTRICT CLASSIFICATION).

5. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
To Establish a Mobile Home Park in the "AA" Zoning District

6. 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 AT 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.

LW Bell
BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

7. OFFICE USE ONLY

This application was received at the Planning Department at _____ (AM, PM) on _____ (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ _____.

Name

Title

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 27 SOUTH,
RANGE 2 WEST OF THE 6TH P.M. SEDGWICK COUNTY, KANSAS, DESCRIBED AS BEGINNING
AT A POINT ON THE NORTH LINE OF U.S. HIGHWAY 54 (AS CONDEMNED IN CASE NO.
A-38302) AND 1468.75 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST 1/4, MEASURED
ALONG THE NORTH LINE OF SAID HIGHWAY RIGHT-OF-WAY; THENCE NORTH WITH AN INTER-
IOR ANGLE OF $90^{\circ}12'$ A DISTANCE OF 630.5 FEET; THENCE EAST, WITH AN INTERIOR
ANGLE OF $90^{\circ}00'50''$, 341.08'; THENCE NORTH, AT 90° , 30.5'; THENCE EAST, AT 90° ,
499.68'; THENCE NORTH, WITH AN ANGLE TO THE RIGHT OF $90^{\circ}03'40''$, 641.94 FEET;
THENCE EAST, WITH AN INTERIOR ANGLE OF $90^{\circ}03'$, 411.37 FEET; THENCE NORTH, WITH
AN ANGLE TO THE RIGHT OF $91^{\circ}30'18''$, 312.54 FEET; THENCE EAST, WITH AN INTERIOR
ANGLE OF $91^{\circ}30'49''$, 250 FEET TO THE EAST LINE OF SAID 1/4 SECTION; THENCE NORTH,
ALONG THE EAST LINE OF SAID 1/4 SECTION, 907.41 FEET TO THE NORTHEAST CORNER OF
SAID 1/4 SECTION; THENCE WEST, ALONG THE NORTH LINE OF SAID 1/4 SECTION; 2,623.91
FEET TO THE NORTHWEST CORNER OF SAID 1/4 SECTION; THENCE SOUTH, ALONG THE WEST
LINE OF SAID 1/4 SECTION, 1674.2 FEET; THENCE EAST, WITH AN INTERIOR ANGLE OF
 $88^{\circ}51'10''$, 300 FEET; THENCE SOUTH, PARALLEL TO THE WEST LINE OF SAID 1/4 SECTION,
218 FEET; THENCE EAST, WITH AN INTERIOR ANGLE OF $88^{\circ}51'10''$, 747.62 FEET; THENCE
SOUTH, WITH AN INTERIOR ANGLE OF $89^{\circ}59'10''$, 630.17 FEET TO THE NORTH LINE OF
U.S. HIGHWAY 54; THENCE EAST, ALONG THE NORTH LINE OF U.S. HIGHWAY 54, 80 FEET
TO THE POINT OF BEGINNING.

*OK for
Ryal*

EXCEPT THE WEST 50 FEET FOR ROAD AND EXCEPT CONDEMNATION CASE C-10792-67.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 98.98 ACRES MORE OR LESS.

STATE OF KANSAS
RECORDS & COURTS
JAN 9 1980
1 74303
BY
WILEY F. MCCARTY
CLERK OF COURTS

FILED 403 500

Pat. Hottle
AGREEMENT

THIS AGREEMENT is made and entered into this 3rd day of January, 1980, by and between L. V. and Sharon A. Bell, husband and wife (Bells), M. E. Lusk and Anita Lusk, husband and wife (Lusks) and Virdale, Inc., a Kansas corporation (Virdale).

WITNESSETH THAT:

WHEREAS Bells are the owners of the land described on Exhibit "A" attached hereto and made a part hereof, on which land there is a sewer line and a sewage lagoon system; and

WHEREAS Lusks are the owners of the land described on Exhibit "B" attached hereto and made a part hereof and by a conveyance of said land to a prior owner, the owners of said land acquired a vague and indefinite easement to use said sewer disposal system; and

WHEREAS Virdale owns the land described on Exhibit "C" attached hereto and made a part hereof and by an agreement with an owner prior to Bells said land has the right to use said sewer disposal system; and

WHEREAS the parties hereto desire to properly define and set forth the rights of each of said parties to the sewer disposal system and to all of said land.

NOW, THEREFORE, in consideration of the mutual covenants, terms, payments and conditions set forth herein the parties hereto agree as follows:

1. Bells herewith grant and confirm the non-exclusive easement to the owners of the land, or any part thereof, described on Exhibits "B" and "C" to use, repair, maintain and replace, (i) the sewer line located as described on Exhibit "D" attached hereto and made a part hereof, the easement being 15-ft wide, with the line in the center of said easement, and (ii) the sewage lagoon system located as described on Exhibit "E" attached hereto and made a part hereof, reserving the right to the owners of the land, or any part thereof, described on Exhibit "A" to move said

See
18.00

Data Jain

line and easement on the land described on Exhibit "A", from time to time, at the expense of said owners and with not more than one-half day disruption of service.

2. It is understood and agreed that Bells own the sewage lagoon system and have the right to sell, lease or admit others to use it, but subject to the easements and the terms and conditions set forth herein. The management of the sewage lagoon system shall be by a committee of three composed of one person from each of the three tracts of land described on Exhibits "A", "B" and "C".

3. Said easements are granted and confirmed by Bells upon the condition that each user shall pay a proportionate part of the expense of maintenance, repair, replacement, insurance, taxes and overhead, if any, based upon the actual use of the sewer line and/or the sewage lagoon system by each user as determined by all the management committee and if they cannot agree, they shall appoint an independent civil engineer to equitably determine the charges to each user based upon the actual use. If one user or a group of users requires improvements or enlargement such user or group of users shall pay all of the capital cost of such improvements. If later, another user desires to use such improvements such later user shall pay a proportionate part of such prior capital cost before using such improvements.

4. Bells herewith grant a non-exclusive easement located as described on Exhibit "F" attached hereto and made a part hereof to the owners of the land, or any part thereof, described on Exhibit "B" for the construction, repair, maintenance, replacement and use of a sewer line which would connect to the sewer line described on Exhibit "D".

5. Virdele herewith grants a non-exclusive easement located as described on Exhibit "G" attached hereto and made a part hereof to the owners of the land, or any part thereof, described on Exhibit "B" for the construction, repair, maintenance, replacement and use of a sewer line which would connect to

the sewer line described on Exhibit "D".

6. Virdale herewith grants a non-exclusive easement located as described on Exhibit "H" attached hereto and made a part hereof to the owners of the land, or any part thereof, described on Exhibits "A" and "B" as an addition to and a part of the sewage lagoon system easement described on Exhibit "E" and for the same purpose and upon the same conditions.

7. Lusks herewith quit claim and release to the owners of the land described on Exhibits "A" and "C" any and all interest which Lusks have in and to the land described on Exhibits "A" and "C" except for the specific easements described on Exhibits "D", "E", "F", "G", and "H".

8. Virdale herewith quit claims and releases to the owners of the land described on Exhibits "A" and "B" any and all interest which Virdale has in and to the land described on Exhibits "A" and "B" except for the specific easements described on Exhibits "D", "E", "G" and "H".

9. The easements granted or confirmed herein shall terminate and be of no further force and effect if any one of the following occurs, (i) the sewer line or sewage lagoon system is not used for twenty (20) years from this date, (ii) if the sewer line or sewage lagoon system is used but later abandoned for more than five (5) years, or (iii) if a municipal or county sewage system is built and available within one-half mile to the boundary of the land described on Exhibits "A", "B", and "C".

10. The easements, terms, conditions and quit claims granted, confirmed and set forth herein shall be covenants running with the land and shall be binding upon the heirs, successors, and assigns of the parties hereto.

11. This agreement supersedes all prior agreements and easements by or between the owners of the land described on

Exhibits "A", "B" and "C", and this agreement may only be modified or amended by written instrument executed by the owners of said land.

Executed the day and year above written.

<u>Sharon A. Bell</u> Sharon A. Bell	<u>L. V. Bell</u> L. V. Bell
<u>Anita Lusk</u> Anita Lusk	<u>M. E. Lusk</u> M. E. Lusk
<u>Notary Secretary</u> Notary Secretary	<u>By: [Signature]</u> By: [Signature]

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss:

Be it remembered, that on this 3rd day of Jan, 1980, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came L. V. BELL and SHARON A. BELL, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

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



My appointment expires: 1-8-83

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss:

Be it remembered, that on this 3rd day of Jan, 1980, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came M. E. LUSK and ANITA LUSK, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

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



My appointment expires: 1-8-83

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

Be it remembered, that on this 31 day of July, 1980, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came David Stone, of VIRDAL, INC., a corporation, personally known to me to be the person who executed the within instrument of writing as President and duly acknowledged the execution of the same.

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

[Signature]
Notary Public
SEDGWICK CO. KS

My appointment expires: 1-8-83

MIN 403 411 505

A tract in the Southwest Quarter of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgewick County, Kansas, described as beginning at a point on the North line of U. S. Highway 54 (as condemned in Case No. A-38302) and 250 feet West of the East line of said Southwest 1/4, measured along the North line of said Highway right of way; thence West along said Highway right of way, 456.75 feet; thence North with an included angle of 90° 12' a distance of 633.74 feet to a point 736.6 feet North of the South line of said Southwest 1/4, thence East parallel with the South of said Southwest 1/4, 472.11 feet more or less to a point 250 feet West of the East line of said Southwest 1/4; thence South 635.65 feet to beginning.

also

A tract in the Southwest Quarter of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgewick County, Kansas, described as beginning at a point on the North line of U. S. Highway 54 (as condemned in Case No. A-38302) and 708.75 feet West of the East line of said Southwest 1/4, measured along the North line of said Highway right of way; thence West along the North line of said Highway right of way 80 feet; thence with an angle to the right of 89° 46' a distance of 633.4 feet to a point 736.6 feet North of the South line of said Southwest 1/4, said point being the Northeast corner of a tract recorded in Deed Book 1355, Page 416; thence West parallel with the South line of said Southwest 1/4 and along the North line of said tract recorded in Deed Book 1355, Page 416, 682.1 feet; thence South 630.5 feet to a point on the North line of said Highway right of way 1466.75 feet West of the East line of said Southwest 1/4, measured along the North line of said Highway right of way; thence West along said Highway right of way 2.2 feet; thence with an angle to the right of 89° 48' a distance of 630.17 feet to a point 736.6 feet North of the South line of said Southwest 1/4, thence West parallel with the South line of said Southwest 1/4, 472.63 feet to a point 300 feet East of the West line of said Southwest 1/4; thence North parallel with the West line of said Southwest 1/4, 218 feet; thence West parallel with the South line of said Southwest 1/4, 300 feet; thence North 1874.22 feet more or less to the Southwest corner of said Southwest 1/4, thence East 2423.61 feet more or less to a point 172 feet North of the Southwest corner of said Southwest 1/4; thence West parallel with the South line of said Southwest 1/4, 290 feet; thence South parallel with the East line of said Southwest 1/4, 985.4 feet; thence West parallel with the South line of said Southwest 1/4, 472.11 feet more or less to a point 80 feet East of the Northeast corner of a tract recorded in Deed Book 1355, Page 416; thence South 633.75 feet to beginning.

EXCEPTING AND EXCLUDING THEREFROM THE FOLLOWING:

A tract in the Southwest 1/4 of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgewick County, Kansas, described as follows: Beginning at a point on the North line of U.S. Highway 54 as condemned in Case A-38302, 250 feet West of the East line of said Southwest 1/4; thence West on said North line of said Highway, 318.15 feet; thence North with a deflection angle to the right of 89° 48', 1306.51 feet; thence East at an interior angle of 90° 03', 411.37 feet to a point 250 feet West of the East line of said Southwest 1/4; thence South 1308.50 feet to the point of beginning, subject to Highway right of way as condemned in Case C-10792-67.

and

EXHIBIT A
Page 2 of 2

PLN 403 PLS 506

and

A tract in the Southwest 1/4 of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedwick County, Kansas, described as follows: Beginning at a point on the north line of U. S. Highway 56 as condemned in Case A-38302, 628.15 feet west of the east line of said Southwest 1/4; thence west on said north line of said Highway, 158.6 feet; thence north with a deflection angle to the right of 89° 49'; 633.4 feet (this course being the east line of the following described property); beginning at a point on the north right of way U. S. Highway 56, 786.75 feet west of the east line of the Southwest 1/4 of Section 25, Township 27 South, Range 2 West of the 6th P.M.; thence west on said north line of said Highway, 682 feet; thence north at an interior angle of 90° 12' a distance of 630.5 feet; thence east 682.1 feet to a point 633.4 feet north of the point of beginning; thence south 633.4 feet to the point of beginning; thence east at an interior angle of 90° 03' 40", 153.6 feet; thence south 634.07 feet to the point of beginning.

and

A tract in the Southwest 1/4 of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedwick County, Kansas, described as follows: Commencing at a point

on the north line of U. S. Highway 56 as condemned in Case A-38302, 786.75 feet west of the east line of said Southwest 1/4; thence east on said north line of said Highway, 482 feet; thence north at an interior angle of 90° 12' a distance of 630.5 feet; thence east 341.05 feet to a point 633.95 feet north of said north line of said Highway to a point of beginning; thence east 341.05 feet to a point 633.4 feet north of said north line of said Highway; thence commencing at a point 633.4 feet to a point 634.07 feet north of said north line of said Highway; thence north at an interior angle of 90° 03' 40", 30.3 feet; thence west at an interior angle of 89° 56' 20", 199.68 feet; thence south at right angles, 30.3 feet to the point of beginning.

WM 403 vs 507

A Tract in the SW 1/4 of Sec 14 of T27S, R2W of the 6th P.M.,
Sedwick County, Kansas, described as follows: Beginning at the intersection of the North line
of US 51 Highway (Case A-38300), and the West line of said SW 1/4, thence East along
said North line of said US 51 Highway, 114.18 feet more or less, to a point 1468.75
feet West of the East line of said SW 1/4, also measured along said Highway right-of-
way; thence North with a deflection angle to the left of 90°12' a distance of 137.5 feet
to a point 136.6 feet North of the South line of said SW 1/4; being the West line of a deed
recorded in Book 1355, page 416; thence West parallel with the South line of said
SW 1/4, 1131.21 feet more or less to the West line of said SW 1/4; thence South 676.29
feet more or less to the place of beginning, except therefrom the South 40 feet which
has been condemned in Case C-10792-67, and except the East 80 feet.

403 308

A tract of land in the South West Quarter (SW/4) of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgewick County, Kansas, described as follows: Beginning at a point on the North line of U. S. Highway 54 (as condemned in Case A-18302), and 250 feet West of the East line of said South West Quarter (SW/4); thence West on said North line of said Highway, 376.15 feet; thence North with a deflection angle to the right of 89°49', 1306.15 feet; thence East at an interior angle of 90°03', 411.37 feet to a point 250 feet West of the East line of said South West Quarter (SW/4); thence South 1308.5 feet to the point of beginning.

and

A tract in the South West Quarter (SW/4) of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgewick County, Kansas, described as follows: Beginning at a point on the North line of U. S. Highway 54, as condemned in Case A-3830, 628.15 feet West of the East line of said South West Quarter (SW/4); thence West on said North line of said Highway, 158.6 feet; thence North with a deflection angle to the right of 89°49', 633.4 feet. (This course bring the East line of the following described property.) Beginning at a point on the North right-of-way of U.S. Highway 54, 786.75 feet West of the East line of the South West Quarter (SW/4) of Section 25, Township 27 South, Range 2 West of the 6th P.M.; thence West on said North line of said Highway, 682 feet; thence North at an interior angle of 90°22', a distance of 620.5 feet; thence East 682.1 feet to a point 633.4 feet north of the point of beginning; thence South 633.4 feet to the point of beginning; thence East at an interior angle of 90°03'40", 158.6 feet; thence South 634.07 feet to the point of beginning.

and

PLM 403 Pl. 509

A tract in the South West Quarter (SW/4) of Section 25, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the North line of U.S. Highway 54 as condemned in Case A-18302, 786.75 feet West of the East line of said South West Quarter (SW/4); thence West on said North line of said highway, 682 feet; thence North at an interior angle of $90^{\circ}12'$ a distance of 630.5 feet; thence East 341.05 feet to a point 631.95 feet North of said North line of said Highway to a point of beginning; thence East 341.05 feet to a point 633.4 feet North of said North line of said Highway, thence continuing East 158.6 feet to a point 634.07 feet North of said North line of said Highway; thence North at an interior angle of $90^{\circ}03'40''$, 50.5 feet; thence West at an interior angle of $99^{\circ}56'20''$, 499.68 feet; thence South at right angles, 30.5 feet to the point of beginning.

and

The East Half (E/2) of the following described tract of land, to-wit: Beginning at a point on the North right-of-way line of U.S. Highway No. 54, as condemned in District Court Case A-18302, 786.75 feet West of the East line of the South West Quarter (SW/4) of Section 25, Township 27 South, Range 2 West of the 6th P.M.; thence West on said North line of said Highway, 682 feet; thence North at an interior angle of $90^{\circ}12'$, a distance of 630.5 feet; thence East 682.1 feet to a point 633.4 feet North of the point of beginning; thence South 633.4 feet to the point of beginning.

EXHIBIT D
Page 1 of 1

HW 493 - 510

SEWER EASEMENT DESCRIPTION

A non-exclusive 15 foot wide sewer easement in the SW 1/4 of Section 25, T27S, R2W of the 6th P.M., Sedgwick County, Kansas, lying 7 1/2 feet on either side of a line described as follows: Commencing at a point on the north line of U.S. Highway 54 as condemned in Case A-38302, 786.75 feet west of the east line of said SW 1/4; thence west on said north line of said Highway, 82 feet; thence north at an interior angle of 90°12' a distance of 610.5 feet; thence east 341.05 feet to a point 631.95 feet north of said north line of said Highway; thence north at right angles, 30.5 feet; thence east at right angles, 86.61 feet to a point of beginning; thence northerly with a deflection angle to the left of 92°33', 420.48 feet; thence northeasterly with a deflection angle to the right of 38°53', 515.42 feet; thence east with a deflection angle to the right of 53°28', 55 feet with the sewer line in the center of said easement for the use, repair, maintenance and replacement thereof.

EXHIBIT F
Page 1 of 1

403 511

SEWER LAGOON EASEMENT

A non-exclusive easement for the use, repair, maintenance and replacement of a sewer lagoon system in the SW 1/4 of Section 25, T27S, R2W of the 6th P.M., Sedgewick County, Kansas, described as follows: Commencing at the intersection of the north line of U.S. Highway 54 as condemned in Case A-38302 and the east line of said SW 1/4; thence west on said north line of said Highway, 628.15 feet; thence north with a deflection angle to the right of 85°49', 1306.51 feet to a point of beginning; thence east with a deflection angle to the right of 89°57', 411.37 feet to a point 250 feet west of the east line of said SW 1/4; thence north with a deflection angle to the left of 88°29'42" and parallel to the east line of said SW 1/4; 480 feet; thence west with a deflection angle to the left of 91°30'18", 580 feet; thence south parallel to the east line of said SW 1/4, 480 feet; thence east, 168.65 feet to the point of beginning.

Refer to Exhibit F
Sewer Easement Description

HW 403 - 512

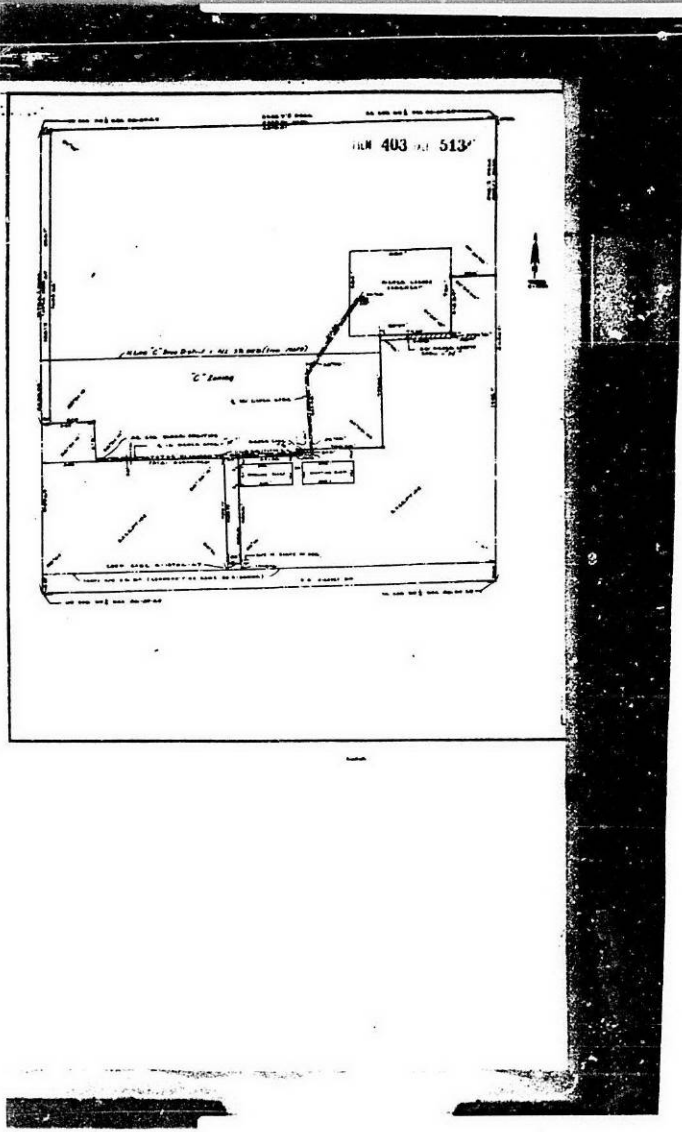
A 15 foot wide strip of land in the SW 1/4 of Section 25, T27S, R2W of the 6th P.M., Sedgwick County, Kansas, lying 7.5 feet on either side of a line described as follows: Commencing at a point on the north line of U.S. Highway 54 as condemned in Case A-38302, 786.75 feet west of the east line of said SW 1/4; thence west on said north line of said Highway, 682 feet; thence north at an interior angle of $90^{\circ}12'$ a distance of 630.5 feet; thence east 341.05 feet to a point 631.95 feet north of said north line of said Highway; thence north at right angles, 7.5 feet to a point of beginning; thence west at right angles, 1168.55 feet, more or less, to a point 300 feet east of the west line of said SW 1/4 and 7.5 feet north of the SE corner of Lot 1, Block A, Weber Addition, Sedgwick County, Kansas.

Refer to Exhibit G
Sewer Easement Description

A 30.5 foot wide strip of land in the SW 1/4 of Section 25, T27S, R2W of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the north line of U.S. Highway 54 as condemned in Case A-38302, 786.75 feet west of the east line of said SW 1/4; thence west on said north line of said Highway, 682 feet; thence north at an interior angle of $90^{\circ}12'$ a distance of 630.5 feet; thence east 341.05 feet to a point 631.95 feet north of said north line of said Highway; thence north at right angles, 30.5 feet to a point of beginning; thence east at right angles, 34.12 feet; thence south with a deflection angle to the right of $87^{\circ}27'$, 30.53 feet; thence west with a deflection angle to the right of $92^{\circ}33'$, 95.48 feet; thence north at right angles, 30.5 feet to the point of beginning.

Refer to Exhibit H
Description for Sewer Lagoon Easement

A strip of land in the SW 1/4 of Section 25, T27S, R2W of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the intersection of the north line of U.S. Highway 54 as condemned in Case A-38302 and the east line of said SW 1/4; thence west on said north line of said Highway, 628.15 feet; thence north with a deflection angle to the right of $89^{\circ}49'$, 1306.31 feet to a point of beginning; thence east with a deflection angle to the right of $89^{\circ}57'$, 411.37 feet to a point 250 feet west of the east line of said SW 1/4; thence south with a deflection angle to the right of $91^{\circ}30'18''$ and parallel to the east line of said SW 1/4, 25.01 feet; thence west with a deflection angle to the right of $88^{\circ}29'42''$, 410.73 feet; thence north with a deflection angle to the right of $90^{\circ}03'$, 25 feet to the point of beginning.



AREA SQ. FOOTAGE

1 39375

2 79350

3 26450

4 66125

5 156400

6 No area #6

7 25000

8 77400

9 49000

10 63450

11 5000

12 144000

13 172800

Semi lagoon

TOTAL 844837.5 = 19.394

$$\begin{array}{r} 1 \quad 315 \\ \times 250 \\ \hline 78750 \end{array}$$

$$\begin{array}{r} 10 \quad 270 \\ \times 235 \\ \hline 63450 \end{array}$$

$$\begin{array}{r} 2 \quad 345 \\ \times 230 \\ \hline 79350 \end{array}$$

$$\begin{array}{r} 11 \quad 125 \\ \times 80 \\ \hline 5000 \end{array}$$

$$\begin{array}{r} 3 \quad 230 \\ \times 115 \\ \hline 26450 \end{array}$$

$$\begin{array}{r} 12 \quad 800 \\ \times 160 \\ \hline 128000 \end{array}$$

$$\begin{array}{r} 4 \quad 115 \\ \times 115 \\ \hline 66125 \end{array}$$

$$\begin{array}{r} 13 \quad 540 \\ \times 320 \\ \hline 172800 \end{array}$$

$$\begin{array}{r} 5 \quad 460 \\ \times 340 \\ \hline 156400 \end{array}$$

$$\begin{array}{r} 6 \quad 375 \\ \times 80 \\ \hline 42000 \end{array}$$

$$\begin{array}{r} 7 \quad 250 \\ \times 100 \\ \hline 25000 \end{array}$$

$$\begin{array}{r} 8 \quad 430 \\ \times 30 \\ \hline 77400 \end{array}$$

$$\begin{array}{r} 9 \quad 350 \\ \times 140 \\ \hline 49000 \end{array}$$

~~Don't know if happy?~~

Comments
from Wesley

illegal uses to the east
possible signed for E

bold design, spotlights?

no open space in Phase 1

County does not really want to assume
maintenance

~~delete~~ ~~split plant from "F"~~ See Section 9

FEASIBILITY STUDY

WASTEWATER TREATMENT FACILITY
FRONTIER VILLAGE MOBILE HOME PARK



PROFESSIONAL
ENGINEERING
CONSULTANTS
PROFESSIONAL ASSOCIATION

PEC PROJECT NO. 34-82511-1532

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
1440 E. ENGLISH
WICHITA, KANSAS

JUNE, 1983

1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691

FEASIBILITY STUDY

WASTEWATER TREATMENT FACILITY
FRONTIER VILLAGE MOBILE HOME PARK

PEC PROJECT NO. 34-82511-1532

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
1440 E. ENGLISH
WICHITA, KANSAS

JUNE, 1983

1.0 GENERAL

The purpose of this study is to determine if the wastewater treatment facility used by Frontier Fun Center while it was in operation can be used by a proposed mobile home park. This study shall determine the number of mobile home units the system can support and the estimated renovation costs to make the facility operational.

The existing facility has been abandoned for a number of years and has overgrown with trees and brush. In its present state, the wastewater treatment lagoons do not meet minimum standards set by the Kansas Department of Health and Environment and it was pointed out by local health officials that the system must be brought up to standards to be approved. The existing facility consists of 3-cell discharging wastewater treatment lagoons with an incoming flow splitter between Cell No. 1 and Cell No. 2, water level control structures between all three cells, and a final outfall structure to a nearby creek.

2.0 DESIGN CRITERIA

The renovating of the wastewater treatment facility must be completed in compliance with the Kansas Department of Health and Environment minimum standards. Following discussion with local health officials, it was determined that obtaining a discharge permit for the system was unlikely so the facility modification is based on non-discharging lagoon criteria.

Non-discharging lagoons are sized according to the quantity of wastewater and the net water loss. The net water loss is the amount of water lost to evaporation and seepage plus taking into consideration precipitation quantities.

Net Water Loss

Annual Precipitation	31/Inches/Year	+ 2.6 Feet/Year
Annual Evaporation	60/Inches/Year	- 5.0 Feet/Year
Exfiltration	1/4/Inches/Day	- <u>7.6 Feet/Year</u>
Net Water Loss		= 10.0 Feet/Year

Estimated wastewater contribution is based on recorded water usage during the winter months by two mobile home parks in the Wichita area and results from the 1977 study of the City of Wichita sewerage system. It is felt that Frontier Village Mobile Home Park would have similar water consumption and wastewater contribution as the mobile home parks studied. Results of the water usage comparison determined the expected winter water usage is 188 gallons per mobile home unit per day. Assuming 85 percent of the water used is wastewater, the expected wastewater contribution is 160 gallons per mobile home unit per day.

The final sizing of the mobile home park is to be governed by the size of the wastewater treatment facility.

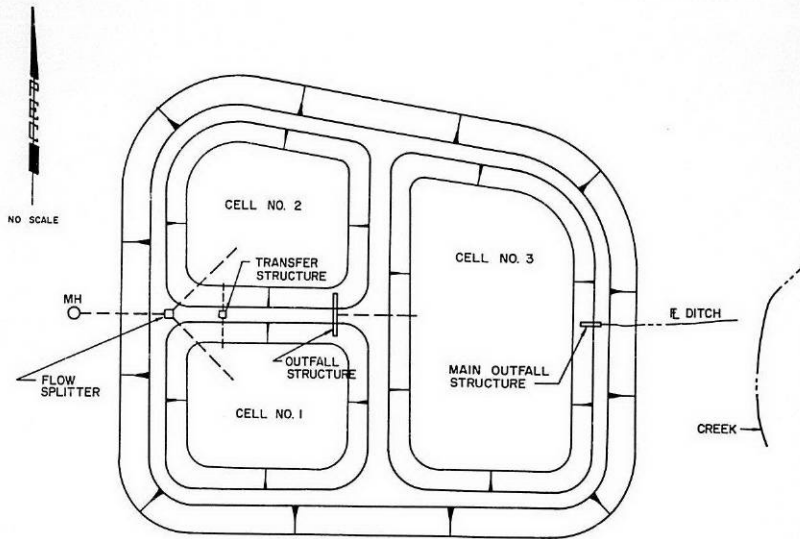
3.0 REHABILITATING THE EXISTING FACILITIES

The existing wastewater treatment facility consists of a three-cell discharging wastewater stabilization lagoon (Figure 1). Operation of the facility was through a flow splitter which could divert the flow to either Cell No. 1, Cell No. 2 or both cells. Other controls were a transfer structure between Cell No. 1 and Cell No. 2, an outfall structure between Cells No. 1 and No. 2 to Cell No. 3, and a main outfall structure from Cell No. 3 to a nearby creek. Top of dike elevation is about 1325.7 which is above the 100 year flood elevation of 1322.5. Pond bottom elevation is 1317.7 and the dike side slopes are 3.5 to 1. At an operation depth of 5.0 feet, the water surface area of Cell No. 1 is about 30,000 square feet, Cell No. 2 is about 30,000 square feet and Cell No. 3 is about 60,000 square feet. Without adjusting the size of the facility and based upon the estimated wastewater contribution, the existing lagoons, when renovated, will handle 154 units in the mobile home park.

Since the treatment facility has been abandoned for a number of years, it is in need of considerable work. The dikes and pond bottoms have been overgrown with trees and brush and most of the piping has been silted in. From studying the structures, it was seen that the valves are inoperable, and that most of the level control stop logs are gone. There is also evidence of erosion on some of the dikes, and the fencing is missing.

In order to make this system operational, the trees and brush must be removed including the major roots, erosion problems repaired, and the dikes and pond bottoms regraded. Bentonite sealing should be incorporated into the top 6 inches of the soil which then should be re-compacted to 95 percent ASTM D-698

to prevent leaking along the dikes or pond bottoms. Each of the flow control structures must be addressed. Flow splitter box needs new weirs and weir guides, grating over the top of the structure and the influent pipes to Cells No. 1 and No. 2 need to be cleaned and checked for structural damage. Transfer piping between Cell No. 1 and Cell No. 2 needs to be cleaned and the valve made operational or replaced. The outfall from Cells No. 1 and No. 2 to Cell No. 3 needs to be cleaned, the valves made operational or replaced, and new level control stop logs made to fit the existing guides. The main outfall structure from Pond No. 3 is to be abandoned in place in such a manner as that no wastewater can pass through the structure. The estimated cost for construction is \$49,200 (Table 1).



EXISTING WASTEWATER TREATMENT FACILITY

FIGURE 1

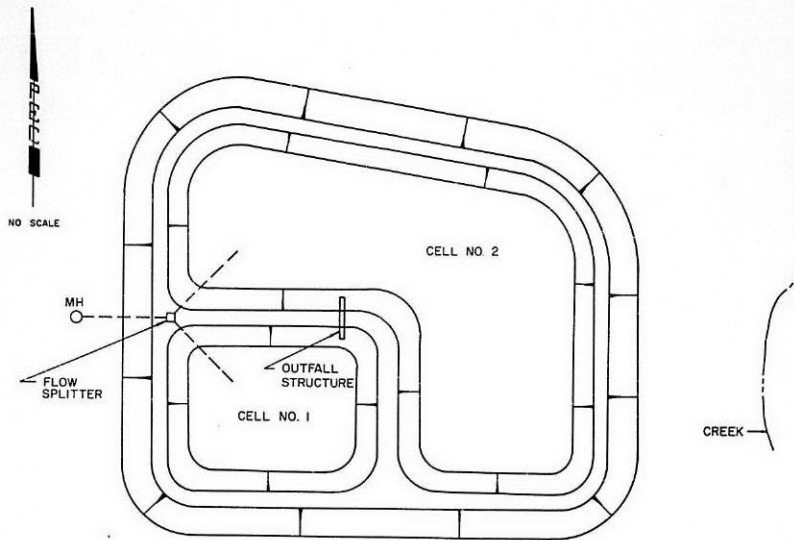
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
 ENGINEERS
 WICHITA, KANSAS

Table 1
REHABILITATING THE EXISTING FACILITIES

<u>Quantity</u>	<u>Unit</u>	<u>Description</u>	<u>Price</u>
1	L.S.	Removal of the trees and brush, regrading the dike and cell bottoms	\$10,000
1	L.S.	Sealing and sterilization of interior of the cells	10,000
1	L.S.	Flow splitter box rehabilitation	1,000
1	L.S.	Transfer structure rehabilitation	800
1	L.S.	Outfall structure rehabilitation	1,500
1	L.S.	Main outfall structure modification	2,500
1	L.S.	Fencing	7,500
1	L.S.	Seeding & site restoration	<u>4,000</u>
		Sub-Total	\$37,500
		Contingency	3,700
		Engineering, KDHE Authorization, Permit Application	4,100
		Inspection, Testing & Certifications	<u>4,100</u>
		Total	\$49,200

4.0 MODIFICATION OF THE EXISTING FACILITIES

Modification of the existing facilities would involve converting the three-cell stabilization lagoon into a two-cell wastewater stabilization lagoon. A minimum of two cells are recommended by the Kansas Department of Health and Environment. This conversion consists of removing the dike between Cell No. 2 and Cell No. 3 and rehabilitating the structures as outlined in Chapter 3 (Figure 2). The number of mobile home units the modified facility will support, based on the estimated wastewater flow, is 161 units. The estimated cost for construction is \$51,900 (Table 2).



MODIFIED WASTEWATER TREATMENT FACILITY

FIGURE 2

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ENGINEERS
WICHITA, KANSAS

Table 2
MODIFICATION OF THE EXISTING FACILITIES

<u>Quantity</u>	<u>Unit</u>	<u>Description</u>	<u>Price</u>
1	L.S.	Removal of the trees and brush. Removal of dike between Cells No. 2 and No. 3, regrading remainder of the dikes and cell bottoms.	\$12,000
1	L.S.	Sealing and sterilization of interior of the cells.	11,000
1	L.S.	Flow splitter box rehabilitation	1,000
1	L.S.	Transfer structure abandonment	200
1	L.S.	Outfall structure rehabilitation	1,500
1	L.S.	Main outfall structure modification	2,500
1	L.S.	Fencing	7,500
1	L.S.	Seeding and site restoration	<u>4,000</u>
		Sub-Total	\$39,700
		Contingency	4,000
		Engineering, KDHE Authorization, Permit Application	4,100
		Inspection Testing & Certification	<u>4,100</u>
			\$51,900

5. EXPANSION OF THE FACILITY

It is possible to expand the wastewater facility to accommodate more mobile home units. Possible problems with this expansion appear to be controlling the surface drainage around or through the site, separation distances required by the Kansas Department of Health and Environment, and possible differences in ground elevation. It is expected that any expansion to the facility will require extensive grading and may be expensive.

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This CU file

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

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