

ACTION

COMMITTEE _____

DATE

M.A.P.C. Deferred 2 weeks 8-17-78
M.A.P.C. Approved out to Kellogg 8-30-78
B.C.C./B.C.C.-C. Approved with 9-26-78
amended resolution

POSTED
7-27-78
JH

AP-12 - AMENDED FILE #
KELLOGG-MALL C. 117 - generally
located on the west side of Armour
Drive, between Douglas and
Kellogg.

RAY T. REED, JR.

PRESIDENT
FIRST SECURITIES COMPANY
OF KANSAS, INC.
INVESTMENT SECURITIES

SCHWEITZER BUILDING
TELEPHONE 262-4411
WICHITA, KANSAS

JB
Send
Bill Hensley -
516 Century Plaza Bldg. 67202
- Send minutes per 9-20-78 call
Towner East
When ready from 9-31 meeting

IMPORTANT MESSAGE

FOR *Jack*
DATE *9-13-78* TIME *9:12* *AM* P.M.

WHILE YOU WERE AWAY :

H. J. Havigne Jarvis
OF *7601 Huntington 67206*
PHONE No. *682-6338 264531*

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

MESSAGE would like to have a
copy of the August 31st
7:00 meeting minutes mailed
to him. Sent 9-20-78 call
Wants set of Towner East
SIGNED *J. Jarvis*

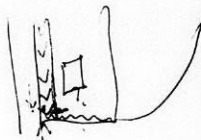
FORM 000-017

MAILING UNIT LOS ANGELES
LOOK ON WASHINGTON IN U.S.A.

Send
No. 2153C

Call when landscape plan
filed.
Howard Fullington - 263-3211

- Sign someone on Douglas -
Can they have any?
sign.



This amendment adds plant material, ~~the~~
deletes plant material & changes species. The
"landscape plan" includes the ~~totality~~
total original plan plus these amendments.
The amendment identifies existing material ~~of~~
(shaded) which is to remain plus new material
identified by the phrase "add"

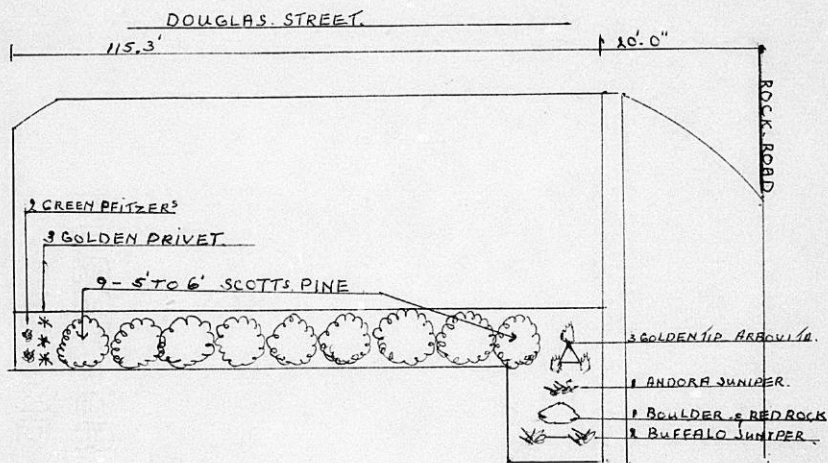
Robert L. Linn

11-20-78

to plan
add

JACK.

I HAVE MARKED ⁴ (PAPER CLIPS) ALL
PAGES THAT REFERENCE SQUARE
FOOTAGE.



LANDSCAPE AT DOUGLAS + ROCK ROAD.
EL CHIGO RESTAURANT
WICHITA KANSAS. 2-10-78

AMENDED LANDSCAPE PLAN
APPROVED FOR LOT 2 OF
KELLOGG MALL CUP (DP-12)
John J. [Signature] 2/17/78
date

PLANT LIST - TOWN SQUARE EAST

AUGUST 8, 1973

Quantity	Common Name	Botanical Name	Size	Cond.	Remarks
<u>TREES</u>					
18	London Plane	Platanus acerfolia	2 1/2" cal.	B&B	
129	Sycamore	Platanus occidentalis	2 1/2" cal.	B&B	
22	Green Ash (Marshall's)	Frax. penn. lanceolata	1 1/2" cal.	B&B	
66	Honeylocust (Moraine)	G.t.i. "Moraine"	2" cal.	B&B	
72	Sunburst Locust	G.t.i. "Sunburst"	3" cal.	B&B	
37	Skyline Locust	G.t.i. "Skyline"	3" cal.	B&B	
33	Cottonwood (cottonless)	Populus deltoides	2" cal.	B&B	
63	Pin Oak	Quercus palustris	3" cal.	B&B	
9	Red Oak	Quercus borealis rubra	2" cal.	B&B	
25	Bur Oak	Quercus macrocarpa	2" cal.	B&B	
13	Linden	Tilia americana "Redmond"	2" cal.	B&B	
17	Silver Maple	Acer saccharinum	1 1/2" cal.	B&B	
12	River Birch	Betula nigra	6'-8'	B&B	Clump Planting
74	Austrian Pine	Pinus nigra	10'-12'	B&B	
73	Scotch Pine	Pinus sylvestris	10'-12'	B&B	
<u>FLOWERING TREES AND ORNAMENTALS</u>					
88	Redbud	Cercis canadensis	6'-8' Ht.	B&B	
36	Bradford Pear	Pyrus calleryana "Bradford"	2" cal.	B&B	
6	Pistacia	Pistacia chinensis	1 1/2" cal.	B&B	
19	Purpleleaf Plum	Prunus carasifera pissardi "Thunder- cloud"	12" cal.	B&B	
34	Japanese Pagoda	Sophora japonica	6'-8' Ht.	B&B	
11	Smoke tree	Cotinus coggygria "Velvet Cloak"	6'-8' Ht.	B&B	
2	Mimosa	Albizzia julibrissin	6'-8' Ht.	B&B	
38	Goldenrain	Koelreuteria paniculata	2 1/2" cal.	B&B	
36	Hawthorne	Crataegus crusgalli	6'-8' Ht.	B&B	
33	Flowering Crab	Malus "Hopa"	1 1/2" cal.	B&B	
<u>SHRUBS</u>					
107	Manhattan Euonymus	Euon. patens "Manhattan"	24" spread	B&B	
105	Winged Euonymus	Euon. alatus	3 gal.	Cont.	
20	Dwarf Winged Euonymus	Euon alatus compacta	2 gal.	Cont.	
6	Mahonia	Mahonia aquifolium	18" spread	Cont.	
4	Japanese Yew	Taxus cuspidata	24" spread	Cont.	
46	Smooth Sumac	Rhus glabra	2 gal.	Cont.	
121	Fragrant Sumac	Rhus aromatica	2 gal.	Cont.	
17	Black Jetbead	Rhodotypos scandens	18" Ht.	Cont.	
28	Pyracantha	Pyracantha lalandi	3 gal.	Cont.	
7	Weigela	Weigela florida "Bristol Ruby"	18" Ht.	Cont.	
330	Pfitzer Juniper	Juniperus C. "Pfitzer"	24" spread	B&B	
<u>ORNAMENTAL GRASSES</u>					
112	Pampas Grass	Erianthus ravennae	3 gal.	Cont.	
<u>GROUND COVER</u>					
17,200	Halls Purpleleaf Honeysuckle	Lonicera japonica halliana purpurea	2 yr. old #1 plants 2 1/2" pot.	18" O.C.	
3,700	Coloratus Euonymus	Euon. fortunei coloratus	2 yr. old #1 plants 2 1/2" pot.	18" O.C.	
2,714	Vinca Minor	Vinca minor	2 yr. old #1 plants 2 1/2" pot.	12" O.C.	
300	Virginia Creeper	Parthenocissus quinquefolia	1 gal.	Cont.	
<u>FLOWERS</u>					
420	"Comanche" Petunias		2 1/2" pot		
108	White Petunias		2 1/2" pot		
	K-31 Fescue seeding - 19.52 Ac.				
	Bluegrass Sod - 2,390 Sq. Yd.				

CUP DP-12

APPROVED SPECIFICATION LIST

CUP DP-12

8/16/73 J.H.D.

PLANT LIST - TOWN SQUARE EAST

AUGUST 8, 1973

Quantity	Common Name	Botanical Name	Size	Cond.	Remarks
TREES					
18	London Plane	Platanus acerfolia	2 1/2" cal.	B&B	
129	Sycamore	Platanus occidentalis	2 1/2" cal.	B&B	
22	Green Ash (Marshall's)	Frax. penn. lanceolata	1 1/2" cal.	B&B	
66	Honeylocust (Moraine)	G.t.l. "Moraine"	2" cal.	B&B	
72	Sunburst Locust	G.t.l. "Sunburst"	3" cal.	B&B	
37	Skyline Locust	G.t.l. "Skyline"	3" cal.	B&B	
33	Cottonwood (cottonless)	Populus deltoidos	2" cal.	B&B	
63	Pin Oak	Quercus palustris	3" cal.	B&B	
9	Red Oak	Quercus borealis rubra	2" cal.	B&B	
25	Bur Oak	Quercus macrocarpa	2" cal.	B&B	
13	Linden	Tillia americana			
		"Redmond"	2" cal.	B&B	
17	Silver Maple	Acer saccharinum	1 1/2" cal.	B&B	
12	River Birch	Betula nigra	6'-8'	B&B	Clump Planting
74	Austrian Pine	Pinus nigra	10'-12'	B&B	
73	Scotch Pine	Pinus sylvestris	10'-12'	B&B	
FLOWERING TREES AND ORNAMENTALS					
88	Redbud	Cercis canadensis	6'-8' Ht.	B&B	
36	Bradford Pear	Pyrus calleryana			
		"Bradford"	2" cal.	B&B	
6	Pistacia	Pistacia chinensis	1 1/2" cal.	B&B	
19	Purpleleaf Plum	Prunus carasifera			
		pissardi "Thundercloud"	12" cal.	B&B	
34	Japanese Pagoda	Sophora-japonica	6'-8' Ht.	B&B	
11	Smoke tree	Cotinus coggygria			
		"Velvet Cloak"	6'-8' Ht.	B&B	
2	Mimosa	Albizia julibrissin	6'-8' Ht.	B&B	
38	Goldenrain	Koelreuteria paniculata	2 1/2" cal.	B&B	
36	Hawthorne	Crataegus crugalli	6'-8' Ht.	B&B	
33	Flowering Crab	Malus "Hopa"	1 1/2" cal.	B&B	
SHRUBS					
107	Manhattan Euonymus	Euon. patens			
		"Manhattan"	24" spread	B&B	
105	Winged Euonymus	Euon. alatus	3 gal.	Cont.	
20	Dwarf Winged Euonymus	Euon alatus compacta	2 gal.	Cont.	
6	Mahonia	Mahonia aquifolium	18" spread	Cont.	
4	Japanese Yew	Taxus cuspidata	24" spread	Cont.	
46	Smooth Sumac	Rhus glabra	2 gal.	Cont.	
121	Fragrant Sumac	Rhus aromatica	2 gal.	Cont.	
17	Black Jetbead	Rhodotypos scandens	18" Ht.	Cont.	
28	Pyracantha	Pyracantha lalandi	3 gal.	Cont.	
7	Weigela	Weigela florida			
		"Bristol Ruby"	18" Ht.	Cont.	
330	Pfitzer Juniper	Juniperus C.			
		"Pfitzer"	24" spread	B&B	
ORNAMENTAL GRASSES					
112	Pampas Grass	Erianthus ravennae	3 gal.	Cont.	
GROUNDCOVER					
17,200	Halls Purpleleaf Honeysuckle	Lonicera japonica halliana purpurea	2 yr. old		
			#1 plants	2 1/2" pot.	18" O.C.
3,700	Coloratus Euonymus	Euon. fortunei coloratus	2 yr. old		
			#1 plants	2 1/2" pot.	18" O.C.
2,714	Vinca Minor	Vinca minor	2 yr. old		
			#1 plants	2 1/2" pot.	12" O.C.
300	Virginia Creeper	Parthenocissus quinquefolia	1 gal.	Cont.	
FLOWERS					
420	"Comanche" Petunias		2 1/2" pot		
108	White Petunias		2 1/2" pot		
	K-31 Fescue seeding - 19.52 Ac.				
	Bluegrass Sod - 2,390 Sq. Yd.				

PLANT LIST - TOWN SQUARE EAST

AUGUST 8, 1973

Quantity	Common Name	Botanical Name	Size	Cond.	Remarks
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66	Honeylocust (Moraine)	G.t.i. "Moraine"	2" cal.	B&B	
72	Sunburst Locust	G.t.i. "Sunburst"	3" cal.	B&B	
37	Skyline Locust	G.t.i. "Skyline"	3" cal.	B&B	
33	Cottonwood (cottonless)	Populus deltoides	2" cal.	B&B	
63	Pin Oak	Quercus palustris	3" cal.	B&B	
9	Red Oak	Quercus borealis rubra	2" cal.	B&B	
25	Bur Oak	Quercus macrocarpa	2" cal.	B&B	
13	Linden	Tillia americana "Redmond"	2" cal.	B&B	
17	Silver Maple	Acer saccharinum	1½" cal.	B&B	
12	River Birch	Betula nigra	6'-8'	B&B	Clump Planting
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34	Japanese Pagoda	Sophora japonica	6'-8' Ht.	B&B	
11	Smoke tree	Cotinus coggygria "Velvet Cloak"	6'-8' Ht.	B&B	
2	Mimosa	Albizzia julibrissin	6'-8' Ht.	B&B	
38	Goldenrain	Koelreuteria paniculata	2½" cal.	B&B	
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	Bluegrass Sod - 2,390 Sq. Yd.				

DP 12 ?

P.O. Box 206
Wichita, Kansas 67201
May 18, 1979

Mike Weigand
151 N. Market
Wichita, Kansas 67202

KELLOGG MALL (TOWNE EAST SQUARE)
COMMUNITY UNIT PLAN - PARCEL 6



Dear Mike:

We have been advised the Capital Federal Savings & Loan Association has turned down the subject location.

It is our understanding only a financial facility is eligible for ingress only from Douglas.

If you find such an institution interested in this location we urge they consider entrance from Armour for the following reasons:

1. Eliminate traffic problems by turning into facility. A stop to turn will cause confusion since it permits two turns within 75' (Armour and proposed ingress only). Stacking lane for those going east does not help traffic going west.
2. Closing for egress after business hours will be a problem because of younger generation use of this area for a race track.
3. No signs are permitted on Douglas which would make it difficult to identify the turn into facility.

We assume any lighting will not be directed to the north which would be a problem for those of us living on north side of Douglas. We also assume a proper landscape plan will screen off Douglas Avenue.

We hope we might have an opportunity to discuss these items with interested parties before final decisions.

Yours truly,

Howard N. Fullington
Howard N. Fullington, President
Patio Homes Homeowners Assoc.

HNF/zp

✓ cc: Jack H. Calbraith
Metropolitan Area Planning Commission
455 N. Main
Wichita, Kansas 67202

THE ESTATE OF JAMES CAMPBELL

January 16, 1979

Mr. Robert A. Lakin
Director of Planning
Metropolitan Area Planning Dept.
City Hall - 10th Floor
455 N. Main Street
Wichita, Kansas 67202



Re: Kellogg Mall C.U.P.

Dear Bob:

This is with reference to the conditions for approval of the Kellogg Mall C.U.P. amendment, particularly the landscaping requirements of Town East Square.

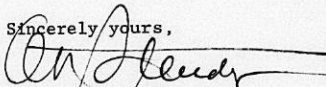
Attached is a copy of our letter of November 21, 1978 to Mr. Melvin Simon requesting that Town East Square comply with the requirements imposed under the C.U.P. Also enclosed is a response from Town East Square dated January 9, 1979 indicating that the landscape plan has been approved by the City for implementation in April.

I would appreciate confirmation of the plan approval by your office in order to meet the requirements set forth under the C.U.P. We will monitor the implementation of the plan to assure conformity.

As you probably know, since the Kellogg Mall C.U.P. amendments were granted, we have proceeded with the platting and engineering for site improvements and things have been moving rather well.

We certainly appreciate your excellent cooperation in this project. With best wishes to you and your staff for the New Year.

Sincerely yours,


O. K. Stender
Trustees' Executive Officer

OKS:tc

cc: Mike Weigand

THE CITY OF WICHITA

*Edie
File in DP-12*



OFFICE OF THE CITY MANAGER
CITY HALL — THIRTIETH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4351

December 13, 1978

Mr. Gary L. Sherrer
First Vice President
Capitol Federal Savings & Loan
700 Kansas Avenue
Topeka, Kansas 66603

Dear Mr. Sherrer:

Your December 7, 1978, letter to me is acknowledged.

By copy of this letter, your comments are being forwarded to Mr. Lakin. Thank you very much for taking the time to advise me of your satisfaction with Mr. Lakin's services.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. H. Denton".

E. H. Denton
City Manager

EHD/hpd

cc: Robert A. Lakin, Director of Planning (w/a)



Capitol Federal Savings

AND LOAN ASSOCIATION

700 KANSAS AVENUE
TOPEKA, KANSAS 66601
PHONE: 000-235-0111

GARY L. SHERRER
FIRST VICE PRESIDENT

December 7, 1978
Capitol Federal's 86th Year

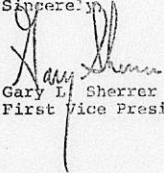
Mr. Eugene Denton
City Manager
City Hall
455 North Main Street
Wichita, Kansas 67202

Dear Mr. Denton:

Recently I visited with Mr. Robert Lakin, Director of Planning regarding a C.U.P. provision on a proposed building site. I just wanted you to know that the personal courtesy extended to me by Mr. Lakin was only exceeded by the professional manner in which he assisted me. The public is often quick to criticize professional public employees. I think it is only fair to give recognition where it is due.

This experience with the City of Wichita increases the eagerness of Capitol Federal to become part of your community.

Sincerely,


Gary L. Sherrer
First Vice President

GLS:PP



MEMBER FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION • MEMBER FEDERAL HOME LOAN BANK SYSTEM

Office Of The City Manager	
<input type="checkbox"/> EHD	<input type="checkbox"/> HP
<input type="checkbox"/> RCH	<input type="checkbox"/> MS
<input type="checkbox"/> RT	<input type="checkbox"/> SH
DEC 11 1978	
<input type="checkbox"/> Copies	
<input type="checkbox"/> Send To	
<input type="checkbox"/> File	

HENRY A. BURD CHAIRMAN
JOHN C. BRUCE PRESIDENT

Primary
File
Towne East



WICHITA

December 7, 1978

Mr. Robert Lakin, Director
Metropolitan Area Planning Department
City of Wichita
455 North Main
Wichita, Kansas 67202



AREA
CHAMBER
OF
COMMERCE

Dear Bob:

Thank you for taking the time to meet with the representative from Capital Federal last week. I realize you didn't really want to meet with him, but after having a chance to spend some time with Gary it is obvious that they are concerned about what actions may have taken place in trying to resolve their site development.

Gary was here trying to correct some of those problems and was hopeful that he could apologize for any previous actions and get a better feel for what may have gone on preceding his arrival. It was for that reason I was hopeful that you could at least meet him, particularly in light of the unfavorable reaction which they presented during their original effort.

Thanks again. I owe you one.

Sincerely,

Jerry M. Mallot, Manager
Business and Industrial Development Department

JMM:rs

*I got your letter - It appears
that it should satisfy them.*

DP-12

Capitol Federal Savings

AND LOAN ASSOCIATION

700 KANSAS AVENUE
TOPEKA, KANSAS 66603
PHONE (913) 235-4311



HENRY A. BUBB CHAIRMAN
JOHN C. DICUS PRESIDENT

GARY L. SHERRER
FIRST VICE PRESIDENT

December 7, 1978
Capitol Federal's 86th Year

Mr. Robert A. Lakin
Director of Planning
Metropolitan Area Planning Dept.
City Hall--Tenth Floor
455 North Main Street
Wichita, Kansas 67202

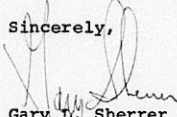
Dear Mr. Lakin:

Thank you for your letter of December 5th regarding the provision concerning the possible closing of access from Douglas onto our proposed site. Your letter clearly outlines the procedures involved in the event of problems created by egress onto Douglas.

The outlining of these procedures will be extremely helpful in Capitol Federal's planning. As I have previously indicated to you, Capitol Federal wants the best corporate citizenship possible and your assistance in this matter will help us meet that goal.

Thank you again for your prompt and professional cooperation and assistance.

Sincerely,


Gary L. Sherrer
First Vice President

GLS:PP



ESLIC
Insured
to \$40,000

MEMBER FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION • MEMBER FEDERAL HOME LOAN BANK SYSTEM

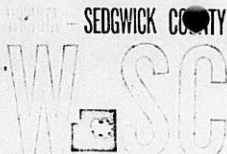
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remarks: File in DP-12



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

December 5, 1978

Mr. Gary L. Sherrer
First Vice President
Capital Federal Savings & Loan
700 Kansas Avenue
Topeka, Kansas 66603

Re: Kellogg Mall C.U.P.
DP-12

Dear Mr. Sherrer:

You have inquired as to the procedure to be followed in interpreting and administering the C.U.P. provision concerning the possible closing of access from Douglas to your site. This provision is somewhat specialized and no specific procedure had been established. It is not possible to determine to what degree violation might occur before it became a matter of sufficient concern to the neighbor, the Traffic Engineer, or the governing body.

I have conferred with the Director of Public Works (traffic), Division of Economic Development (inspection) and the City Manager's Office as to what would be an appropriate procedure to resolve conflicts and/or order the closing of access. If you concur, the following procedure will be implemented.

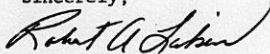
On either complaint or observation by city staff that traffic problems are occurring as a result of the Douglas entrance, the Traffic Engineer would notify both the tenant and landowner of the problem and if possible, suggest methods for solving the problem. A period of time would be set to correct the problem. If the problem were not corrected and the closing of the access was indicated, the matter would then be placed on the agenda of the Traffic Commission for that body's consideration and recommendation. Written notice of the meeting would be given to the tenant and landowner of the time and place of the Traffic Commission meeting. The action of the Traffic Commission would then be forwarded to the City Commission for final decision and action.

WICHITA - SEDGWICK COUNTY

December 5, 1978
Page Two
Gary L. Sherrer
Re: DP-12

I believe this procedure will adequately protect you against "overnight" action and provides adequate due process for such proceedings. If you agree with the above, please advise.

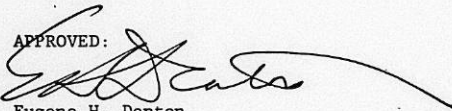
Sincerely,



Robert A. Lakin
Director of Planning

RAL:bbc

APPROVED:



Eugene H. Denton
City Manager

cc: Oz Stender, 828 Fort Street Mall, Honolulu, Hawaii
Ray Bruggeman, Director Public Works
Don Anderson, Director Economic Development
Paul Graves, Traffic Engineer
Bob Feldner, Supt. Central Inspection
Jack Galbraith, Chief Planner, MAPD
Jerry Mallott, Chamber of Commerce, 350 W. Douglas, 67202

*Shirley
File DP12*

December 5, 1978

Mr. Gary L. Sherrer
First Vice President
Capital Federal Savings & Loan
700 Kansas Avenue
Topeka, Kansas 66603

Re: Kellogg Mall C.U.P.
DP-12

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December 5, 1978
Page Two
Gary L. Sherrer
Re: DP-12

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Sincerely,

Robert A. Lakin
Director of Planning

RAL:bbc

APPROVED:

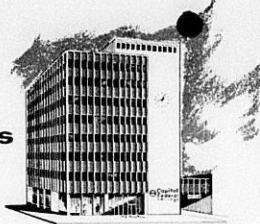
Eugene H. Denton
City Manager

cc: Oz Stender, 828 Fort Street Mall, Honolulu, Hawaii
Ray Bruggeman, Director Public Works
Don Anderson, Director Economic Development
Paul Graves, Traffic Engineer
Bob Feldner, Supt. Central Inspection
Jack Galbraith, Chief Planner, MAPD
Jerry Mallott, Chamber of Commerce, 350 W. Douglas, 67202

Capitol Federal Savings

AND LOAN ASSOCIATION

700 KANSAS AVENUE
TOPEKA, KANSAS 66603
PHONE: (913) 235-8341



HENRY A. BUBB CHAIRMAN
JOHN C. DICUS PRESIDENT

GARY L. SHERRER
FIRST VICE PRESIDENT

November 30, 1978
Capitol Federal's 86th Year

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Comm.
City Hall--Tenth Floor
455 North Main Street
Wichita, Kansas 67202

Dear Mr. Lakin:

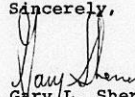
First let me thank you again for your willingness to take time out from what I know is a demanding schedule to visit with me. I hope I was able to convey to you Capitol Federal's desire to work with you, your staff and any City Department to assure the land use plan and restrictions are fully complied with.

Whatever you and your associates can do to supplement the provision regarding the possible closing of the Douglas Street entrance by providing procedures and definitions will greatly be appreciated. As I suggested when we visited, this would aid Capitol Federal in providing full compliance to restrictions regarding this site.

If there is any way Capitol Federal can be of further assistance on this matter, please let me know.

Again thank you for your time and assistance.

Sincerely,


Gary L. Sherrer
First Vice President



ESLIC
Insured
to \$40,000

MEMBER FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION • MEMBER FEDERAL HOME LOAN BANK SYSTEM

Capitol Federal Savings

AND LOAN ASSOCIATION

700 KANSAS AVENUE
TOPEKA, KANSAS 66603
PHONE (913) 235-4311



HENRY A. BUBB, CHAIRMAN
JOHN C. DICUS, PRESIDENT

November 30, 1978

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Commission
City Hall - Tenth Floor
455 North Main Street
Wichita, Kansas 67202

Dear Mr. Lakin:

Gary Sherrer has visited with me regarding his recent meeting with you. Let me first express the Association's appreciation for the time and assistance you are providing.

Being new to Wichita, we are most anxious to be fully aware of the responsibilities we will have should we locate our office at Armour and Douglas. It is our intent to be a good corporate citizen and neighbor and your efforts will assist us in meeting that goal.

If Mr. Sherrer or any of our staff can be of service in any way, please let me know.

Sincerely,

John C. Dicus
President



JCD:BD



MEMBER FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION • MEMBER FEDERAL HOME LOAN BANK SYSTEM

October 25, 1978

Donald L. Dillon
Capitol Federal Savings and Loan
700 Kansas Avenue
Topeka, Kansas 66603

Re: Photographs and slides
associated with DP-12,
Kellogg Mall Community
Unit Plan Amendment

Dear Mr. Dillon:

Pursuant to your request of October 24, 1978, I have enclosed two photographs and twelve slides which were used in your presentation. I believe I have included all of your material but, if anything has been omitted, please let me know.

Sincerely,

Mike Meek
Senior Planner

MM:el
Enclosure

October 5, 1978

Mr. Phillip S. Frick
700 Fourth Financial Center
Wichita, Kansas 67202

Re: DP-12 - Proposed Amendments
to the Kellogg Mall Community
Unit Plan.

Dear Mr. Frick:

At their regular meeting of September 26, 1978, the Board of City Commissioners considered the above referenced case. Their action was to approve the CUP amendments subject to the eight conditions recommended by the Planning Commission, as well as three additional conditions included in the City Commission motion. The conditions of approval are as follows:

- a. Platting of the unplatted portions of the C.U.P. site within two (2) years of the date of approval by the Board of City Commissioners, or the amendments be considered denied and closed.
- b. The landscaping currently required by the existing C.U.P. shall be in compliance with the approved landscape plan by the end of the fall planting season, 1978. No further building or occupancy permits shall be granted on the Kellogg Mall site until such time as this requirement is complied with. "Compliance" shall mean either the actual replanting of the missing materials or a financial guarantee backed by a contract with a nurseryman be submitted to provide replanting by a specific date.
- c. Should access be granted to Parcel 6, the site circulation plan to Parcel 6 shall be submitted for approval by the Director of Planning.
- d. Approval of a landscape plan by the Board of City Commissioners depicting retention of existing plant

Page Two
Mr. Phillip S. Frick
October 5, 1978

materials proposed to be retained, as well as additional trees and plant materials to fill in existing gaps along the west property line of Parcels 6, 7 and 12. Said plan shall be required only if the masonry wall is waived and shall depict proposed system(s) of providing water to the plant material.

- e. The developer providing wooden or solid screen fencing adjacent to those Eastborough properties who do not currently have such fencing and desire to have such.
- f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- g. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan being re-submitted to the Planning Commission and City Commission for their consideration.
- i. All lights on Parcels 6, 7, 8, and 12 shall be shielded to reflect or direct light away from the residential structures in the City of Eastborough and on the north side of Douglas.
- j. The applicant shall guarantee at the time of platting the construction of a deceleration lane adjacent to parcel six.
- k. The City of Wichita shall have the power to terminate or close the one point of ingress from Douglas Avenue to Parcel 6 should the City determine that said access point is being used to provide egress from the site onto Douglas Avenue.

Page Three
Mr. Phillip S. Frick
October 5, 1978

Please note that items i, j, and k will require revision of the plan to include this wording. We have provided a "marked copy" of the plan to your planning consultant and will need five revised copies of the plan incorporating the additional conditions of approval.

Should you have questions regarding this matter, please call.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:MM:el
Enclosure

cc: B.J.Kingdon, Law Kingdon Co.
313 S. Market, 67202 (enclosure)

Michael Weigand, 150 N. Market, 67202

Oz Stender, Estate of James Campbell,
828 Fort Street Mall, Honolulu, Hawaii

Melvin Simon and Associates, 1712 N. Meridian,
Indianapolis Ind. 46202



Wichita, Kansas
September 27, 1978

Mr. Mike Weigand
151 North Market
Wichita, Kansas 67202

Amendments to the Kellogg Mall
(Toume East Square) Community Unit Plan

Dear Mike:

You are to be congratulated on getting approval of the amended Community Unit plan. We do have some concern and we would like to take this opportunity of going on record with the owners and the Capitol Savings & Loan who will occupy Parcel 6.

- I. We are concerned with the night traffic of the younger generation who seem to use Toume East Square as a race track, particularly after business hours. While the entrance from Douglas is ingress only, we think the Capitol Savings & Loan should be aware that it might take even a chain barricade after business hours to prevent traffic egressing on to Douglas.
- II. The trees on Douglas from Eastborough to drainage ditch screen this facility from our homes across the street. It is our understanding a plan will be submitted for approval. We want to maintain a screen and we hope that not too many trees will be eliminated and that they will not be trimmed too high. It might be necessary to maintain a proper screen by planting additional shrubbery.
- III. Since no signs are permitted on Douglas, we are curious as to how the Capitol Savings & Loan will identify the turn into their facility.
- IV. Since there will be a bridge access to this facility off of Armour, we are wondering if this could be used as an entrance for people going west on Douglas so as to eliminate a left turn on Douglas into the facility by the proposed ingress.
- V. We assume any lighting of the Capitol Savings & Loan facility will not be directed to the north which would be a problem for those of us living on the north side of Douglas Avenue.

C
O
P
Y

Page 2
September 27, 1978
Mr. Mike Weigand

I thought it might be well to go on record with these thoughts
and we would like to discuss these items with the Capital Savings & Loan
or the owners whichever is responsible while in the planning stage.

Yours very truly,

Howard N. Fullington
HOWARD N. FULLINGTON, PRESIDENT
PATIO HOMES HOMEOWNERS ASSOCIATION

C
O
P
Y

HNF:SS



cc Metropolitan Area Planning Commission
455 North Main Street
Wichita, Kansas 67202

AFTER FIVE DAYS RETURN TO



111 WEST DOUGLAR
P. O. BOX 206
WICHITA, KANSAS 67201



*Metropolitan Area Planning Commission
455 North Main Street
Wichita, Kansas 67202*

September 25, 1978

John Dekker, Director of Law

Robert A. Lakin, Director of Planning

Request for legal opinion on compliance with previous requirements as a consideration of future zoning and building permit requests.

We have received a letter of inquiry from an attorney (attached for your reference) as well as a question from a member of the Metropolitan Area Planning Commission on matters which both relate to compliance with previous requirements as a basis for withholding permits or denying zone changes.

The first question involves the attorney representing the fee title owners of a large portion of the Kellogg Mall (DP-12) C.U.P. These owners, the Campbell Estate of Hawaii, have recently obtained a recommendation of approval by the MAPC for amendment to the C.U.P. on certain parcels west of Armour Drive. One of the conditions of approval was that no further permits be granted on the entire site until the landscaping on Rock Road and Douglas is in compliance with the landscape plan approved in conjunction with the Towne East Square Development on Parcel 1 of the C.U.P. Although the Campbell Estate is the fee title owner of Parcel 1, they have a long term tenant, Mel Simon and Associates who developed Towne East Square, and it is their feeling that they cannot be held responsible over violations which occur on a site over which they have no direct control. This issue of one owner of a portion of a C.U.P. seeking permits on a site which is not in violation, even though other sites on the plan are currently in violation, has become quite common.

As you are aware, Commercial C.U.P.'s are approved subject to the three standard conditions:

The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Page Two
John Dekker, Director of Law
September 25, 1978

The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

It has been our feeling that these provisions bind all owners of a C.U.P. to the requirements of that plan and that when violations occur on one site no permits should be issued on any parcel unless so directed by formal action of the Board of City Commissioners. If after reviewing the attached letter, you do not feel that we are making the proper interpretation, please advise. In any event, I would request a written opinion on whether violations on one portion of a C.U.P. can be used as a basis for withholding permits on another portion of a C.U.P. regardless of the ownerships involved on the separate portions of the plan.

In addition, in discussing additional rezonings for some of the auto dealerships on East Kellogg, a question was raised by a Planning Commissioner as to whether compliance with previous condition of zone change or Board of Zoning Appeals action could be used as a basis for denying future application by the same owner. In essence this is really two questions, 1) whether requests for expansions of existing developments can be denied for poor performance in complying with conditions of previous rezonings on the site; and 2) whether an applicant can be denied rezoning on other action on the basis of poor compliance on other developments in his ownership which may not be related to the rezoning question at hand.

General policy statement #1 of the Planning Commission directs that the MAPC "shall evaluate all applications . . . on the appropriateness of the uses permitted in the district requested." Does this statement preclude the use of past performance as a basis for denial of future rezoning request? Of course, if the violations are still ongoing, then Central Inspection can take corrective action, but the cases on east Kellogg relate to sites which are somewhat in compliance at this time. However, it took hundreds of hours of staff time by both Central Inspection and the City Grievance Officer to get the sites into compliance. Can this lack of cooperation by the owners in the past be used as a basis to deny future rezoning or BZA requests?

Page Three
John Dekker, Director of Law
September 25, 1978

Both the Citizen Participation Organizations and the Board of City Commissioners have become quite concerned over the failure of applicants to comply with conditions of regulations approval. I would appreciate your opinions on the above referenced questions in order that we should have a solid basis for enforcement activities.

Inasmuch as amendments to the Towne East C.U.P. are on tomorrow's City Commission meeting, wanted you to have Frick's letter as he will raise this question. If you have any questions, please call.

Robert A. Lakin
Director of Planning

RAL:MM:el

Enclosure

cc: E. H. Denton, City Manager
Ray Bruggeman, Director of Public Works
H. R. Kuhn, Assistant City Attorney, R.H.Garvey Bldg.67202

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

City Building Annex
104 South Main
Wichita, Kansas

POLICY STATEMENT NO. 1

SUBJECT: Zoning Applications
APPROVED: July 1, 1965
EFFECTIVE: August 1, 1965

Requests for a change in zoning district classification (except conditional use and community unit plans) shall not include reference to proposed uses. Similarly, presentations before the Zoning Committee and Planning Commission should not be predicated upon any specific use, but on the zoning district requested. Architectural renderings, site plans and other similar drawings and documents which show proposed uses, will not be considered by the Planning Commission in making their determination; provided, however, that nothing shall prohibit submission of information relating to the appropriateness for the particular change in zoning district classification. Any material, such as pictures of the existing area submitted in hearing, shall become the property of the Commission and a part of the case file.

The Planning Commission and its Committees shall evaluate all applications, except as noted above, on the appropriateness of the uses permitted in the district requested.

96

LAW OFFICES
FOULSTON, SIEFKIN, POWERS & EBERHARDT

700 FOURTH FINANCIAL CENTER
BROADWAY AT DOUGLAS
WICHITA, KANSAS 67202
(316) 267-6371

ROBERT C. FOULSTON (1888-1947)
GEORGE SIEFKIN (1888-1984)
STUART M. GARTER
PAUL H. WHITE
OF COUNSEL

GEORGE B. POWERS
JOHN P. EBERHARDT
ROBERT C. FOULSTON
MALCOLM MILLER
ROBERT H. PARTRIDGE
ROBERT M. SIEFKIN
RICHARD C. HARRIS
GERALD BANATRY
DONALD L. GORDON
ROBERT L. HOWARD
CHARLES J. WOODIN
MIRIEL L. STOUT
BENJAMIN C. LANDEL
JERRY D. ELLIOTT
WILLIAM H. DYE
PHILLIP S. FRICK
JOHN E. FOULSTON

STANLEY S. ANDEEL
FREDERICK L. HAAS
RICHARD D. EBY
DORRILL L. MARTA
CHARLES E. COLE, JR.
WILLIAM R. SANDSON
HARVEY R. SORENSEN
CHRISTOPHER P. CHRISTIAN
MICHAEL RIM MOORE
JAMES H. ARMSTRONG
MARY KATHLEEN BARCOCK
CHARLES P. EFFLANDT
GERALD L. GREEN
JAMES D. OLIVER
SAMUEL D. OSSELY
M. RAY ROYCE

September 19, 1978

Mr. Jack H. Galbraith, Chief Planner
Metropolitan Area Planning Commission
City Hall - Tenth Floor
455 North Main Street
Wichita, Kansas 67202



RE: DP-12 Proposed Amendments to the Kellogg
Mall Community Unit Plan

Dear Jack:

I have discussed with representatives of the estate of James Campbell your letter of September 6, 1978, concerning the above captioned matter. There is one item that we believe may need some qualification. This is the one that concerns the issue of the landscaping adjacent to Douglas and Rock Road and the statement that no further permits are to be issued on the entire C,U.P. site until such time as those improvements have been brought up to standard.

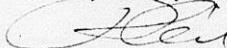
The estate of James Campbell purchased this property after the lease with Mel Simon and Associates had been entered into. Insofar as I have been able to determine, that lease does not permit the estate, as landlord, to force the lessee to comply with your requirements. In other words, it is not a default under the lease for them to fail to keep the landscaping up nor does the lease specifically give the landlord the right to otherwise enforce those requirements. Accordingly, it puts the applicant in an impossible situation to require him to do something which he is not legally entitled to do. Certainly, they are trying to get Simon to take care of this but as a practical matter, they have no way of enforcing it.

Mr. Jack H. Galbraith
September 19, 1978
Page 2

I realize that your letter merely recites the recommendation of the MAPC to the city commission and that is where we will have to ultimately resolve this matter. I did want to advise you, however, that we do have this problem and would ask that if you know of any way in which the city can join in the effort to enforce compliance with the landscaping requirements, we will certainly appreciate that assistance. Unless we can come up with some solution we will be forced to ask the city to alter this requirement to requiring only our "best efforts" to see to the compliance with the landscape plan.

I appreciate your assistance and advise on this matter and if you have any questions, please let me know.

Very truly yours,



Phillip S. Frick
of FOULSTON, SIEFKIN, POWERS & EBERHARDT

PSF/ms

cc: Mr. O. K. Stender

File DP-12
Shirkey

September 15, 1978

Mrs. Philip W. Russell
74 Stratford Road
Wichita, Kansas 67207

Subject: Case DP-12

Dear Mrs. Russell:

Your letter to the Planning Commission arrived September 11. Of course, the Planning Commission has already considered this case and made their recommendation. Their recommendation will go to the City Commission on September 26, 1978. We will xerox your letter and furnish it to the City Commission for their information. I will also send it to the Planning Commission for their information, although they have already, as I indicated, considered this case.

The issue of landscaping and traffic, I believe, were thoroughly discussed at the Planning Commission hearing. You have asked about reverse zoning. Yes, zoning can be reversed, although it must be initiated by either the City Commission, Planning Commission or the property owners themselves. However, it is not a simple process and there must be good and sufficient cause to undertake reverse zoning. There is a Kansas case that polls this process, although as a general rule, the Courts have overturned many such reverse zonings, particularly where there were strong vested interests, particularly from a financial standpoint in the original zoning. I would think that nursing homes, residential development, even condominiums or townhouses have little possibility from an economic standpoint of succeeding on this piece of land based on the prices for which the land has been sold. Although this is certainly not the sole determining factor, it is one that obviously is involved. This also was discussed at the Planning Commission hearing with the general statement by the current landowner that due to the price on the land, that the types of housing in which they could put on the land would be less than desirable and that their feeling was that the offices and other related uses would be a better neighbor than the type of housing which they felt would be developed if left for residential use.

Mrs. Philip W. Russell
September 18, 1978
Page 2

I thank you for taking the time to set down your views, and please feel sure that each of the City Commissioners and Planning Commissioners will receive a copy of your letter.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:rme

DP-12
Meek

September 15, 1978

Board of City Commissioners
Robert A. Lakin, Director of Planning
Case No. DP-12

The attached letter was received addressed to the Planning Commission. It was received after the Planning Commission hearing and I thought that you would wish to have Mrs. Russell's comments as you consider the Community Unit Plan amendment.

Robert A. Lakin
Director of Planning

RAL:rme
Attachment

DP-12
Mark

September 15, 1978

Metropolitan Area Planning Commission

Robert A. Lakin, Director of Planning

Case No. DP-12

Attached is a letter from Mrs. Russell. It was received after your public hearing. I have written her pointing out that many of these items were, in fact, considered at length by the Planning Commission in their hearing. I have also forwarded it to the City Commission for their information and use.

Robert A. Lakin
Director of Planning

RAL:rme
Attachment

Mrs. Philip W. Russell
74 Stratford Road
Wichita, Kansas 67207

September 8, 1976

Wichita-Sedgwick County MAPC
10th Floor City Hall
455 North Main
Wichita, Kansas



Dear Persons,

re: Case DP-12

Because the east line of our property, 74 Stratford Road, is the west boundary of Towne East Square (Kellogg Mall) my husband and I have been to several meetings concerning the proposed amendments to the "Community Unit Plan".

I have been amazed at the reaction of the various people and groups which to me was not only concerned interest but almost total resignation that the final decision made in regard to the undeveloped Towne East Square property will be made in favor of the real estate developer and the Hawaiian purchasers. In fact we were told at two meetings to choose one item to be asked for that might help us in the over-all plan (a fence or a change in the turn off Douglas for example) and perhaps we could get that.

I urge you to consider, what at least to me, seems to be the over all picture in years to come. What will the increased traffic do to Kellogg, Rock Road and Douglas, how in the next 10 to 20 years will this effect the residential areas surrounding the shopping center, how will it effect other businesses in shopping centers within 10 minutes driving time and even more important, I would think, what will this do to downtown Wichita where so much money and time are being spent. Surely this is in direct competition with existing stores and office buildings.

Has there ever been reverse zoning? Could that beautiful land be used for nursing homes, residential area, fine condominiums?

I feel that each one of you, as a dedicated citizen, has done a good job and urge you to consider what will be the best for an even greater and lovelier Wichita.

Sincerely,

Mrs. Philip W. Russell



Wichita-Sedgwick County
Metropolitan Area Planning Commission
City Hall-Tenth Floor, 455 North Main
Wichita, Kansas 67202

Mrs. Philip W. Russell
74 Stallard Road
Wichita, Kansas 67207



Wichita, Kansas
September 7, 1978

CASE DP-12
Proposed Amendments to the Kellogg Mall
(Towne East Square) Community Unit Plan

The Patio Homes Homeowners Association includes twelve individually owned homes located 7104-7118 East Douglas, 7203-7227 Huntington and 105-125 North Armour. The homes on East Douglas are north across Douglas from Parcel 6.

We are restating our position since the meetings of the C.P.O. Area "H" Council and the M.A.P. Department.

C.P.O. approved amendments with no curb cut (Recommended by the Traffic Engineers staff).

M.A.P. approved amendments with (ingress only) curb cut.

Our concern is:

- I. The Curb Cut and Traffic Problem it Will Create
The proposed plan substitutes a private drive on Douglas (ingress only for a savings & loan facility) in lieu of a public street which was previously approved. Ingress only is the lesser of two evils but in our opinion will still cause traffic congestion.

We are further concerned with the night traffic of the younger generation who seem to use the Towne East Square as a race track. How will (Savings & Loan) block egress to Douglas after business hours?

Owners have agreed to construct a bridge from Armour across canal to Parcel 6 and join proposed Armour West to Kellogg. This would eliminate the necessity of a left turn south on Douglas except for present access streets.

- II. The Trees on Douglas from Eastborough to Drainage Ditch (Shelter Belt) which will Screen Facility from Our Homes
It is our understanding a plan will be submitted for approval. We do not know at this time what trees will be eliminated for various reasons or how high they will be trimmed. We hope approval will be based on an adequate screen which might call for additional shrubbery.

- III. Advertising Signs
It is our understanding no signs are permitted on Douglas.

- IV. Speed Limit - Eastborough to Rock Road
We urge the 40 mile limit be reduced to 30 - same as on Douglas west of Eastborough.

Howard N. Fullington
HOWARD N. FULLINGTON, PRESIDENT
PATIO HOMES HOMEOWNERS ASSOCIATION

HNF:SS

THE ESTATE OF JAMES CAMPBELL

September 5, 1978

Mr. Robert Lakin
Metropolitan Planning Dept.
455 North Main Street
Wichita, Kansas 67202

Dear Bob:

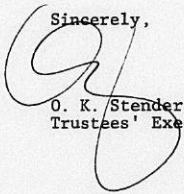
I want to thank you and your staff for the objective presentation of our project at Thursday night's MAPC meeting.

Please extend my appreciation to Jack Galbraith and Mike Meek.

Should you require further information, please feel free to contact me or if more convenient, Mike Weigand or Roger Mulanax.

Until I see you on September 26, Mahalo and Aloha.

Sincerely,



O. K. Stender
Trustees' Executive Officer

OKS:tc



RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR AMENDMENT
OF COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. DP-12

CONSIDERED BY MAPC: 8-31-78

REQUEST FOR: Amendment of Commercial Community Unit Plan

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

GENERAL LOCATION: Between Kellogg and Douglas in an area between
Rock Road and the City of Eastborough.

LEGAL DESCRIPTION:

SE 1/4 of Section 19, Township 27 South, Range 2 East of
the 6th P.M., Sedgwick County, Kansas. except Rockwood South
Second Addition.

APPLICANT: Estate of James Campbell, 828 Fort Street Mall, Honolulu,
Hawaii

COUNSEL FOR APPLICANT: Oswald Stender, Honolulu, Hawaii

PROTESTORS (LIST COUNSEL) IF ANY: Ray T. Reed, Jr., Mayor and resident
of Eastborough, First Securities Co. of Ks., Inc. Schweiter Bldg.

SURROUNDING ZONING: North, "AA", "RB", "B"; East, "AA" & "LC"; South,
"LC" (CUP); West, "B", "LC", Eastborough Zoning.

LAND USE: Existing, Regional Shopping Center, Motel, Restaurants, Car Deal-
ership, Auto Service; North Single Family, Four-Plex, Multi-Family; East,
single family, general business; South, general business, Motel, Highrise
Office; West, single family (Eastborough), Motel, KG&E Substation.

CPO RECOMMENDATION: (See attached memorandum)

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the eight conditions recommended
in the Planning Department Report. (See attached excerpt from Planning
Commission Minutes of August 31, 1978 for conditions.) Bell moved,
Bayouth seconded and it carried with a vote of 4 in favor (Taylor, Bayouth,
Bell and Hennessy) and 3 opposed (Savina, May and Cole). Barrier, Greider
and Jones were absent.

ACTION: 1. Approve the CUP as recommended by the Metropolitan Area
Planning Commission, subject to the recommended conditions; or
2. Return the application to the Metropolitan Area Planning
Commission for reconsideration. The City Commission states the following
reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF AUGUST 31, 1978:

31. Case No. DP-12 - Amendment to the Kellogg-Mall Commercial Unit Plan for SE 1/4 of Section 19, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, except Rockwood South Second Addition. Generally located between Kellogg, Douglas, Rock Road, and the City of Eastborough.

The recessed hearing of the Metropolitan Area Planning Commission reconvened at 7:10 p.m., with the following Commission members present: Marjorie L. Taylor, Chairman; C. Robert Bell; David Bayouth; Jerry W. Cole, John Hennessy; Joan May; and Michael Savina. Mary Ellen Barrier, Jerry Greider and Elwood Jones were absent. Staff members present were: Robert A Lakin, Secretary; Jack H. Galbraith, Assistant Secretary; Michael Meek; and Ruby M. Eubanks.

HENNESSY stated that he was a resident of the Bonnie Brae area, and personally did not feel that he was in any conflict of interest and would attend the meeting and vote on the issue.

CHAIRMAN TAYLOR felt that Mr. Hennessy's residence was far enough distance from the parcel to be considered and she would not consider him to be in conflict.

SAVINA assumed that applied to him too, because he was closer than Mr. Hennessy, as an owner. He said that he has an apartment project at Rock Road and Douglas.

GALBRAITH stated that the amendments to be considered were all west of Armour Drive.

CHAIRMAN TAYLOR ruled that both members could participate.

MIKE MEEK, Senior Planner, showed slides of the area and surrounding area and reviewed the following staff report:

Comments:

1. In 1966, the "LC" Light Commercial District and accompanying Community Unit Plan (DP-12, then known as "Rockwood South") was approved on approximately 160 acres of land located at the northwest corner of Kellogg and Rock Road. That plan, now known as Kellogg Mall and partially developed with Towne East Square, was subsequently amended on February 27, 1967 and August 8, 1972, and was approved for further amendment on July 2, 1974; however, the 1974 amendments were ultimately denied and closed because of a failure to plat within the allotted time. A majority of the area covered by the C.U.P. was purchased approximately one year ago and the new owners (the Campbell Estate of Hawaii) have requested amendments to the plan as it relates to the undeveloped area between Armour Drive and the City of Eastborough with no revision to the remainder of the plan. The revised Development Plan proposes the following general amendments to the plan:
 - a. The substitution of a private drive (curb opening) on Douglas Avenue in lieu of the public street which was previously approved on the plan.
 - b. Redesignation of parcels RS-2, RS-3, and RS-4, as parcels 6, 7, 8, and 12, with boundary shifts and changes in parcel configuration.
 - c. Changes in the permitted uses on the area designated as Parcels 6, 7, 8, and 12, from residential, office and commercial development to office and commercial development.

- d. An increase in the total square footage of office and commercial development permitted under the plan by 5,700 square feet and the deletion of 46 residential units (garden apartment or patio home) from the plan.
 - e. The continued substitution of a planting strip adjacent to the west property line in lieu of the masonry wall which would be required at that location. This waiver was originally granted in the 1967 amendment, continued under the 1972 amendment, and again requested in conjunction with these proposed amendments.
2. On Monday, August 14, 1978, and again on Monday, August 21, 1978, the Citizen Participation Organization Area "H" Council conducted meetings with neighborhood residents, city staff, and the developers to discuss the proposed C.U.P. amendments. As a result of those meetings, the developers have revised their original proposed amendments by;
- a. Deleting "auto sales" as a permitted use on parcel number 8; excluding fast food restaurants as a permitted use on parcel 8; deleting the phrase "other uses per "LC" zoning" from parcels 8 and 12; and the phrase "other uses per "BB" zoning" from parcel 7.
 - b. To expand the 10 foot planting strip on the west side to be a variable width of up to 35 feet (but not less than 10) in order to retain as many of the existing mature trees as possible. This planting strip will be governed by a landscape plan depicting both existing plant materials to be retained, as well as proposed additional materials to be planted. Although landscape plans are normally approved administratively by the staff at time of platting, the developers have agreed to submit a landscape plan for review and approval by the MAPC and Board of City Commissioners.
 - c. Limiting the proposed curb cut to Douglas Avenue from parcel number 6 to one way ingress only for the permitted use of a savings and loan, with no access or curb cut proposed for any other use than a savings and loan.
 - d. Reduced the total increase in commercial and office square footage from an increase of 58,035 square feet (originally proposed) to a net increase of 5,700 square feet over the total square footage permitted under the approved plan.
3. Whenever an office and commercial development of this magnitude is considered, potential traffic generation rates and the possible affect of such traffic on surrounding neighborhoods and street systems is of major importance. The term "generation" refers to the total number of trips crossing a counting station within a given period of time. These trips can have either an origin or destination in the study area or site and are usually expressed at a rate, i.e., trips per unit of building area, trips per dwelling unit, etc. The generation rate, as we analyze it, is expressed in the number of trips (both inbound and outbound)

per 1,000 square feet of gross leaseable area in a 24 hour period for office and commercial development and number of trips per 24 hour period per dwelling unit for residential development.

Recent studies on trip generation rates of different land uses by the Institute of Traffic Engineers indicate that office buildings are "medium" generators of traffic, with an average peak hour load of 2.3 trips per 1,000 feet of gross floor area, whereas commercial uses vary greatly from a low of 6.7 peak hour trips per 1,000 square feet of gross floor area for a Community Shopping Center, to a high of 73.0 peak hour trips per 1,000 square feet of gross floor area for fast food restaurants. For comparison with our 24 hour generation rates, it should be noted that peak hour figures are approximately 10% of the average daily (24 hour) rate.

Given the wide mixture of potential uses on a commercial site of this magnitude, it is difficult to project generation rates at a specific location because of the aforementioned disparity between generation rates of different office and commercial uses. However, the Traffic Engineering Division of the Department of Public Works has studied the overall generation rates of regional shopping centers both in cities similar to Wichita and on the existing Towne East Square Center, and have determined that an approximate figure of 40 trips per day per 1,000 foot of gross floor area of office and commercial development is generally applicable to a regional shopping center site. Although the actual generation rates on the area proposed for amendment could be much lower (or higher) depending on the specific uses developed, for purposes of analysis, a gross figure must be used. The Traffic Engineer also estimates a potential generation rate of 8 trips per dwelling unit for the potential multi-family development permitted under the approved Community Unit Plan.

The approved Community Unit Plan on the entire site currently permits a grand total of 2,381,030 of gross square footage of office and commercial development, of which approximately 1,350,000 square feet has already been developed. The additional 5,700 square feet of office and commercial development under the proposed amendments could be expected to generate approximately 228 additional trips to the site under the standard of 40 trips per day per 1,000 feet of gross floor area; however, it must also be considered that the forty-six (46) residential units deleted from the approved plan would have generated approximately 368 trips per day using the standard of 8 trips per unit per day. Although there is some shift from office square footage to commercial square footage under the proposed amendments, both the MAPD staff and the Division of Traffic Engineering feel that the use limitations (exclusion of general commercial uses and fast food restaurants) make the potential traffic generation under the proposed amendments comparable to those of the approved plan.

This is not to say that the total development of this entire site to its maximum potential gross floor area will not impact the surrounding street system, but rather that the proposed amendments should not add to the problem. It is the opinion of both the Traffic Engineering Division of the Department of Public Works and the MAPD staff that the proposed amendments to the approved plan regarding the traffic impact, of proposed uses and square footage, are less relevant issues in this particular proposal than the methods of routing the potential traffic, i.e., access points, internal site circulation, and parking lot layout.

4. The major staff concern is the proposed access point to Douglas from parcel 6. It is the opinion of both MAPD and Traffic Engineering staffs that such access could result in conflicts between eastbound traffic on Douglas going around the curve on the east side of the City of Eastborough and suddenly being confronted with vehicles slowing to make a turn into parcel 6. The problem is intensified by the fact that the 20 mile per hour Eastborough speed limit changes to a 40 mph limit in Wichita and vehicles have a tendency to accelerate coming around the curve. Therefore, it is the staff recommendation that no direct access be granted to parcel 6 from Douglas Avenue. However, the Traffic Engineer has noted that the developers revisions to provide ingress (not egress) at the proposed access point as well as a deceleration lane to permit some stacking of cars, and the proposal of access only for the specific use of a savings and loan (a relatively low commercial traffic generator) does lessen the potential negative impact of the proposed access. Our primary recommendation is no access to Douglas; however, should the Planning Commission and Board of City Commissioners decide that access is appropriate, it is our recommendation that it be subject to approval of a site circulation plan by the Planning Department for parcel 6 that hinders traffic movements through the site from Douglas Avenue to Armour Drive West.

5. The Community Unit Plan Regulations require that planned commercial developments provide a 5-8 foot masonry wall when residential zoning districts abut the development area and are not separated by any public way, alley, or street. This section would require such a wall to be constructed on the west side of subject property, adjacent to the City of Eastborough. However, section 28.04.190.9 permits the governing body to vary such requirements where the objectives of the master plan and good planning practices are furthered. The approved plan now contains such a waiver and the applicant has requested that the masonry wall continue to be waived and substituted with a variable width planting strip governed by a landscape plan, to provide visual screening. In so requesting, the applicant has noted that:
 - a. There are substantial numbers of mature trees and vegetation along the west property line which would have to be removed should the wall be constructed. The applicant has proposed to fill in gaps in the existing plant materials with new plantings covered by a landscape plan to be submitted for approval at time of platting. The Planning staff has indicated that should such a wall waiver be granted, the applicant will be required to protect existing mature trees in the planting area by including them in the landscape plan.

 - b. Some of the residential properties along the east line of Eastborough already have wooden fences along their rear property line which screen their property from blowing debris. The applicant has indicated a willingness to install the fencing along the few properties which are not presently fenced and whose owners desire such fencing should the masonry wall waiver again be granted.

 - c. The City of Eastborough has an existing 10 inch sanitary sewer immediately adjacent to the east boundary of the City. Construction of a masonry wall along the west

property line of the Kellogg Mall property could impede maintenance and repair of the Eastborough sewer. The parcels west of Armour Drive can be served by sewer extensions from the sewer in Armour Drive and as such would not be affected by a possible masonry wall on the west property line; however, the Department of Public Works of the City of Wichita would recommend against construction of a masonry wall in any utility easement.

The staff supports the waiver of the wall, subject to approval by the Board of City Commissioners of the landscape plan. It is recommended that such landscape plan include provision of an underground sprinkler or other acceptable system so as to provide water to the plant materials governed by the plan.

6. After a request from the Area "H" Citizen Participation Organization Coordinator, MAPD staff examined the plant materials in the 10 foot required planting strip adjacent to Rock Road for compliance with the approved landscape plan. We noted that a considerable number of plant materials required under the plan had died and been removed. We notified the developers agent of such on July 31, 1978 and we have also notified the Department of Central Inspection. It has been the general position of the Board of City Commissioners to not approve further building permits or amendments to Commercial C.U.P.'s which are in violation of required landscaping until such time as the deficiencies are corrected. Although the applicants in these proposed amendments do not have direct control over the area in violation, a willingness to rectify the problem has been stated. It is the staff position that no further building permits or amendments to the C.U.P. be granted without providing for the correction of existing landscape deficiencies.
7. Should the Planning Commission and Board of City Commissioners determine that the proposed amendments to the Plan are acceptable, the following are suggested conditions of approval:
 - a. Platting of the unplatted portions of the C.U.P. site within two (2) years of the date of approval by the Board of City Commissioners, or the amendments be considered denied and closed.
 - b. The landscaping currently required by the existing C.U.P. shall be in compliance with the approved landscape plan by the end of the fall planting season, 1978. No further building or occupancy permits shall be granted on the Kellogg Mall site until such time as this requirement is complied with. "Compliance" shall mean either the actual replanting of the missing materials or a financial guarantee backed by a contract with a nurseryman be submitted to provide replanting by a specific date.
 - c. Should access be granted to parcel 6, the site circulation plan to parcel 6 shall be submitted for approval by the Director of Planning.
 - d. Approval of a landscape plan by the Board of City Commissioners depicting retention of existing plant materials proposed to be retained, as well as additional trees and

plant materials to fill in existing gaps along the west property line of parcels 6, 7, and 12. Said plan shall be required only if the masonry wall is waived and shall depict proposed system(s) of providing water to the plant materials.

- e. The developer providing wooden or solid screen fencing adjacent to those Eastborough properties who do not currently have such fencing and desire to have such.
- f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- g. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

In viewing the slides, GALBRAITH called attention to East Armour Drive, stating that there would not be a public street continuing onto Douglas for West Armour Drive. He said a bridge would be constructed from West Armour Drive to East Armour Drive, and that one of the staff's major concerns was for the traffic to enter a proposed private drive on Parcel 6 that would be in alignment with West Armour Drive and the public would travel through a private ownership to get to other development to the south.

MAY asked if there would be one drive on each of the lots on Parcel 7. GALBRAITH felt it was too early to make that decision, that such would be decided when the plat is reviewed.

BAYOUTH asked if there would be complete access control on Douglas.

MEEK stated that the developer was proposing a private drive to Douglas to serve parcel 6 with a one-way entrance only.

BAYOUTH asked how could you landlock a developer without giving him a curb cut. GALBRAITH stated that you do not have to have access from each direction. BAYOUTH wanted to know if the developer could live with one access from Douglas only. GALBRAITH explained that the staff was suggesting that the developer not have access to Parcel 6 from Douglas, that the access be from West Armour Drive near a proposed bridge location.

MEEK added that any additional bridge would be at the owner's expense.

BAYOUTH asked if there were any other designs proposed, such as utilizing the creek by paving over to Armour Drive,

tying the two together. He said that if you are going to put a bridge in, put it in at Armour Drive slanting over the creek to Armour west.

GALBRAITH stated that a bridge at that location was not the best location because people can't get into the stream of traffic to have holding space to make both left and right turns onto Douglas. BAYOUTH said that he was not saying a bridge running east and west, but one running north and south at an angle and tying in at Armour Drive.

BAYOUTH asked why the first bridge was built so far south and close to Kellogg.

GALBRAITH explained that East Armour Drive was to be signalized on Kellogg and the frontage road had to turn north to have sufficient distance to provide stacking space to cross Kellogg at that point so the frontage road could continue onto the west.

MEEK pointed out the recommendation of CPO Council Area "H" was to accept the landscaping plan. They voted on Parcel 12 to delete the auto centers and services as permitted uses on this Parcel. On Parcel 8, they voted 5-0 to recommend approval of the proposed development of Parcel 8. On Parcel 7, vote 5-0 to recommend deletion of the reference to the phrase "and other uses permitted by "BB" zoning". He pointed out that the developer had already removed that phrase from the plan. Parcel 8, the Council voted to recommend approval of uses on the Parcel. They voted 4-1 to recommend denial of the curb cut on Douglas Avenue. MEEK mentioned a letter from Howard Fullington, stating that he was still concerned about the access from Douglas into the property. He said that a letter from Neil Frumkin was also received, and he was concerned about the proposed amendments.

OSWALD STENDER, representing the Estate of James Campbell, stated that they wanted to be certain that the project they planned would be of the highest quality. He said that they purchased this property in 1977, and at that time they were aware of the present CUP for the property and they understood what they were permitted to do under the CUP, however, after reviewing the property in the neighborhood, it was their opinion that the residential aspects (garden apartments) were not appropriate to what they wanted to do with the total property. They also felt that the residential development was not their kind of development and did not feel that apartment development adjacent to existing and proposed commercial development was compatible. He pointed out after their meeting with the City and the residents of the neighborhood, they went through their general application and made a number of changes to be as accommodating as possible. He felt that the only concerns that remained was the issue of the landscaping and fencing along Eastborough. He said that they had engaged the services of a landscape architect. He added that there would be a minimum of 10 feet of landscaping along the Eastborough boundary. The trees along Douglas would be retained. He said there were trees that extended outside the 10 foot area and they were willing to retain those as a scattered buffer zone, but would like to have the approval of being permitted to park under the trees outside the 10 foot area. They intended to supplement plantings along this boundary. They have committed to the neighbors along this boundary that they would construct wooden fences up to 8 feet in height at the developer's expense if the residents desired. He continued that they felt the curb cut on Douglas was necessary. They had thought that they were allowed two-way traffic based on the original plan and had made a commitment on the property based on the original access and in order to try to accommodate the concerns of the people, they were willing to compromise this with an ingress access only and try to lay out the site to discourage through traffic. He felt the deceleration lane on Douglas would help. STENDER felt the 40 mile per hour speed

limit on Douglas would not help improve the speed limit in the neighborhood. He wanted to make clear to the people in the neighborhood that they said as the owners, they would be willing to live with ingress only, but they have an agreement with a proposed developer of Parcel 6 and they have been informed that they require ingress and egress from this point on Douglas. STENDER said that he was not changing his request and was willing to live with his compromise to the City for ingress only. He said that if you lose Capital Federal, the proposed developer for Parcel 6, then they would have to look for another use. He made one other point, stating that there was a comment made about the landscaping on the Kellogg-Mall site. He said that when they purchased that property they bought it subject to the lease of the development. He said that they had been in touch with the developer to correct whatever deficiencies that had been pointed out by the City and would continue this effort.

DON DILLON, First Vice President of Capital Federal Savings, gave a history of his company and its repertoire with their neighbors. He presented exhibits to the Commissioners on what their structure would look like, pointing out that there would be provisions for four lanes off of the arterial. There would be stacking room for 20 cars which exceeds by seven the greatest number of stacking that they had ever encountered at their Nob Hill office. He mentioned that the landscaping and underground sprinklers would be a part of the proposal which are standards of their construction.

BAYOUTH pointed out that underground sprinklers seem to be lacking in the area and felt this was a good idea.

COLE stated that from looking at the site plan, he saw that there was parking on the east side of the building and wondered if that was for walk-in traffic rather than drive-in.

DILLON stated that was correct, they design their buildings so that they would segregate vehicle and pedestrian traffic to the greatest extent possible.

HENNESSY asked if they could get by with less than two-way traffic on Douglas.

DILLON stated that the answer they arrived at at Capital Federal was that they could not accept it on that basis at this time. If they find after a period of time that they could not come up with a better site someplace else, they may be forced back to it. He said their incoming public, not being able to figure out how to get into the site is bad enough, plus the fact that they were coming into an entirely new metropolitan area as an unknown and then to be across the canal and without a way to turn is confusing to the public, and for that reason, they could not accept it for their needs.

SAVINA asked if the original CUP approve a curb cut at this location. GALBRAITH stated yes but as a public street. SAVINA asked if the Traffic Department looked at this plan and wondered if an accel lane would interfere with the next approach east of this one.

GALBRAITH said that Traffic Engineering had not looked at the same site plan, however, Traffic Engineering had requested a deceleration lane and not an accel lane out of this site.

DILLON said that they have located the approach as far to the east as possible in order to avoid having to cut through the shelter belt as it exists at this time.

SAVINA asked if they had considered traffic lights. DILLON said they had not been considered.

BAYOUTH commented that traffic lights would back traffic up into Eastborough.

MAY stated that several times mention had been made to the fact that on the currently approved CUP, a curb cut was allowed at this point, that was correct, but it was only to facilitate 46 residential units and it ended in a cul-de-sac. It was not to facilitate the entire commercial development in the center of this proposal. She felt this was very important because as now designed, it was a perfect short cut for the entire center. She said that if traffic lights were being contemplated, it seemed to her the most logical place would be Armour and Douglas, and not this particular private accessway.

BILL YUNG, architect, pointing out their recommendations, stated that the majority of the trees should be retained. He showed his plans to the Commission.

GALBRAITH asked that copies of the plans be provided to the staff as soon as possible before this application goes onto the City Commission.

WILLIAM A. HENSLEY, 58 S. Stratford, stated that when they received their notices, and as interested landowners, they formed a group called the Towne East Neighbors, and began to look into the possibility of limiting to a reasonable extent the uses that might occur immediately to the east of them to protect as best they could their homes. He said that in situations like this, rumors and fears run rampant and they had great concern. They were invited to appear at the CPO meeting and given the courtesy by the area CPO of appearing and speaking their minds. Their first thoughts were that they would like a park or an 18-hole golf course, not a 10-foot masonry wall but perhaps a 100-foot masonry wall, and then you start to think of what you have already. He said that one of the things his group has had to realize is that the proposed use and landscape was not done, that they might have another Eastborough Arms behind them if this developer was forced to sell the land to someone who might build other apartments. It could be built as a less desirable use than a prime office location with sufficient screening with the care given to landscaping and architecture as opposed to just a fence. He said that the Towne East Neighbors were satisfied with the plan as now revised. HENSLEY said that the Capital Federal's proposal for ingress and egress was new to his group. He said that they had given some thought to one-way ingress into this facility, and that they believed that the two-way public street that is now permitted was less desirable housing 50 units than a Savings and Loan with a one-way ingress with a deceleration lane. He pointed out that this property was extraordinarily valuable and these people have got to be permitted to put it to good use. He stated that the Towne East Neighbors believed that the proposed use as outlined was the highest and best use for the property. He pointed out that whatever the use that this property would be placed would cause more traffic. There would be a traffic light situation at East Armour and Douglas whether a curb cut was allowed or not.

BAYOUTH stated that Mr. Dillon said that he could not live with the one-way entrance.

HENSLEY said that he could not take a position on that, and that he was an attorney, but did not represent his neighbors. They have an attorney whose appearance they did not feel would be necessary in light of the decision they made at a meeting last evening. He felt that East Armour Drive should be signalized. Douglas was no Kellogg, but it was not an Elm Street either.

BAYOUTH asked if Mr. Hensley favored a two-way drive over the multi-family. HENSLEY stated yes, if this developer, must for financial reasons, come to believe that that site must be sold to build apartment houses in order for them to justify the situation, then he felt, the neighborhood would lose, and he would rather have Capital Federal as a neighbor than a bad apartment complex.

HENNESSY asked Mr. Dillon how would it complicate matters of the southend of the site plan to put in a breakway gate to allow emergency traffic only and not allow circulation from the commercial development to the south.

DILLON stated that their intent and hope was that their traffic would be to the south and across the bridge onto Armour, but that they needed access to Douglas also. He said their concern was the people on the outside trying to figure out how to get inside if there was no opening along the north on Douglas.

BELL said he took Mr. Dillon's remarks about the undesirability expressed by staff of having straight access all the way through to West Armour Drive from Douglas all the way south to have been that the principal problem would be after hours. He asked if Mr. Dillon would be willing to put up a barricade at that time to prevent people racing through there. He asked if it would be acceptable to Capital Federal to change their site design somewhat by moving the building over to the east where it would block a straight flow of traffic through there.

DILLON stated yes, it was a possibility, however, he could not say it was a probability. He admitted that he knew about a week ago of the concern of the Planning Commission to this effect, and there was not time to try to redesign. The site plan was one that they originally had drawn by their architect as a site utilization study to determine from that information whether or not the lot could be suitable to them.

HOWARD FULLINGTON, President of Patio Homes Association to the north, said that he wanted to qualify his support. He said that they had been concerned about the traffic problem and would like to have Capital Federal in that area rather than some second rate apartment building. They are still concerned about the traffic problem, but there might be a question of a second choice.

RAY T. REED, JR., Mayor and resident of Eastborough, speaking in opposition, stated it boils down to Mr. Stender's statement that they didn't want to lose Capital Federal Savings and Loan, and that it boiled down to whether you wanted to lose Capital Federal or a few lives. He said that the traffic stacks up now. He said that no one was opposing the development of the site, but what he was trying to say was, that the traffic stacks up now, and if a curb cut is put there where there are two turns off of Douglas, traffic would stack up even farther. This would be endangering the lives of drivers and the people that live in the City of Wichita and Eastborough. He said that if there was going to be a bridge, it would seem to him, that for safety alone, it would be better to turn on Armour, go down Armour, turn on the bridge and proceed to West Armour into the commercial development of that area. He said that he was aware that there had been a change of hats of some of the people of Eastborough. He said a week ago he had gotten many calls from people who wanted to oppose the whole program. He said that he fully concurred with CPO Council Area "H" and with the initial staff recommendations and he did not see how citizen's recommendations could be ignored. REED said that he had lived here for sixty years and survived without Capital Federal. The procedure for cutting the curb whether for one lane input or two lanes would create accidents and he was opposed as was the Traffic Engineer and Planning staff to any curb cut from Douglas to serve Parcel 6.

BAYOUTH asked if there was anyone from Traffic Engineering present.

MEEK stated no, that when the two-way proposal was discussed before it was modified to one-way ingress the Traffic Engineer had serious concerns about people turning right out of the site immediately being confronted with the bridge abutment and having to merge into the two moving lanes.

STENDER commented that he wanted to make it clear that they had compromised to the single ingress and had hoped that they would be able to sell the idea to Capital Federal. They didn't buy it and insisted upon the ingress-egress. He said, however, that they made a commitment to the people for ingress only and they would live with it.

BAYOUTH asked if there was any possibility this could be deferred for a better design.

STENDER stated he was caught between trying to save Capital Federal and living up to his commitment. If they felt a double access could be permitted they would be happy to look at it.

BAYOUTH asked if a two week deferral would create a problem for him.

STENDER stated that if this continued to be unacceptable then they would have wasted two weeks.

MAY stated that she thought it was about time that publicly she indicated to the Planning Commissioners, as she did in her letter to Mr. Stender and Mr. Trotter, how very appreciative the CPO and the neighborhood has been with the way the developer and their representatives have attempted to accommodate the CPO concerns. She said that the one remaining thing that troubled CPO at their second hearing was direct access onto Douglas.

STENDER said that he would be happy to have his engineers work on it to see if there could be an alternative and present it to the CPO and the neighborhood.

LAKIN responded to Mr. Bayouth's inquiry about making design changes, he stated that the staff did discuss two-way accesses, and it was from two-way access that they moved to the one-way entrance proposition in an effort to compromise. He said that Traffic Engineering had thought about the two-way access and had given their negative answer. He referred to widening of the bridge on Douglas, if an in and out was allowed, and stated that maybe there is justification for widening the bridge so that there would be some acceleration out of the site and that should be at the developer's expense. He did not feel the traffic was extremely high.

BAYOUTH said that there were proposed bridges south of Douglas and he could not believe that there could not be a better design by widening Armour east and utilizing what part of the bridge that there to service both sides, east and west.

Discussion continued on widening of the bridge.

HENNESSY asked Mr. Stender to review briefly his commitment on the one-way traffic flow.

STENDER did review his commitment and stated that they did not want stacking on the street. The decel lane was merely to get the traffic off the two moving lanes so that they could turn directly into the site. There was sufficient parking on the site. They agreed to a second bridge south of Douglas and would pay for it.

SAVINA asked with the one ingress drive, would it be available for traffic going west and east. He said he could not see what complications a two-way drive would make. It seemed the most dangerous thing was the left hand turn.

GALBRAITH responded that the ingress drive would permit both right and left hand turns into the site.

STENDER again asked that the application be considered as presented.

BAYOUTH asked Mr. Reed if he approved of the two-way plan. REED said no, he had stated that they had a Police Department that says that it would be bedlam with the traffic flowing east with any kind of additional delay and they were still opposed to even an ingress approach.

MOTION: That the Planning Commission recommend to the City Commission that this application be approved subject to the eight conditions recommended in the Planning Department Report.

- a. Platting of the unplatted portions of the C.U.P. site within two (2) years of the date of approval by the Board of City Commissioners, or the amendments be considered denied and closed.
- b. The landscaping currently required by the existing C.U.P. shall be in compliance with the approved landscape plan by the end of the fall planting season, 1978. No further building or occupancy permits shall be granted on the Kellogg Mall site until such time as this requirement is complied with. "Compliance" shall mean either the actual replanting of the missing materials or a financial guarantee backed by a contract with a nurseryman be submitted to provide replanting by a specific date.
- c. Should access be granted to Parcel 6, the site circulation plan to Parcel 6 shall be submitted for approval by the Director of Planning.
- d. Approval of a landscape plan by the Board of City Commissioners depicting retention of existing plan materials proposed to be retained, as well as additional trees and plant materials to fill in existing gaps along the west property line of Parcels 6, 7 and 12. Said plan shall be required only if the masonry wall is waived and shall depict proposed system(s) of providing water to the plant material.
- e. The developer providing wooden or solid screen fencing adjacent to those Eastborough properties who do not currently have such fencing and desire to have such.
- f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- g. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Bell moved, Bayouth seconded.

MAY suggested that the Planning Commission separate the motion dealing with access.

SUBSTITUTE MOTION: That the Planning Commission recommend to the City Commission that the application be approved as amended with the exception of condition "c" and that access to Parcel 6 be denied. May moved. Cole seconded.

SAVINA asked Mr. Dillon if he could live with ingress only.

DILLON said that he was instructed by Capital Federal not to accept ingress only.

VOTE ON SUBSTITUTE MOTION: It failed by a vote of 3 in favor (May, Cole and Taylor) and 4 opposed (Savina, Hennessy, Bell and Bayouth). Barrier, Greider and Jones were absent.

VOTE ON ORIGINAL MOTION: It carried with a vote of 4 in favor (Taylor, Bayouth, Bell and Hennessy) and 3 opposed (Savina, May and Cole). Barrier, Greider and Jones were absent.

September 6, 1978

Mr. Phillip S. Frick
700 Fourth Financial Center
Wichita, Kansas 67202

Re: DP-12 Proposed Amendments
to the Kellogg Mall Community
Unit Plan

Dear Mr. Frick:

At their regular meeting of August 31, 1978, the Planning Commission considered the above captioned case. Their action was to recommend approval subject to the eight conditions recommended in the Planning Department Report which are as follows:

- a. Platting of the unplatted, portions of the C.U.P. site within two (2) years of the date of approval by the Board of City Commissioners, or the amendments be considered denied and closed.
- b. The landscaping currently required by the existing C.U.P. shall be in compliance with the approved landscape plan by the end of the fall planting season, 1978. No further building or occupancy permits shall be granted on the Kellogg Mall site until such time as this requirement is complied with. "Compliance" shall mean either the actual replanting of the missing materials or a financial guarantee backed by a contract with a nurseryman be submitted to provide replanting by a specific date.
- c. Should access be granted to parcel 6, the site circulation plan to parcel 6 shall be submitted for approval by the Director of Planning.

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September 6, 1978
Mr. Phillip S. Frick
Re: DP-12

- d. Approval of a landscape plan by the Board of City Commissioners depicting retention of existing plant materials proposed to be retained, as well as additional trees and plant materials to fill in existing gaps along the west property line of parcels 6, 7, and 12. Said plan shall be required only if the masonry wall is waived and shall depict proposed system(s) of providing water to the plant materials.
- e. The developer providing wooden or solid screen fencing adjacent to those Eastborough properties who do not currently have such fencing and desire to have such.
- f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
- g. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

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Mr. Phillip S. Frick
Re: DP-12

In order to comply with these conditions, it will be necessary to make the following changes to the Plan:

Beside the term "Additional Requirements" listed under the parcel description for parcel #6, the following phrase should be added:

"The site circulation plan for the proposed Savings and Loan shall be submitted to the Director of Planning for approval prior to the issuance of building permits for such use."

Regarding condition "e", it is our suggestion that it can be effectively administered by depicting such fencing on the approved landscape plan and the submission of signed statements from each property owner adjacent to parcels 6 and 7 on the west (excluding Eastborough Arms and KG&E), attesting as to whether they desire such fencing. These signed statements should be submitted with the landscape plan. If this would cause problems for you or if you have alternate methods to suggest for enforcement of this condition, please let us know. In any event, a new general provision #11 should be added to the Plan as follows:

"11. The developer shall provide wooden or solid screen fencing along the west property line as depicted on the landscape plan."

I would again remind you that no further permits are to be issued on the entire C.U.P. site until such time as the landscaping adjacent to Douglas and Rock Road is replanted or financially guaranteed in accordance with the approved landscape plan of August 16, 1973. It is imperative that your clients and/or Mel Simon Associates work this out as soon as possible in order to prevent delay in subsequent permits.

We have "marked" a copy of the C.U.P. with such notations and included it with the copy of this letter to your Planning Consultant. It is necessary that you submit ten (10) copies of the C.U.P. to our office by Friday, September 15, 1978, so that subject cases can be scheduled for consideration by the City Commission at their regular meeting of September 26, 1978; this meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main; and we would remind you that Planning items are considered

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Mr. Phillip S. Frick
Re: DP-12

after all other matters of business.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:bbc

cc: B. J. Kingdon, Law-Kingdon Co., 313 S. Market, 67202
(enclosure)
Michael Weigand, 150 N. Market, 67202
Bob Friesen, Friesen & Asso., 421 State, Augusta, Ks. 67010
Ray Reed, Mayor of Eastborough, First Securities Co. of Ks.,
Inc., Schweiter Bldg., 67202
William A. Hensley, 58 S. Stratford 67207
Howard Fullington, 7108 E. Douglas 67207
Bill Yung, Landscape Architect, 1355 N. Waco, 67203
Melvin Simon & Asso., 1712 N. Meridian, Indianapolis, Ind. 46202

*Send -
F-U DP-2*

August 28, 1978

Neil D. Frumkin
122 N. Rutland
Wichita KS 67206

Re: DP-12 Proposed Amendments to
the Kellogg Mall Community
Unit Plan

Dear Mr. Frumkin:

We are in receipt of your letter of August 21, 1978, pointing out your concerns with the proposed uses in the amendment to the above captioned C.U.P. Please be advised that we will furnish copies to the members of the Planning Commission.

I appreciate your pointing out your concerns.

Sincerely,

Jack H. Galbraith
Chief Planner
Current Plans Division

JHG:ch

August 21, 1978

Mr. Robert A. Lakin
Secretary
MAPC
455 N. Main St. Wichita, Ks. 67202

Re: Attached

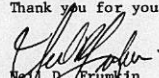
Sir:

As a resident of Rockwood just north of Douglas I would like to make my views clear to you regarding any amendment to the Kellogg Mall Plan. Understanding the property owners inherent right to obtain the most value for his property I am not against development per se but am against certain types of development.

It is my opinion that development of the property in a commercial nature which would have the types of tenants that are closed in the evenings and Sundays would and should be acceptable. Motels, auto agencies and even some of the permitted uses i.e: clubs, restaurants and theaters would be a nuisance for the surrounding property owners. These types of establishments would create additional noise, traffic and air pollution in the area.

If there is anything I can lend to assist the staff in keeping the planned development to a quiet, attractive asset or my appearance at a hearing is required to lend support please let me know.

Thank you for your consideration.


Neil D. Frumkin
122 N. Rutland
Wichita, 67206



Wichita, Kansas
August 15, 1978

CPO Neighborhood Council
City Hall - 13th Floor
455 North Main
Wichita, Kansas 67202

CASE DP-12
Proposed Amendments to the Kellogg Hall
(Tomie East Square) Community Unit Plan

Gentlemen:

The Patl Homes Homeowners Association includes Twelve Patl Homes Located 74 to 7118 East Douglas, 7205 to 7227 Huntington, and 105 to 125 North Armour.

As I stated at the CPO meeting August 14, 1978, we are very much opposed to a curb cut off of Douglas into Parcel 6. In our opinion, it can only congest the traffic coming from Eastborough to Rock Road and vice versa. We suggest your consideration of having the access from Rock Road on the east side of the canal.

In our opinion, the traffic from Eastborough to Rock Road could be helped by a reduced speed limit; west of Eastborough to Rock Road 20 miles an hour and from Eastborough to Rock Road 40 miles an hour.

We are opposed to eliminating any of the trees on the south side of Douglas from Eastborough to the canal. It would be impossible to allocate the beautification of these trees and the separation from commercial for our residential apartments across the street from there.

We hope you will give this serious consideration in your deliberations and to the adoption of the Amendments.

Yours very truly,

Howard N. Fullington
HOWARD N. FULLINGTON, PRESIDENT
PATL HOMES HOMEOWNERS ASSOCIATION

HNF:SS



THE FOLLOWING RECEIVED AGENDA AND STAFF REPORT W/ATTACHMENTS
FOR 8-31-78 MEETING:

Jack W. Clark
City Clerk
City of Eastborough
1738 S. Erie
Wichita, Kansas 67211

Phillip S. Frick
700 Fourth Financial Center
Wichita, Kansas 67202

Oz Stender
Estate of James Campbell
828 Fort Street Mall
Honolulu, Hawaii

B. J. Kingdon
Law-Kingdon Co.
313 S. Market
Wichita, Kansas 67202

Bob Friesen
Friesen and Asso.
421 State
Augusta, Kansas 67010

Michael Weigand
150 N. Market
Wichita, Kansas 67202

Roger Mulanax
Law-Kingdon Co.
313 S. Market
Wichita, Kansas 67202

Mayor Ray T. Reed, Jr.
First Securities Company of Kansas, Inc.
Schweiter Bldg.
Wichita, Kansas 67202

Phillip L. Boman, Attorney
Adams, Jones, Robinson & Malone
Box 1034
Wichita, Kansas 67201

6/6/74

Called Neumiller advised
him of Powell memo re collecting
letter of credit. Suggested he send
CID copy of contract + work up
Fisher/Powell re drawn down
on putting new bond if fall
drawings are involved.

NR

IMPORTANT MESSAGE -

FOR Dakin
DATE 6-5-79 TIME 2:48 ^{A.M.} ~~P.M.~~

WHILE YOU WERE AWAY

OF Sam Neutzling
Town East Square
PHONE No. Managing Office

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

MESSAGE 686-3341

Signal contract on landscape

See at [unclear] hand + when can
be [unclear] call back + leave

SIGNED J. [unclear] over

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-31-78
(deferred
from
8-17-78)

Case No. DP-12	Request: Amendment of Commercial Community Unit Plan
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Location: Between Kellogg and Douglas in an area between
Rock Road and the City of Eastborough

Acres: 160 (136 net)	Size: 1,903 x 2,182
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Regional Shopping Center, Motel, Restaurants, Car Dealership, Auto Service	"LC" & "C"
North	Single Family, Four-Plex, Multi-Family	"AA", "RB", "B"
East	Single Family, General Business	"AA" & "LC"
South	General Business, Motel, Highrise Office	"LC" (CUP)
West	Single Family (Eastborough), Motel, KG&E Substation	"B", "LC", Eastborough Zoning

Proposed street dedications to be secured at time of platting.	Platted: A portion is platted.
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History: Case Z-0350 - "AA" to "LC" - Deferred indefinitely at
applicant's request - October, 1961

Case Z-0408 - "AA" to "LC"
MAPC: Approved 10-4-62
BCC: Denied 10-30-62

Case Z-0427 - "AA" to "LC" - CUP
MAPC: Approved "BB" for Lot 2, except
S 380 feet thereof, Rockwood
South First Addition CUP was
deferred 1-17-63
BCC: Approved north portion for "BB"
2-5-63

Case Z-0557 - MAPC: Approved 7-2-64
BCC: Approved 7-21-64

DP-1 - MAPC: Approved 7-21-64
DP-12 - MAPC: Deferred indefinitely 1-20-66
MAPC: Approved 6-16-66
BCC: Approved 6-28-66
DP-12 - Amendment to increase sign height
MAPC: Approved 2-9-67
BCC: Approved 2-28-67
DP-12 - Amendment to increase gross floor area and adjust
building setbacks
MAPC: Refer to Subdivision Committee
6-8-72
S/D: Approve subject to conditions
6-29-72
MAPC: Approve subject to conditions
7-13-72
BCC: Approve subject to conditions
8-8-72
DP-12 - Amendment to change uses, increase floor area,
amend heights.
MAPC: Approve subject to conditions
6-13-74
BCC: Approved subject to amendment and
conditions 7-2-74
9-26-75 Denied and closed, failure to
plat

Comments:

1. In 1966, the "LC" Light Commercial District and accompanying Community Unit Plan (DP-12, then known as "Rockwood South") was approved on approximately 160 acres of land located at the northwest corner of Kellogg and Rock Road. That plan, now known as Kellogg Mall and partially developed with Towne East Square, was subsequently amended on February 27, 1967 and August 8, 1972, and was approved for further amendment on July 2, 1974; however, the 1974 amendments were ultimately denied and closed because of a failure to plat within the allotted time. A majority of the area covered by the C.U.P. was purchased approximately one year ago and the new owners (the Campbell Estate of Hawaii) have requested amendments to the plan as it relates to the undeveloped area between Armour Drive and the City of Eastborough with no revision to the remainder of the plan. The revised Development Plan proposes the following general amendments to the plan:
 - a. The substitution of a private drive (curb opening) on Douglas Avenue in lieu of the public street which was previously approved on the plan.

- b. Redesignation of parcels RS-2, RS-3, and RS-4, as parcels 6, 7, 8, and 12, with boundary shifts and changes in parcel configuration.
 - c. Changes in the permitted uses on the area designated as Parcels 6, 7, 8, and 12, from residential, office and commercial development to office and commercial development.
 - d. An increase in the total square footage of office and commercial development permitted under the plan by 5,700 square feet and the deletion of 46 residential units (garden apartment or patio home) from the plan.
 - e. The continued substitution of a planting strip adjacent to the west property line in lieu of the masonry wall which would be required at that location. This waiver was originally granted in the 1967 amendment, continued under the 1972 amendment, and again requested in conjunction with these proposed amendments.
2. On Monday, August 14, 1978, and again on Monday, August 21, 1978, the Citizen Participation Organization Area "H" Council conducted meetings with neighborhood residents, city staff, and the developers to discuss the proposed C.U.P. amendments. As a result of those meetings, the developers have revised their original proposed amendments by;
- a. Deleting "auto sales" as a permitted use on parcel number 8; excluding fast food restaurants as a permitted use on parcel 8; deleting the phrase "other uses per "LC" zoning" from parcels 8 and 12; and the phrase "other uses per "BB" zoning" from parcel 7.
 - b. To expand the 10 foot planting strip on the west side to be a variable width of up to 35 feet (but not less than 10) in order to retain as many of the existing mature trees as possible. This planting strip will be governed by a landscape plan depicting both existing plant materials to be retained, as well as proposed additional materials to be planted. Although landscape plans are normally approved administratively by the

*After 2 CPO
meetings, fast
food restaurants
were deleted.
No discussion
at MAPC 8-31-78.*

staff at time of platting, the developers have agreed to submit a landscape plan for review and approval by the MAPC and Board of City Commissioners.

- c. Limiting the proposed curb cut to Douglas Avenue from parcel number 6 to one way ingress only for the permitted use of a savings and loan, with no access or curb cut proposed for any other use than a savings and loan.
 - d. Reduced the total increase in commercial and office square footage from an increase of 58,035 square feet (originally proposed) to a net increase of 5,700 square feet over the total square footage permitted under the approved plan.
3. Whenever an office and commercial development of this magnitude is considered, potential traffic generation rates and the possible affect of such traffic on surrounding neighborhoods and street systems is of major importance. The term "generation" refers to the total number of trips crossing a counting station within a given period of time. These trips can have either an origin or destination in the study area or site and are usually expressed at a rate, i.e., trips per unit of building area, trips per dwelling unit, etc. The generation rate, as we analyze it, is expressed in the number of trips (both inbound and outbound) per 1,000 square feet of gross leaseable area in a 24 hour period for office and commercial development and number of trips per 24 hour period per dwelling unit for residential development.

Recent studies on trip generation rates of different land uses by the Institute of Traffic Engineers indicate that office buildings are "medium" generators of traffic, with an average peak hour load of 2.3 trips per 1,000 feet of gross floor area, whereas commercial uses vary greatly from a low of 6.7 peak hour trips per 1,000 square feet of gross floor area for a Community Shopping Center, to a high of 73.0 peak hour trips per 1,000 square feet of gross floor area for fast food restaurants. For comparison with our 24 hour generation rates, it should be noted that peak hour figures are approximately 10% of the average daily (24 hour) rate.

Given the wide mixture of potential uses on a commercial site of this magnitude, it is difficult to project generation rates at a specific location because of the aforementioned disparity between generation rates of

different office and commercial uses. However, the Traffic Engineering Division of the Department of Public Works has studied the overall generation rates of regional shopping centers both in cities similar to Wichita and on the existing Towne East Square Center, and have determined that an approximate figure of 40 trips per day per 1,000 foot of gross floor area of office and commercial development is generally applicable to a regional shopping center site. Although the actual generation rates on the area proposed for amendment could be much lower (or higher) depending on the specific uses developed, for purposes of analysis, a gross figure must be used. The Traffic Engineer also estimates a potential generation rate of 8 trips per dwelling unit for the potential multi-family development permitted under the approved Community Unit Plan.

The approved Community Unit Plan on the entire site currently permits a grand total of 2,381,030 of gross square footage of office and commercial development, of which approximately 1,350,000 square feet has already been developed. The additional 5,700 square feet of office and commercial development under the proposed amendments could be expected to generate approximately 228 additional trips to the site under the standard of 40 trips per day per 1,000 feet of gross floor area; however, it must also be considered that the forty-six (46) residential units deleted from the approved plan would have generated approximately 368 trips per day using the standard of 8 trips per unit per day. Although there is some shift from office square footage to commercial square footage under the proposed amendments, both the MAPD staff and the Division of Traffic Engineering feel that the use limitations (exclusion of general commercial uses and fast food restaurants) make the potential traffic generation under the proposed amendments comparable to those of the approved plan.

This is not to say that the total development of this entire site to its maximum potential gross floor area will not impact the surrounding street system, but rather that the proposed amendments should not add to the problem. It is the opinion of both the Traffic Engineering Division of the Department of Public Works and the MAPD staff that the proposed amendments to the approved plan regarding the traffic impact of proposed uses and square footage, are less relevant issues in this particular proposal than the methods of routing the potential traffic, i.e., access points, internal site circulation, and parking lot layout.

4. The major staff concern is the proposed access point to Douglas from parcel 6. It is the opinion of both MAPD and Traffic Engineering staffs that such access could result in conflicts between eastbound traffic on Douglas going around

the curve on the east side of the City of Eastborough and suddenly being confronted with vehicles slowing to make a turn into parcel 6. The problem is intensified by the fact that the 20 mile per hour Eastborough speed limit changes to a 40 mph limit in Wichita and vehicles have a tendency to accelerate coming around the curve. Therefore, it is the staff recommendation that no direct access be granted to parcel 6 from Douglas Avenue. However, the Traffic Engineer has noted that the developers revisions to provide ingress (not egress) at the proposed access point as well as a deceleration lane to permit some stacking of cars, and the proposal of access only for the specific use of a savings and loan (a relatively low commercial traffic generator) does lessen the potential negative impact of the proposed access. Our primary recommendation is no access to Douglas; however, should the Planning Commission and Board of City Commissioners decide that access is appropriate, it is our recommendation that it be subject to approval of a site circulation plan by the Planning Department for parcel 6 that hinders traffic movements through the site from Douglas Avenue to Armour Drive West.

5. The Community Unit Plan Regulations require that planned commercial developments provide a 5-8 foot masonry wall when residential zoning districts abut the development area and are not separated by any public way, alley, or street. This section would require such a wall to be constructed on the west side of subject property, adjacent to the City of Eastborough. However, section 28.04.190.9 permits the governing body to vary such requirements where the objectives of the master plan and good planning practices are furthered. The approved plan now contains such a waiver and the applicant has requested that the masonry wall continue to be waived and substituted with a variable width planting strip governed by a landscape plan, to provide visual screening. In so requesting, the applicant has noted that:
 - a. There are substantial numbers of mature trees and vegetation along the west property line which would have to be removed should the wall be constructed. The applicant has proposed to fill in gaps in the existing plant materials with new plantings covered by a landscape plan to be submitted for approval by the City Commission. The Planning staff has indicated that should such a wall waiver be granted, the applicant will be required to protect existing mature trees in the planting area by including them in the landscape plan.

- b. Some of the residential properties along the east line of Eastborough already have wooden fences along their rear property line which screen their property from blowing debris. The applicant has indicated a willingness to install the fencing along the few properties which are not presently fenced and whose owners desire such fencing should the masonry wall waiver again be granted.
- c. The City of Eastborough has an existing 10 inch sanitary sewer immediately adjacent to the east boundary of the City. Construction of a masonry wall along the west property line of the Kellogg Mall property could impede maintenance and repair of the Eastborough sewer. The parcels west of Armour Drive can be served by sewer extensions from the sewer in Armour Drive and as such would not be affected by a possible masonry wall on the west property line; however, the Department of Public Works of the City of Wichita would recommend against construction of a masonry wall in any utility easement.

The staff supports the waiver of the wall, subject to approval by the Board of City Commissioners of the landscape plan. It is recommended that such landscape plan include provision of an underground sprinkler or other acceptable system so as to provide water to the plant materials governed by the plan.

- 6. After a request from the Area "H" Citizen Participation Organization Coordinator, MAFD staff examined the plant materials in the 10 foot required planting strip adjacent to Rock Road for compliance with the approved landscape plan. We noted that a considerable number of plant materials required under the plan had died and been removed. We notified the developers agent of such on July 31, 1978 and we have also notified the Department of Central Inspection. It has been the general position of the Board of City Commissioners to not approve further building permits or amendments to Commercial C.U.P.'s which are in violation of required landscaping until such time as the deficiencies are corrected. Although the applicants in these proposed amendments do not have direct control over the area in violation, a willingness to rectify the problem has been stated. It is the staff position that no further building permits or amendments to the C.U.P. be granted without

providing for the correction of existing landscape deficiencies.

7. Should the Planning Commission and Board of City Commissioners determine that the proposed amendments to the Plan are acceptable, the following are suggested conditions of approval:
 - a. Platting of the unplatted portions of the C.U.P. site within two (2) years of the date of approval by the Board of City Commissioners, or the amendments be considered denied and closed.
 - b. The landscaping currently required by the existing C.U.P. shall be in compliance with the approved landscape plan by the end of the fall planting season, 1978. No further building or occupancy permits shall be granted on the Kellogg Mall site until such time as this requirement is complied with. "Compliance" shall mean either the actual replanting of the missing materials or a financial guarantee backed by a contract with a nurseryman be submitted to provide replanting by a specific date.
 - c. Should access be granted to parcel 6, the site circulation plan to parcel 6 shall be submitted for approval by the Director of Planning.
 - d. Approval of a landscape plan by the Board of City Commissioners depicting retention of existing plant materials proposed to be retained, as well as additional trees and plant materials to fill in existing gaps along the west property line of parcels 6, 7, and 12. Said plan shall be required only if the masonry wall is waived and shall depict proposed system(s) of providing water to the plant materials.
 - e. The developer providing wooden or solid screen fencing adjacent to those Eastborough properties who do not currently have such fencing and desire to have such.
 - f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan

shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

- g. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

WICHITA-SERGEYEVICH COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 8-17-78 *Refer 2 weeks*
8-31-78

Case No. DP 12 Request: Amendment of Commercial Community Unit Plan

Location: Between Kellogg and Douglas in an area between Rock Road and the City of Eastborough

Reason/Proposed Use:

Acres: 160 (136 Net) Size: 1903 X 2182

	Land Use	Zoning
Existing	Regional Shopping Center, Motel, Restaurants, Car dealerships, Antiques	"LC" + "C"
North	Single family duplex, Multi-family	"AA", "B", "B"
East	Single family, general business	"AA" + "LC"
South	General business, motel, business office	"LC" - (CUP)
West	Single family (Eastborough), Motel, K&E substation	"B", "LC", Eastborough zoning

Existing R/"		Platted: <i>A portion is platted</i>
Proposed R/"	Area to Proposed street	
Existing R/"	<i>dedications to be secured at time</i>	
Proposed R/"	<i>of platting</i>	

History: Case Z-0350 - "AA" to "LC" - Deferred indefinitely at applicant's request - October, 1961
Case Z-0408 - "AA" to "LC"
MAPC: Approved 10-4-62 BCC: Deferred 10-23-62
BCC: Denied 10-30-62
Case Z-0427 - "AA" to "LC" - CUP
MAPC: Approved "B" for Lot 2, except S 380 feet thereof, Rockwood South First Addition
CUP was deferred 1-17-63
BCC: Approved north portion for "BB" 2-5-63
Case Z-0557 - MAPC: Approved 7-2-64
BCC: Approved 7-21-64
DP-1 - MAPC: Approved 7-21-64
DP-12 - MAPC: Deferred indefinitely 1-20-66
MAPC: Approved 6-16-66
BCC: Approved 6-28-66
DP-12 - Amendment to increase sign height
MAPC: Approved 2-9-67
BCC: Approved 2-28-67

DP 12 Amendment to increase gross floor area and adjust building setbacks
MAPC Refer to Submission Committee 6-8-72
SD Committee Approve subject to conditions 6-29-72
MAPC Approve subject to conditions 7-13-72
BCC Approve subject to conditions 8-8-72

DP 12 Amendment to change uses, increase floor area, amend heights
MAPC Approve subject to conditions 6-13-74
BCC Approved subject to amendment and conditions 7-2-74
to plat

1. In 1966, the "LC" Light Commercial District and accompanying Community Unit Plan (DP-12, then known as "Rockwood South") was approved on approximately 160 acres of land located at the northwest corner of Kellogg and Rock Road. That plan, now known as Kellogg Mall and partially developed with Towne East Square, was subsequently amended on February 27, 1967 and August 8, 1972, and was approved for further amendment on July 2, 1974; however, the 1974 amendments were ultimately denied and closed because of a failure to plat within the allotted time. A majority of the area covered by the C.U.P. was purchased approximately one year ago and the new owners (the Campbell Estate of Hawaii) have requested amendments to the plan as it relates to the ^{undeveloped} area between Armour Drive and the City of East-borough with no revision to the remainder of the plan.

The revised Development Plan proposes the following general amendments to the plan:

a. The substitution of a private drive^(curb opening) on Douglas Avenue in lieu of the public street which was previously approved on the plan.

b. Redesignation of parcels RS-2, RS-3, and RS-4, as parcels 6, 7, 8, and 12, with boundary shifts and changes in parcel configuration.

c. Changes in the permitted uses on the

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MARC HEARING DATE: 3-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half	Platted: Yes
Proposed R/W Hydraulic - 50 ft. - half	History: None
Existing R/W Orme - 30 ft. - half	
Proposed R/W Orme - 30 ft. - half	

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1036).

area designated as Parcels 6, 7, 8,
and 12, from residential, office and
commercial development to office and
commercial development.

d. An increase in the total square footage
of office and commercial development
permitted under the plan by 5,700 square
feet and the deletion of 46 residential
units (garden apartment or patio home)
from the plan.

e. The continued substitution of a planting
strip adjacent to the west property line
in lieu of the masonry wall which would
be required at that location. This
waiver was originally granted in the 1967
amendment, continued under the 1972
amendment, and again requested in con-
junction with these proposed amendments.

2. On Monday, August 14, 1978, and again on Monday, August 21,
1978, the Citizen Participation Organization Area "H" Coun-
cil conducted meetings with neighborhood residents, city
staff, and the developers to discuss the proposed C.U.P.
amendments. As a result of those meetings, the developers
have revised their original proposed amendments by:

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MARC HEARING DATE: 2-31-73

Case No. E-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half	Platted: Yes
Proposed R/W Hydraulic - 50 ft. - half	History: None
Existing R/W Orme - 30 ft. - half	
Proposed R/W Orme - 30 ft. - half	

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (E-1036).

a. Deleting "auto sales" as a permitted use on parcel number 8; ^{excluding} ~~fast food~~ restaurants ^{as permitted use on parcel 8;} deleting the phrase "other uses per "LC" zoning" from parcels 8 and 12; and the phrase "other uses per "BB" zoning" from parcel 7.

b.) To expand the 10 foot planting strip on the west side to be a variable width of up to 35 feet (but not less than 10) in order to retain as many of the existing mature trees as possible. This planting strip will be governed by a landscape plan depicting both existing plant materials to be retained, as well as proposed additional materials to be planted. Although landscape plans are normally approved administratively by the staff at time of platting, the developers have agreed to submit a ~~sketch~~ ^{sketch} landscape plan for review and approval by the MAPC and Board of City Commissioners.

PR

c. Limiting the proposed curb ^{cut} ~~cut~~ to Douglas Avenue from parcel number 6 to one way ingress only for the permitted use of a savings and loan, with no access or curb cut proposed for any other use than a savings and loan.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 6-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half
Proposed R/W Hydraulic - 50 ft. - half
Existing R/W Orme - 30 ft. - half
Proposed R/W Orme - 30 ft. - half

Platted: Yes
History: None

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1036).

(4)

- d. Reduced the total increase in commercial and office square footage from an increase of 58,035 square feet (originally proposed) to a net increase of 5,700 square feet over the total square footage permitted under the approved plan.
3. Whenever an office and commercial development of this magnitude is considered, potential traffic generation rates and the possible affect of such traffic on surrounding neighborhoods and street systems is of major importance. The term "generation" refers to the total number of trips crossing a counting station within a given period of time. These trips can have either an origin or destination in the study area or site and are usually expressed at a rate, i.e., trips per unit of building area, trips per dwelling unit, etc. The generation rate, as we analyze it, is expressed in the number of trips (both inbound and outbound) per 1,000 square feet of gross leaseable area in a 24 hour period for office and commercial development and number of trips per 24 hour period per dwelling unit for residential development.
- Recent studies on trip generation rates of different land uses by the Institute of Traffic Engineers indicate that office buildings are "medium" generators of traffic, with an average peak hour load of 2.3 trips per 1,000 feet of gross floor area, whereas commercial uses vary greatly

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MARC HEARING DATE: 3-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half
Proposed R/W Hydraulic - 50 ft. - half
Existing R/W Orme - 30 ft. - half
Proposed R/W Orme - 30 ft. - half

Platted: Yes
History: None

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1036).

from a low of 6.7 peak hour trips per 1,000 square feet of gross floor area for a Community Shopping Center, to a high of 73.0 peak hour trips per 1,000 square feet of gross floor area for fast food restaurants. For comparison with our 24 hour generation rates, it should be noted that peak hour figures are approximately 10% of the average daily (24 hour) rate.

Given the wide mixture of potential uses on a commercial site of this magnitude, it is difficult to project generation rates at a specific location because of the aforementioned disparity between generation rates of different office and commercial uses. However, the Traffic Engineering Division of the Department of Public Works has studied the overall generation rates of regional shopping centers both in cities similar to Wichita and on the existing Towne East Square Center, and have determined that an approximate figure of 40 trips per day per 1,000 foot of gross floor area of office and commercial development is generally applicable to a regional shopping center site. ~~Of course~~ ^{Although}, the actual generation rates on the area proposed for amendment could be much lower (or higher) depending on the specific uses developed, for purposes of analysis, a gross figure must be used. The Traffic Engineer also estimates a potential generation rate of 8 trips per dwelling unit for the potential multi-family development permitted under the approved Community Unit Plan.

VICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half
Proposed R/W Hydraulic - 50 ft. - half
Existing R/W Orme - 30 ft. - half
Proposed R/W Orme - 30 ft. - half

Platted: Yes
History: None

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1036).

6

The approved Community Unit Plan on the entire site currently permits a grand total of 2,381,030 of gross square footage of office and commercial development, of which approximately 1,350,000 square feet has already been developed. The additional 5,700 square feet of office and commercial development under the proposed amendments could be expected to generate approximately 228 additional trips to the site under the standard of 40 trips per day per 1,000 feet of gross floor area; however, it must also be considered that the forty-six (46) residential units deleted from the approved plan would have generated approximately 368 trips per day using the standard of 8 trips per unit per day. Although there is some shift from office square footage to commercial square footage under the proposed amendments, both the MAPD staff and the Division of Traffic Engineering feel that the use limitations (exclusion of general commercial uses and fast food restaurants) make the potential traffic generation under the proposed amendments comparable to those of the approved plan.

This is not to say that the total development of this entire site to its maximum potential gross floor area will not impact the surrounding street system, but rather that the proposed amendments should not add to the problem. It is the opinion of both the Traffic Engineering Division of the Department of Public Works and the MAPD staff that the

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MANC HEARING DATE: 2-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half	Platted: Yes
Proposed R/W Hydraulic - 50 ft. - half	History: None
Existing R/W Orme - 30 ft. - half	
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Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1036).

⑦

proposed amendments to the approved plan regarding ^{the} traffic impact ~~of uses~~ ^{issues} and square footage, are less relevant ^{issues in this particular proposal} than the methods of routing the potential traffic, i.e., access points, internal site circulation, and parking lot layout.

4. The major staff concern is the proposed access point to Douglas from parcel 6. It is the opinion of both MAPD and Traffic Engineering staffs that such access could result in conflicts between eastbound traffic on Douglas going around the curve on the east side of the City of Eastborough and suddenly being confronted with vehicles slowing to make a turn into parcel 6. The problem is intensified by the fact that the 20 mile per hour Eastborough speed limit changes to a 40 mph limit in Wichita and vehicles have a tendency to accelerate coming around the curve. Therefore, it is the staff recommendation that no direct access be granted to parcel 6 from Douglas Avenue. However, the Traffic Engineer has noted that the developers revisions to provide ingress (not egress) at the proposed access point as well as a deceleration lane to permit some stacking of cars, and the proposal of access only for the specific use of a savings and loan (a relatively low commercial traffic generator) does lessen the potential negative impact of the proposed access. Our primary recommendation is no access to Douglas; however, should the Planning

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half
Proposed R/W Hydraulic - 50 ft. - half
Existing R/W Orme - 30 ft. - half
Proposed R/W Orme - 30 ft. - half

Platted: Yes
History: None

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1036).

Commission and Board of City Commissioners decide that access is appropriate, it will be our recommendation that it be subject to approval ^{of a site circulation plan} by the Planning Department ~~of the site circulation plan~~ for parcel 6 ~~of a design~~ that hinders traffic movements through the site from Douglas Avenue to Armour Drive West.

5. The Community Unit Plan Regulations require that planned commercial developments provide a 5-8 foot masonry wall when residential zoning districts abut the development area and are not separated by any public way, alley, or street. This section would require such a wall to be constructed on the west side of subject property, adjacent to the City of Eastborough. However, section 28.04.190.9 permits the governing body to vary such requirements where the objectives of the master plan and good planning practices are furthered. The approved plan now contains such a waiver and the applicant has requested that the masonry wall continue to be waived and substituted with a variable width planting strip governed by a landscape plan, to provide visual screening. In so requesting, the applicant has noted that:

- a. There are substantial numbers of mature trees and vegetation along the west property line which would have to be removed should the wall be constructed. The applicant has proposed to fill in gaps in the existing plant materials with new

NICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing North	Undeveloped	"B"
East	Office	"LC"
South	Pennypower Offices	"LC"
West	Single Family	"B"
	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half
Proposed R/W Hydraulic - 50 ft. - half
Existing R/W Orme - 30 ft. - half
Proposed R/W Orme - 30 ft. - half

Platted: Yes
History: None

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1536).

plantings covered by a landscape plan to be submitted for approval at time of platting. The Planning staff has indicated that should such a wall waiver be granted, the applicant will be required to protect existing mature trees in the planting area by including them in the landscape plan.

b. Some of the residential properties along the east line of Eastborough already have wooden fences along their rear property line which screen their property from blowing debris. The applicant has indicated a willingness to ~~complete~~ ^{install} the fencing along the few properties which are not presently ^{and whose owners desire such fencing} fenced, should the masonry wall waiver again be granted.

Handwritten initials

c. The City of Eastborough has an existing 10 inch sanitary sewer immediately adjacent to the east boundary of the City. Construction of a masonry wall along the west property line of the Kellogg Mall property could impede maintenance and repair of the ~~Eastborough sewer. The Kellogg~~ ^{sewer.}

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPS HEARING DATE: 2-31-73

Case No. Z-2063

Request: "B" to "LC"

Location: Northwest Corner of Hydraulic and Orme

Reason: "The requested change is compatible with the neighborhood and it now is changing. Hydraulic does not tend itself to residential use as the quality of life at this particular location would not be good. The property is to be used as a facility in conjunction with the Pennypower building across the street to the east. The zoning request will allow sufficient flexibility of land use to handle the growing needs of the Pennypower operation."

Acres: 0.3

Size: 100' x 140'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"B"
North	Office	"LC"
East	Pennypower Offices	"LC"
South	Single Family	"B"
West	Single Family	"B"

Existing R/W Hydraulic - 40 ft. - half	Platted: Yes
Proposed R/W Hydraulic - 50 ft. - half	History: None
Existing R/W Orme - 30 ft. - half	
Proposed R/W Orme - 30 ft. - half	

Comments:

1. The applicant is requesting a change of zoning from "B" Multiple Family to "LC" Light Commercial for a tract of land containing approximately 14,000 square feet located on a major street (Hydraulic) and provides for only 40 feet of half-street right-of-way whereas 50 feet is required.
2. The applicant states subject property is to be used as a facility in conjunction with the Pennypower building located to the east on land approved for "LC" zoning in the early part of 1977 (Z-1635).

Eastborough sewer. The Kellogg Mail Site
Can sewer extensions from the
will be served by sewer in Armour Drive

and as such would not be affected by a
possible masonry wall on the west property

line; however, the Department of Public
Works of the City of Wichita would recommend

against construction of a masonry wall *if any*
utility easement.
~~they had a sewer in the location of East-~~
~~borough's sewer~~

The staff supports the waiver of the wall,
subject to approval by the Board of City
Commissioners of the landscape plan.

It is ~~strongly~~ recommended that such land-
scape plan include provision of an under-
ground sprinkler or other acceptable system
so as to provide water to the plant materials
governed by the plan.

6. After a request from the Area "H" Citizen Participation
Organization Coordinator, MAPD staff examined the plant
materials in the 10 foot required planting strip adjacent
to Rock Road for compliance with the approved landscape
plan. We noted that a considerable number of plant
materials required under the plan had died and been re-
moved. We notified the developers agent of such on July 31,
1978 and we have also notified the Department of Central
Inspection. It has been the general position of the Board

Page 2 Case No. Z-2063
8-31-78

3. A recommendation of approval by the Planning Commission should be subject to replatting into one lot within one year from the date of approval by the Board of City Commissioners in order to provide for appropriate street right-of-way, building setbacks and access control; or the case be considered denied and closed; and that the ordinance effectuating the zone change not be published until the plat has been recorded with the Register of Deeds.

of City Commissioners to not approve further building permits or amendments to Commercial C.U.P.'s which are in violation of required landscaping until such time as the deficiencies are corrected. Although the applicant, in these proposed amendments do not have direct control over the area in violation, a willingness to rectify the problem has been stated. It is the staff position that no further building permits or amendments to the C.U.P. be granted without ~~first~~ providing for the correction of existing landscape deficiencies.

A

7. Should the Planning Commission and Board of City Commissioners determine that the proposed amendments to the Plan are acceptable, the following are suggested conditions of approval:

a. Platting of the unplatted portions of the C.U.P. site within two (2) years of the date of approval by the Board of City Commissioners, or the amendments be considered denied and closed.

→ leave in

*Mike -
I'll correct
this on the
final run*

b. The landscaping currently required by the Eastborough sewer. The Kellogg Mall site will be served by a sewer in Armour Drive and as such would not be affected by a possible masonry wall on the west property line; however, the Department of Public Works of the City of Wichita would recommend

3. A recommendation of approval by the Planning Commission should be subject to replatting into one lot within one year from the date of approval by the Board of City Commissioners in order to provide for appropriate street right-of-way, building setbacks and access control; or the case be considered denied and closed; and that the ordinance effectuating the zone change not be published until the plat has been recorded with the Register of Deeds.

TR

existing C.U.P. shall be in compliance with the approved landscape plan by the end of the fall planting season, 1978. No further building occupancy permits shall be granted on the Kellogg Mall site until such time as this requirements is complied with.

"Compliance" shall mean either the actual replanting of the missing materials or a financial guarantee backed by a contract with a nurseryman be submitted to provide replanting by a specific date.

- c. Should access be granted to parcel 6, the site circulation plan to parcel 6 shall be submitted for approval by the Director of Planning.
- d. Approval of a landscape plan by the Board of City Commissioners depicting retention of existing plant materials proposed to be retained, as well as additional trees and plant materials to fill in existing gaps along the west property line of parcels 6, 7, and 12. Said plan shall be required only if the masonry wall is waived and shall depict proposed system(s) of providing water to the plant materials.
- e. The developer providing wooden or solid

3. A recommendation of approval by the Planning Commission should be subject to replatting into one lot within one year from the date of approval by the Board of City Commissioners in order to provide for appropriate street right-of-way, building setbacks and access control; or the case be considered denied and closed; and that the ordinance effectuating the zone change not be published until the plat has been recorded with the Register of Deeds.

screen fencing adjacent to those Eastborough properties who do not currently have such fencing and desire to have such.

W

f. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

g. The development of this property proceeding in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

h. Any major changes in this development plan being resubmitted to the Planning Commission and City Commission for their consideration.

Page 2 Case No. Z-2063
8-31-78

3. A recommendation of approval by the Planning Commission should be subject to replatting into one lot within one year from the date of approval by the Board of City Commissioners in order to provide for appropriate street right-of-way, building setbacks and access control; or the case be considered denied and closed; and that the ordinance effectuating the zone change not be published until the plat has been recorded with the Register of Deeds.

STREET	1970	1972	1974	1976	1978	% change 74-76	% change 76-78	% change 70-78
<u>DOUGLAS</u>								
west of Woodlawn	7520	7442	7636	9607	10550	+ 25.8	+ 9.8	+ 40.2
east of Woodlawn	4705	4960	5767	6924	12706	+ 20.0	+ 83.5	+ 170.0
west of Rock	3340	4607	6364	5791	8467	- 9.0	+ 46.2	+ 153.5
east of Rock	2306	4830	4481	5477	6442	+ 22.2	+ 17.6	+ 177.3
<u>WOODLAWN</u>								
north of Douglas	12215	11486	16373	13063	12302	- 20.0	- 5.8	+ 7
south of Douglas	11435	11913	14591	11955	11251	- 18.0	- 5.8	- 1.6
north of Kellogg	11463	15920	13055	13717	17136	+ 5.0	+ 24.9	+ 49.4
south of Kellogg	12038	12577	14136	18822	12765	+ 33.1	- 32.1	+ 6.0
<u>ROCK</u>								
north of Douglas	8926	11360	14407	16782	20581	+ 16.3	+ 22.6	+ 130.6
south of Douglas	8529	11834	14186	15966	19959	+ 12.5	+ 25.0	+ 134.0
north of Kellogg	10151	11918	15744	21193	24314	+ 34.6	+ 14.7	+ 139.5
south of Kellogg	10373	12602	14332	25600	19959	+ 78.6	- 22.0	+ 92.4
<u>KELLOGG</u>								
west of Woodlawn	23981	20593	23996	27649	23431	+ 15.2	- 15.2	- 2.2
east of Woodlawn	24780	18530	26437	26437	26723	0	+ 1.0	+ 7.8
west of Rock	20824	17926	17412	24084	22458	+ 38.3	+ 1.5	+ 7.8
east of Rock	14602	16608	17095	25592	22769	+ 49.7	- 11.0	+ 16.1

APPROVED CUP

Parcel #	GFA
RS2	244 200
RS3	106 500
sub	350 700
RS 11	124 440
RS 1	213 480
RS 7	117 010
1	1300 000
2	16 000
3	22 600
4	36 800
5	200 000
sub	2 030 330

total

Office & Commercial

2,381,030

RS 4 (apts) 166 800

5700 # difference

~~PROPOSED CUP~~

Area east of Armour the same

6	2030330
7	28300
8	173275
12	161400
	46950
	409335

total

PROPOSED CUP

area east of Armour	2030330
6	15000
7	150000
8	161400
12	30000

356,400 = total 2386730

RS 2 244 200 #
RS 3 106 500 #
350 700 #

office
commercial

6. 15,000 #
8 161,400 #
12 30,000 #
206 400 commercial

7 150 000
356 400

5700 # difference



August 17, 1978

Mr. Eric T. Knorr
Dulaney, Johnston & Priest Insurance
Century Plaza Building
111 West Douglas
PO Box 206
Wichita KS 67201

Re: Error in ownership list
provided in conjunction with
DP-12, Kellogg Mall Amendments

Dear Mr. Knorr:

Regarding your request of August 15, 1978, for additional information as to our notification procedures, please be advised that notification to adjoining property owners is based upon ownership lists prepared by an Abstract Company and supplied in conjunction with zone change and Community Unit Plan proposals.

In this particular case, the list was prepared by the Security Abstract and Title Company (order #265223) and is based upon records maintained by the Sedgwick County Register of Deeds. A Xerox copy of the page which contains the apparently erroneous listing is attached for your reference. I would suggest that you contact the Security Abstract and Title Company at 267-8371 and attempt to determine why their records contain this listing.

It is quite possible that the original ownership record at the Register of Deeds is in error and you may wish to contact that office at 268-7511 and correct that listing.

We apologize for any inconvenience which this matter may have caused you and have made an address correction in our list. Please do not hesitate to call should you desire additional information regarding this matter.

Sincerely,

Mike Meek
Senior Planner
Current Plans Division

MM:ch
Attachment

**DULANEY, JOHNSTON & PRIEST
INSURANCE**

CENTURY PLAZA BUILDING

P. O. BOX 206
WICHITA, KANSAS 67201

111 WEST DOUGLAS

August 15, 1978

TELEPHONE (316) 263-3211

IN REPLYING REFER TO

Eric T. Knorr

CHARLES W. BLACK
WILLIAM J. BUSCH
HARLAN L. SMITH
WILLIAM B. GAUDREAU
WILLIAM K. AHSMUHS
GORDON E. HOYT
ERIC T. KNORR
GREGORY A. BUSCH
JACK D. LEE
JAMES A. CAIN
JACK S. HENNIGH
HOWARD N. FULLINGTON
JAMES H. KNORR
CHARLES D. HARRISON
RAYMOND L. MANN

Wichita-Sedgwick County Metropolitan
Area Planning Commission
City Hall-Tenth Floor, 455 North Main
Wichita, Kansas 67202

Notice Sent to Eric T. Knorr and Katherine H. Knorr
#21 Hillcrest, Wichita, Kansas 67218

Gentlemen:

I am wondering where your records got the above information. It is completely erroneous. These two people never lived at #21 Hillcrest.

My wife, Darlene R. Knorr, and I did live at that address; however we moved from that residence in 1977. Please be advised that Eric T. Knorr and Darlene R. Knorr live at #9 Hillcrest, Wichita, Kansas 67208.

I would appreciate a written explanation as to how this information was ever placed in your file. I am also curious since we are looking into it, where you came up with the zip code, 67218. I look forward to hearing from you.

Sincerely yours,

ETK:jd



by



[Handwritten signature]

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE August 8, 1978

TO Robert A. Lakin, Director of Planning
FROM Bill Morris, CPO Administrative Aide

SUBJECT Request for Staff Assistance - Towne
East CUP DP-12

CPO Council "H" will consider the proposed amendment to the Towne East CUP on Monday, August 14, at 7:00 p.m. in Eastminster United Presbyterian Church, 7202 East 9th. The Council has requested the presence of a member of your staff to explain the proposal in detail.

The developers of the property have also been invited to attend the meeting. In addition, I expect quite a number of area residents to be present.

Thank you for your assistance.

[Handwritten signature: Bill Morris]

Bill Morris
CPO Administrative Aide

BM:rh

NOTED:

[Handwritten signature: David L. Furnas]
David Furnas
Citizen Participation Coordinator



CASE DP-12 523 - "Notice To Adjoining Property Owners" mailed 8-10-78
for meeting on 8-31-78.

Bob Friesen
Mr. Phillip S. Fric~~k~~ Attorney
Mr. B. J. Kingdon
Mr. Michael Weigand
Ray T. Reed, Jr.
Ray Reed
Jack W. Clark
Bill Morris
Estate of James Campbell
Dave Furnas, CPO

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

August 10, 1978

NOTICE TO ADJOINING PROPERTY OWNERS

Our notice to you on August 3, 1978, advised that the following case was scheduled for consideration by the Metropolitan Area Planning Commission at their regular meeting on August 17, 1978.

CASE DP-12

Proposed amendments to the KELLOGG MALL (Towne East Square)
COMMUNITY UNIT PLAN

SE 1/4 of Section 19, Township 27 South, Range 2 East of the 6th
P.M., Sedgwick County, Kansas, except Rockwood South Second
Addition. Generally located between Kellogg, Douglas, Rock Road,
and the City of Eastborough.

This is to advise you that on this date we received a request by the applicant for deferral of this case and, therefore, this is to advise you that the Planning Commission will not consider this case at their meeting of August 17, 1978, as you were previously notified, but will consider it at their meeting of Thursday, August 31, 1978; consideration of this item to begin at 7:00 p.m. in the City Commission Meeting Room, City Hall-First Floor, 455 North Main Street, Wichita, Kansas, at which time you may appear in person or by agent or attorney if you so desire.

You are also advised that the Citizen Participation Organization Area Council will consider this item at 7:00 p.m., Monday, August 14, 1978, at the Eastminister United Presbyterian Church, 7202 East Ninth Street (Ninth & Armour). Additional information about that meeting may be obtained by calling the CPO Office at 268-4516.

Jack H. Galbraith
Assistant Secretary
Metropolitan Area Planning Commission

August 2, 1978

1736
Mr. Jack W. Clark
City Clerk
City of Eastborough
1178 S. Erie
Wichita, Kansas 67211

Re: DP-12 - Proposed amendments to
Kellogg Mall Community Unit
Plan (Towne East Square)

Dear Mr. Clark:

Attached is a copy of a plan containing proposed amendments to the development plan of Towne East Square. A notice to adjoining property owners describing some of the proposed changes is also included. The Metropolitan Area Planning Commission will consider the proposed amendments in a public hearing on August 17, 1978 at the time and place indicated on the notice, for the purpose of recommending to the Board of City Commissioners as to whether the amendments should be approved or denied.

Please transmit this information to the appropriate authorities in Eastborough. Inasmuch as this proposal relates to a site immediately adjoining your city, the council may wish to provide input to the MAPC at the public hearing.

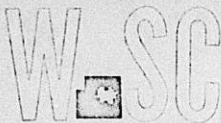
Please call should you have questions regarding this matter.

Sincerely,

Mike Meek
Senior Planner

MM:el
Attachments

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

August 3, 1978

Mr. Bob Friesen
Friesen and Associates
421 State
Augusta, Kansas 67010

Re: DP-12 Kellogg Mall C.U.P.-
Proposed Amendments

Dear Mr. Friesen:

We have transmitted to other city departments, the revised copies of the proposed amendments to the Kellogg Mall Community Unit Plan and the following comments are a result of their review, as well as our own internal review.

The major item of concern is the proposed access point to Douglas from parcel 6. Both the Traffic Engineering Division and Maintenance Division of the Department of Public Works have stated opposition to direct access to Douglas for the following reasons:

1. The location of an access point on the western portion of parcel 6 would be hazardous to vehicles making the curve in Eastborough and then suddenly being confronted with vehicular movements in and out of parcel 6.
2. The location of an access point on the eastern edge of parcel 6 could conflict with traffic movements over the existing bridge crossing the drainage ditch on Douglas Avenue.
3. The location of an access point midway on the frontage would result in removal of a major portion of the existing hedgerow in order to secure adequate vision triangles for vehicles entering or leaving the site. General provision #3 on the plan requires that the hedgerow be maintained except for points of ingress and egress approved by Engineering.
4. With Armour Drive West proposed to terminate in a hammerhead cul-de-sac on the south line of parcel 6, a direct access point to Douglas would create the same "throughway" traffic problem you were seeking to avoid on Armour Drive West, except that the movements would be accomplished through a parking lot rather than a public street. If access from parcel 6 is approved to Douglas by

WICHITA - SEDGWICK COUNTY

Page Two
August 3, 1978
Mr. Bob Friesen
Re: DP-12

the Board of City Commissioners, it will be our recommendation that the site circulation plan for parcel 6 be subject to approval by the Planning Department of a design that hinders traffic movements through the site from Douglas to Armour Drive West. However, our primary recommendation is that parcel 6 not have direct access to Douglas Avenue.

The Flood Control Maintenance Division of the Department of Public Works has cautioned that additional bridging of the drainage ditch will have to be sized so as not to raise the computed design water surface. The Traffic Engineering Division has suggested possible sites for two additional crossings which are depicted on a "marked copy" of the C.U.P. attached to this letter for your reference. Although the bridge issue is really a platting matter, we wanted you to be aware of staff suggestions as early as possible.

In our original review on parcels 8 and 12, we had requested that it be shown that automotive sales were permitted in "LC" zoning only with the approval of the Board of Zoning Appeals. However, in revising the wording this stipulation now is worded so that a reasonable interpretation would suggest that all of the listed uses are subject to B.Z.A. approval. In that such was not the intention, the wording should be changed to reflect that only automotive sales require B.Z.A. approval. In our original discussion, we questioned auto sales as a use for parcel 8 and it was stated that Yingling owned a portion of the parcel and it was already approved for such uses on the existing C.U.P. However, in checking the approved plan, none of the existing parcels (RS-2, RS-3, RS-4) which are contained within the proposed parcel 8 permit automotive sales so this is an expansion of uses. Although the traffic generation potential of auto sales is not as high as other commercial type uses, the external effects of lights, noise, and vehicle unloading often are of great concern to surrounding neighborhoods. Another point of concern is that parcel 7 still lists "other uses permitted under LC zoning" and parcel 12 lists "other compatible uses" as potential uses in the parcel descriptions. These open-ended use statements are troublesome to us and we again request that you review these phrases as well as the proposed automotive uses on parcel 8.

Again, I would mention the landscaping problems on the site as detailed in our letter of July 31, 1978, and the need to correct the deficiencies. Both the Citizen Participation Organization and the neighborhood appear to be quite concerned over this matter and such may be discussed by them at the public hearing on these proposed amendments.

WICHITA - SEDGWICK COUNTY

Page Three
August 3, 1978
Mr. Bob Friesen
Re: DP-12

In addition to the above comments, the following are suggested changes to be made on the plan:

1. The permitted uses lists for parcels 8 and 12 should be amended to reflect that Board of Zoning Appeals approval is required only on automotive sales. Consideration should also be given to eliminating such phrases as "other compatible uses" and "uses permitted under LC zoning" from the proposed use list, as well as the elimination of automotive sales as a use on parcel 8.
2. The proposed access point to Douglas Avenue from parcel 6 should be eliminated with parcel 6 access limited to Armour Drive West.
3. The landscaping on the entire C.U.P. site should be in accordance with the approved landscape plan.

Inasmuch as many of these comments may not be acceptable to your clients and will be items of discussion at the public hearing, you may wish to wait until after the M.A.P.C. hearing and make revisions to the plan after their action. We have enough copies of the plan to provide the Planning Commission at this time. However, if you do wish to make some revisions at this time, it will be necessary to submit fourteen (14) revised copies by Wednesday, August 9, 1978, at the latest. We have scheduled the public hearing of this item before the Metropolitan Area Planning Commission on August 17, 1978, said meeting beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

Please advise if you have questions or comments regarding this matter.

Sincerely,

Mike Meek

Mike Meek
Senior Planner
Current Plans Division

MM:bbc

cc: Mr. Phillip S. Frick, Attorney
700 Fourth Financial Center (02)

Mr. B. J. Kingdon, Law-Kingdon Company
313 S. Market (02)

Mr. Michael Weigand
150 N. Market (02)

Enclosure: Marked Copy C.U.P.

WICHITA-SEDGWICK COUNTY

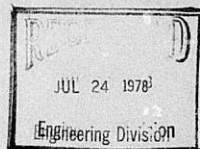
DATE
July 24, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Dick Linn, City Engineer
Paul Graves, Traffic Engineer
Max Green, Flood Control Engineer

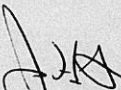
FROM Jack H. Galbraith, Chief Planner

SUBJECT DR-12 - Amended File #5 - KELLOGG MALL
(Towne East) Community Unit Plan.



Attached is a copy of proposed amendments to the Kellogg Mall (Towne East) Community Unit Plan. All of the proposed amendments to the plan relate to parcels now designated 6, 7, 8, and 12, located to the west of Armour Drive. The primary amendment is the deletion of residential uses on those parcels and the addition of more office and commercial uses. One point of concern to us is the proposal to hammerhead Armour Drive West at the south line of parcel 6 and to permit an access point to Douglas from parcel 6. How would traffic making the curve around Eastborough relate to the proposed access point if it is on the western portion of parcel 6? Could the proposed access point interfere with the bridge if located on the eastern portion of parcel 6? Should there be direct access to Douglas from parcel 6? Also note that the developer, in general provision number 9, has proposed to bridge the drainage ditch at one or two more locations (at his expense) to be determined at time of platting. Any problems with this? Any thoughts on the traffic impact of the proposed amendments would also be helpful.

Would appreciate having your comments by Friday, July 28, 1978, inasmuch as this plan is scheduled before the M.A.P.C. on August 17, 1978.


Jack H. Galbraith
Chief Planner

8-4-78

JHG:MM:e1
Attachment

Regarding the hammerhead on Armour Dr. West a circular cul-de-sac should be provided. Traffic Engineering should provide comments on parcel 6's access to Douglas. The number of bridges should not be a problem if designed properly. Mike Schmidt

DP-12 - 523 "Notice to Adjoining Property Owners" mailed 8/3/78 for
the MAPC meeting for 8/17/78.

1 to CPO OFFICE

524 TOTAL

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

August 3, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that at a meeting beginning at 1:30 p.m. on Thursday, August 17, 1978, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for an amendment to the KELLOGG HALL COMMUNITY UNIT PLAN (Towne East Square) for property legally described as follows:

DP-12 - SE $\frac{1}{4}$ of Section 19, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, except Rockwood South Second Addition. Generally located between Kellogg, Douglas, Rock Road, and the City of Eastborough.

The Development Plan of this area, originally approved on June 28, 1966, and as amended on February 28, 1967 and August 8, 1972, has been resubmitted as required under the Community Unit Plan Provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes the following general amendments to the Plan (all amendments relate to the area west of Armour Drive):

1. The addition of one access point on Douglas, west of Armour Drive.
2. Redesignation of Parcels RS-1, RS-2, and RS-3 as Parcels 6, 7, 8, and 12 with boundary shifts and changes in parcel configuration.
3. Changes in the permitted uses on the area designated as Parcels 6, 7, 8, and 12 from residential, office, and commercial development to office and commercial development. The major changes are deletion of residential uses and the addition of motel, financial institutions, and auto sales as permitted uses on the area designated as Parcels 6, 7, 8, and 12. Uses such as medical clinics, restaurants, club, theater, offices, and laboratories are permitted under both the currently approved plan and the proposed revised plan.
4. A reduction in the total gross floor area permitted on the entire plan by 108,165 square feet.
5. The substitution of a 10 foot planting strip adjacent to the west property line in lieu of the masonry wall which would be required at that location.

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

Page 2
Case No. DP-12

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

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 263-4516.

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

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

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

Robert A. Lakin
Secretary

THE CITY OF WICHITA

OFFICE OF Flood Control Maintenance **DATE** July 28, 1978



**ON SAFETY
PHASE II**

TO Jack Galbraith, Chief Planner, MAPD

FROM Max Greene

SUBJECT DR-12-Kellogg Mall Community Unit Plan
(Towne East)

In answer to your memo of July 24th regarding subject above, I make the following comments:

- 1) Additional bridges would have to be sized so as not to raise the computed design water surface. The Flood Control Office would be opposed to additional crossings.
- 2) No. 5 of the general notes on the plan - screening walls cannot be constructed on or across utility easements. Wall across utility easements could be accomplished by special agreement.
- 3) Sanitary Sewer would have to be extended to serve all lots not adjacent to Eastborough.
- 4) Public Works Maintenance is opposed to access to Douglas from Lot 6.
- 5) No. 3 of General notes - the Park Department should be consulted relative to the statement being made about the shelter belts.

Max Greene

Max Greene,
Flood Control Engineer
Flood Control Maintenance

MG/glm

cc: G. H. Wilton
Kellogg Mall CUP



July 24, 1978

Dick Linn, City Engineer
Paul Graves, Traffic Engineer
Max Green, Flood Control Engineer

Jack H. Galbraith, Chief Planner

DR-12 - Amended File #5 - KELLOGG MALL
(Towne East) Community Unit Plan.

Attached is a copy of proposed amendments to the Kellogg Mall (Towne East) Community Unit Plan. All of the proposed amendments to the plan relate to parcels now designated 6, 7, 8, and 12, located to the west of Armour Drive. The primary amendment is the deletion of residential uses on those parcels and the addition of more office and commercial uses. One point of concern to us is the proposal to hammerhead Armour Drive West at the south line of parcel 6 and to permit an access point to Douglas from parcel 6. How would traffic making the curve around Eastborough relate to the proposed access point if it is on the western portion of parcel 6? Could the proposed access point interfere with the bridge if located on the eastern portion of parcel 6? Should there be direct access to Douglas from parcel 6? Also note that the developer, in general provision number 9, has proposed to bridge the drainage ditch at one or two more locations (at his expense) to be determined at time of platting. Any problems with this? Any thoughts on the traffic impact of the proposed amendments would also be helpful.

Would appreciate having your comments by Friday, July 28, 1978, inasmuch as this plan is scheduled before the M.A.P.C. on August 17, 1978.

Jack H. Galbraith
Chief Planner

JHG:MM:e1
Attachment

5947
19
27
26

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

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents.

a. Applicant Estate of James Campbell *Fred Taylor Oz Steiner*
Address 828 Fort Street Mall, Honolulu, Hawaii 96813 Phone 506-536-1961
Agent Phillip S. Frick
Address 700 Fourth Financial Center Wichita, Kansas 67202 Phone 267-6371

b. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

c. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

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

II.A The applicant hereby requests Kellogg Mall amendment
property zoned LC and legally described as Lot(s) 1 and 2,
and Lots 1 thru 13 inclusive, Block(s) 1 and 2 respectively,
Rockwood South Fourth Addition.
(If appropriate, metes and bounds description may be provided in
the space below or on an attached sheet.)

Amendments consist of changes in proposed uses for
parcels 6, 7 and 8 of Kellogg Mall Community Plan

II.B There are 17.1 acres (round to nearest tenth) in the above
described property.

III. This property is located at (address) _____.

The general location is (use appropriate section)

- a. at the _____ corner of _____
and _____; or
- b. on the west side of Armour Drive (Ave.,
Street) between Douglas (Ave., Street) and
Kellogg (Ave., Street).

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

Estate of James Campbell _____

By [Signature] _____ By _____
Authorized Agent (if any) Authorized Agent (if any)
Philip S. Frick

By _____ By _____
Authorized Agent (if any) Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at
10:30 (AM) (PM) on July 6, 1978 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ 400⁰⁰.

[Signature] Name
Jr. Planner Title

OWNERSHIP LIST

Lot	Addition	Property Owner
Lot 1, Block 1	Bonnie Brae	✓ Dean O. Mason & Corlie O. Mason 8002 E. Lynwood Blvd. 67207
Lot 2, Block 1	" " "	✓ Wilford F. Courtright & Emily Z. 8008 E. Lynwood Blvd. 67207
Lot 3, Block 1	" " "	X Elmer R. Olson & Diane E. Olson ¹⁰⁰ address unknown <i>none found</i>
Lot 4, Block 1	" " "	✓ Arthur E. Coltrin & Darlene Graves Coltrin 8020 E. Lynwood Blvd. 67207
Lot 5, Block 1	" " "	✓ Harrison C. Boughton & Patricia Ann 8026 E. Lynwood Blvd. 67207
Lot 6, Block 1	" " "	✓ George Peters & Amelia Peters ¹⁰⁰ address unknown <i>consultant, % address of the Board of Christ Community, 1505 S. Skinday 672-13</i>
Lot 7, Block 1	" " "	✓ Charles P. Vanderbeke & Frankie A. 1839 S. Battin Ave. 67218
Lot 8, Block 1	" " "	✓ Robert E. McClintick & Erralene 145 Lochinvar 67207
Lot 9, Block 1	" " "	✓ Edgar L. Moore & Ruth L. Moore 139 Lochinvar 67207
Lot 10, Block 1	" " "	✓ Marion M. Corson & Stella J. 133 Lochinvar 67207
Lot 11, Block 1	" " "	✓ Hassan H. Jabara & Delores M. 127 Lochinvar 67207
Lot 12, Block 1	" " "	✓ Lester F. Penzler & Jo Anne 121 Lochinvar 67207
Lot 13, Block 1	" " "	✓ Alfred J. Angulo & Mary Agnes 115 Lochinvar 67207
Lot 14, Block 1	" " "	✓ Clarence M. Carroll & Dolores B. 107 Lochinvar 67207
Lot 15, Block 1	" " "	✓ Anna Lee Halbower (Scholle) 101 Lochinvar 67207
Lot 1, Block 2	" " "	✓ John D. Dye & Dorothy V. Dye 8002 Morningside 67207
Lot 2, Block 2	" " "	✓ Donald W. Anderson & Patricia B. 8008 Morningside Dr. 67207
Lot 3, Block 2	" " "	✓ John H. Johntz & Veenetia B. 8014 Morningside 67207

DP-12 35

Lot	Addition	Property Owner
Lot 12, Block 4	Bonnie Brae	✓ Kenneth L. Epley & Bonnie M. 8115 Mockingbird 67207
Lot 13, Block 4	" " "	✓ Ronald E. Stevens & Mildred L. 8107 Mockingbird 67207
Lot 14, Block 4	" " "	✓ Lynn W. Whiteside & Mildred K. 8101 Mockingbird 67207
Lot 15, Block 4	" " "	✓ Jergen J. Jorgensen & Margaret E. 8021 Mockingbird 67207
Lot 16, Block 4	" " "	✓ Bobby J. Thomas & Delores J. 8015 Mockingbird 67207
Lot 17, Block 4	" " "	✓ William J. Hamrick & Pamela A. 8007 Mockingbird 67207
Lot 18, Block 4	" " "	✓ Bernard B. Fairchild & Okla M. 8001 Mockingbird 67207
Lot 1, Block 5	" " "	✓ Theodore B. Van Zant & Cleota T. 8002 Peach Tree Lane 67207
Lot 2, Block 5	" " "	✓ W.P. McMillan & Martha E. 8008 Peach Tree 67207
Lot 3, Block 5	" " "	✓ E. Eugene Lawler & Helen L. 8014 Peach Tree 67207
Lot 4, Block 5	" " "	✓ Carl F. Newman Jr. & Clara J. 8020 Peach Tree 67207
Lot 5, Block 5	" " "	✓ Lynn R. Ikerd & Mary Ann 8102 Peach Tree 67207
Lot 6, Block 5	" " "	✓ Roy C. Lindell & Tillie M. 8108 Peach Tree 67207
Lot 7, Block 5	" " "	✓ Thomas B. Campbell & Norma C. 8114 Peach Tree 67207
Lot 8, Block 5	" " "	✓ Richard R. Johnson & Marlys P. 8120 Peach Tree 67207
Lot 9, Block 5	" " "	✓ James B. Crowe & Sharry L. 929 S. Doreen St. 67207
Lot 10, Block 5	" " "	✓ Lyman E. Cavin & Mary I. 8324 E. Morris St. 67207
Lot 11, Block 5	" " "	✓ Maurice R. Connolly 8121 Willowbrook 67207
Lot 12, Block 5	" " "	✓ Thomas W.W. Hewlett Jr. & Constance S. 8115 Willowbrook 67207
Lot 13, Block 5	" " "	✓ J.F. Kemper & Olive E. 8107 Willowbrook 67207
Lot 14, Block 5	" " "	✓ Joseph F. Moos & Doris R. 8101 Willowbrook 67207
Lot 15, Block 5	" " "	✓ David F. Bryan & M. Evalene 8021 Willowbrook 67207

Lot	Addition	Property Owner
Lot 16, Block 5	Bonnie Brae	✓ Benjamin W. Barker 8015 Willowbrook 67207
Lot 17, Block 5	" " "	✓ Andrew J. Progar & Betty J. 8007 Willowbrook 67207
Lot 18, Block 5	" " "	✓ Robert A. McMillen & Carol L. 8001 Willowbrook 67207
Lot 1, Block 6	" " "	✓ Lambert Lawrence Honton & Marie J. 8021 Peach Tree 67207
Lot 2, Block 6	" " "	✓ Jimmy R. Wallis & Geneva B. 8101 Peach Tree 67207
Lot 3, Block 6	" " "	✓ Willie C. Unruh & Evelyn M. 8107 Peach Tree 67207
Lot 4, Block 6	" " "	✓ Alfredo P. Gonzalez & Luisa M. 8115 Peach Tree 67207
Lot 5, Block 6	" " "	✓ Andrew Small & Mathilda 8121 Peach Tree 67207
Lot 6, Block 6	" " "	✓ Odetta C. Schnitzler 8127 Peach Tree 67207
Lot 1, Block 14	" " "	✓ Luther C. Gartin 102 Lochinvar 67207
Lot 2 & N 3' of Lot 3, Block 14	" " "	✓ Courtney M. Graves 108 Lochinvar 67207
Lot 3 Exc N 3' Block 14	" " "	✓ Gerald P. Younger & Sharon L. 114 Lochinvar 67207
Lot 4, Block 14	" " "	✓ William J. Schmidt & Oretta E. 120 Lochinvar 67207
Lot 5, Block 14	" " "	✓ Bill J. Hawks & Mary Alice 126 Lochinvar 67207
Lot 6, Block 14	" " "	✓ Harold W. Volkman & Velma K. 132 Lochinvar 67207
Lot 7, Block 14	" " "	✓ Cecil J. Lagerquist & Lavone M. 138 Lochinvar 67207
Lot 8, Block 14	" " "	✓ Hugh H. Claypool & Laura F. 144 Lochinvar 67207
Lot 16, Block 14	" " "	✓ Neil J. Coady & Dolores B. 133 Bonnie Brae 67207
Lot 17, Block 14	" " "	✓ Gary N. Swink 127 Bonnie Brae 67207
Lot 18, Block 14	" " "	✓ Alvin J. Hennessy Jr. & Sandra K. 121 Bonnie Brae 67207
Lot 19, Block 14	" " "	✓ Edwin H. Hooper & Sandra R. 115 Bonnie Brae 67207
Lot 20, Block 14	" " "	✓ Calvin D. Homolka & Marjorie N. 107 Bonnie Brae 67207
Lot 21, Block 14	" " "	✓ Levada Ruth Armstrong 101 Bonnie Brae 67207

Lot	Addition	Property Owner
Lot 4, Block 2	Bonnie Brae	✓ Donald Thomas Elasi & Eileen M. 8020 Morningside 67207
Lot 5, Block 2	" " "	✓ Roy H. Taylor, Jr. & Shirley L. 8026 Morningside 67207
Lot 6, Block 2	" " "	✓ Richard M. Murrey & Elizabeth A. address unknown ^{TR 3131 Valley Forge} 67210
Lot 7, Block 2	" " "	✓ Donald J. Vande & Mary Ellen 8108 Morningside 67207
Lot 8, Block 2	" " "	✓ Donald D. Powers & Sharen J. 8114 Morningside 67207
Lot 9, Block 2	" " "	✓ Maynard C. Kitchen & Laurretta 8120 Morningside 67207
Lot 10, Block 2	" " "	✓ Robert E. LaPierre & Sally Lou W. 8126 Morningside 67207
Lot 14, Block 2	" " "	✓ James D. Corrigan & Hilaria M. 151 Lochinvar 67207
Lot 15, Block 2	" " "	✓ William A. Turpen & Helen N. 8121 E. Lynwood 67207
Lot 16, Block 2	" " "	✓ Hans H.G. Leissing & Antonia F. 8115 E. Lynwood 67207
Lot 17, Block 2	" " "	✓ James D. Pagel & Georgia M. 8107 E. Lynwood 67207
Lot 18, Block 2	" " "	✓ Francis Lee Johnson & Tina Mae 8101 E. Lynwood 67207
Lot 19, Block 2	" " "	✓ Charles E. Moore & Shirley A. 8027 E. Lynwood 67207
Lot 20, Block 2	" " "	✓ James Rudolph Otwell & Elaine E. 8021 E. Lynwood 67207
Lot 21, Block 2	" " "	✓ Thomas F. Johnson & Linda L. 8015 Lynwood 67207
Lot 22, Block 2	" " "	✓ Charles C. Forsyth & G. Lillian 8007 E. Lynwood 67207
Lot 23, Block 2	" " "	✓ Sterl A. Smith & Genevieve L. 8001 E. Lynwood 67207
Lot 1, Block 3	" " "	✓ Bobby John Nelson & Janice L. 1426 Murray Ct. 67212
Lot 2, Block 3	" " "	✓ William A. Skinner & Elizabeth M. 8008 Mockingbird Lane 67207
Lot 3, Block 3	" " "	✗ Margaret W. Buzzi address unknown <i>none found</i>
W 90' of Lot 4, Block 3	" " "	✓ Herman A. Osment Jr. & Geraldine M. 8020 Mockingbird 67207
E 8' Lot 4, & all Lot 5, Block 3	" " "	✓ Eugene Keith Thomas & Lorene A. 8026 Mockingbird 67207
Lot 6, Block 3	" " "	✓ Tommie J. Cunningham & Marilyn M. 8102 Mockingbird 67207

Lot	Addition	Property Owner
Lot 7, Block 3	Bonnie Brae	✓ Edward Wayne Weeks & Mary Margaret 8108 Mockingbird 67207
Lot 8, Block 3	" " "	✓ Mohammad Shahri & Monir (Coutzari) Shahri 8114 Mockingbird 67207
Lot 9, Block 3	" " "	✓ H.B. Moriconi & Ardevina 8120 Mockingbird 67207
Lot 12, Block 3	" " "	✓ James H. Childers & Gertrude M. 8121 E. Morningside 67207
Lot 13, Block 3	" " "	✓ Thomas R. Draper 8115 Morningside 67207
Lot 14, Block 3	" " "	✓ Orland J. Peterka & Jean E. 8107 Morningside Dr. 67207
Lot 15, Block 3	" " "	✓ Warren S. DeArmond & Rita G. 8108 Morningside 67207
Lot 16, Block 3	" " "	✓ Ronald D. Barton & Emily D. 8027 Morningside 67207
Lot 17, Block 3	" " "	✓ Jerald L. Patterson Sr. & Sybil Y. 8021 Morningside 67207
Lot 18, Block 3	" " "	✓ Eli S. Rush & Ramona L. 8015 Morningside 67207
Lot 19, Block 3	" " "	X Marlyn L. Matz & Vera L. Address unknown <i>none found</i>
Lot 20, Block 3	" " "	✓ Tommy G. Johnson & Jerie J. 8001 Morningside 67207
Lot 1, Block 4	" " "	✓ Roger L. Harter & Phoebe A. % Harter Realtors 733 N. Baltimore Derby, Kansas 67037
Lot 2, Block 4	" " "	✓ Gary A. Davis & Joycelyn E. 8008 Willowbrook 67207
Lot 3, Block 4	" " "	✓ G. William Miller & Lenora A. 8014 Willowbrook 67207
Lot 4, Block 4	" " "	✓ Robert O. Wall & Dorothy D. Wall 8020 Willowbrook 67207
Lot 5, Block 4	" " "	✓ Elon B. Boyers & Frances D. 8102 Willowbrook 67207
Lot 6, Block 4	" " "	✓ Donald C. Farr & Amanda S. 8108 Willowbrook 67207
Lot 7, Block 4	" " "	✓ Paul A. Slicker & Roxy Ellen 8114 Willowbrook 67207
Lot 8, Block 4	" " "	✓ Daniel L. Goldschmidt & Lois P. 8120 Willowbrook 67207
Lot 9, Block 4	" " "	✓ Bernard E. Nichols & Alberta F. 8145 E. Zimmerly St. 67207 <i>8126 Willowbrook</i>
Lot 11, Block 4	" " "	✓ H.M. Pack & Miriam C. Pack 8121 Mockingbird 67207

Lot	Addition	Property Owner
Lot 7, Block EZ	Eastborough 3rd	✓ Robert M. Ulrich & Ellen C. Lin 18 Drury 67207
Lot 9 exc. S 25', Block EZ	" " "	✓ Richard L. Holstead & Beverly A. 20 Drury 67207
Lot 1, exc S 15', Block DZ	" " "	✓ Loper Electric Co., Inc. 914 E. Gilbert 67211
S 15' Lot 1 & All Lot 4, Block DZ	" " "	✓ Guy D. Harris & Linda S. 6503 Farmview Lane 67204'
Lot 6, Block DZ	" " "	✓ Carl F. Cannon & Mary L. 6 Drury 67207
Lot 8, Block DZ	" " "	✓ Eugene L. West & Marguerita 8 Drury 67207
Lot 10 & N½ vac. Morgan Lane, Block DZ	" " "	✓ Delmar A. Kuhlman & Rose M. 10 Drury 67207
Lot 5, Block Y	" " "	✓ Thos. H. Allan & Alice D. 12 Willowbrook Rd. 67207
Lot 4, Block Y	" " "	" " " " " "
Lot 6 exc. S 10', Block Y	" " "	✓ Thomas C. Raum, Jr. & Doris V. 71 Mission 67207
S 10' Lot 6 & all Lot 7, Block Y	" " "	✗ Luella L. Malone <i>none found</i> address unknown
Lot 8, Block Y	" " "	✓ W. Dean Vickery & Sarah C. 75 Mission Rd. 67207
Lot 9, Block Y	" " "	✓ L.J. Pracht Jr. & Mary B. 77 Mission 67207
Lot 10, Block Y	" " "	✓ Phyllis J. Weyand 79 Mission 67207
Lot 11, Block Y	" " "	✓ Kirk M. Ward & Jean S. 404 W. 6th Haysville, Ks. 67060
Lot 12, Block Y	" " "	✓ Ray A. West & Lorraine H. 83 Mission 62707
Lot 13 exc. S 25' Block Y	" " "	✓ James B. McKinney & Evelyn E. Byron L. Adkison % 89 Mission 67207
Lot 1, Block Z	" " "	✓ Jeff H. King Jr. & Marian Nadine 58 Mission 67207
W½ Lot 2, Block Z	" " "	D J.H. King, Jr. 88 Mission 67207
E½ Lot 2 & All Lot 3, Block Z	" " "	✓ Robert S. Wise & Mary F. 4 Willowbrook 67207
Lot 4, Block Z	" " "	✓ Larry O. Steenrod & Florence 60 Mission 67207
Lot 5, Block Z	" " "	✓ William T. West & Regina M. 3 Drury Lane 67207
Lot 6, Block Z	" " "	✓ Charles B. McIlwaine & Jeanne D. 5 Drury Lane 67207

DP 12 File #5

Lot	Addition	Property Owner
Lot 1	E.M. Stevens 2nd	✓ Nevets, Inc. 905 Stratford 67206
Lot 1	Chrysler	✓ Chrysler Realty Corp. % W.W. Taylor 14715 Lakeview 67230
Lots 1, 2 & 3, Block A	Bridwell	✓ Walter Morris Investment Co. Inc. 128 S. Dellrose 67218
Lot 1	Ripstra	✓ J.G. Ripstra Trustee of Ripstra Trust Fund #3 % Joseph Ripstra 61 S. Stratford 67207
Lot 1, Block A	McHugh	✓ Blount, Barfell Dennehy Inc. & Richard R. Bailey, Trustee % McClelland, Collins Sheehan, Bailey, Bailey & Belt 600 Hightower 105 No. Hudson Oklahoma City, Oklahoma 73102
Lots 1, 2 & 3	East Mission	✓ Evangelical Lutheran Church of the Reformation 6909 E. Kellogg 67207
W 65' of Lot 1, Block 10	Esstridge	✓ Bartina Warner Beschka & Joe E. 6902 E. Orme 67207
E 19' of Lot 1 & W 41' of Lot 2, Block 10	" "	X George E. Meade & Cora G. address unknown <i>none found</i>
E 39' of Lot 2 & W 21' of Lot 3, Block 10	" "	✓ Evangelical Lutheran Church of Reformation Inc. 6909 E. Kellogg 67207
E 59' of Lot 3 & W 1' Lot 4, Block 10	" "	✓ Kenneth J. Gehrler & Barbara J. 6920 E. Orme 67207 401 N. Brookside 67208
E 23' of Lot 4 & W 33' of Lot 5, Block 10	" "	✓ Corinne Blanche Squire 6932 E. Orme 67207
E 56' of W 57' of Lot 4, Block 10	" "	X Una Matheny & Gwenda Faye address unknown <i>none found</i>
E 47' of Lot 5 & W 9' of Lot 6, Block 10	" "	✓ Amber Dini & E. Louise 6938 E. Orme 67207
E 56' of W 65' of Lot 6, Block 10	" "	✓ Gerald W. Edwards & Lutie Dee 455 Courtleigh 67218
E 15' of Lot 6 & W 41' of Lot 7, Block 10	" "	X Lloyd N. Shenk & E. Sue address unknown <i>none found</i>
E 39' of Lot 7 & W 17' of Lot 8, Block 10	" "	✓ V.L. Durrington & Wanda L. 546 Trig Ave. 67207
E 56' of W 73' of Lot 8, Block 10	" "	✓ Steven A. Hildebrand & Jane E. 7020 E. Orme 67207

Lot	Addition	Property Owner
E 7' of Lot 8 & W 49' of Lot 9, Block 10	Eastridge	✓ Curtis L. Jeffers & Louise A. 7320 E. Morris 67207 1130 Royal Road
E 31' of Lot 9 & W 25' of Lot 10, Block 10	" "	✓ Robert H. Hoover Jr. & Ronda R. 6602 E. Harry 67207 1032 E. Dorn St.
Lot 10 exc. W 25' Block 10	" "	✓ Joyce E. Martin 6407 Rockwood Rd. 67206
E 60' of Lot 8, Block 1	" "	✗ Celia M. Jenkins ✓ address unknown <i>none found</i>
A tract in NW¼ of Section 30, T27S, R 2E, desc. as beginning at a point on S line of Kellogg St. aka HW 54, 914.5' W & approximately 64.10' S of NE cor. of said NW¼ of Sec. 30; thence W along S side of Kellogg St. a distance of 250'; thence S parallel to E line of said NW¼ a distance of 280'; thence E parallel to Kellogg St., a distance of 250'; thence N 280' to point of beginning.		
Lot 1, Block AZ	Eastborough 3rd	✓ Earl Dennis Parsons 66 Mission 67207
Lot 2, Block AZ	" " "	✓ F.E. Kappelman & Dorothy L. 11 Drury Lane 67207
Lot 3, Block AZ	" " "	✓ Hugh H. Boyle 68 Mission Rd. 67207
Lot 4, Block AZ	" " "	✓ Pauline M. Abraham 13 Drury 67207
Lot 5, Block AZ	" " "	✓ William P. Matchette & Kathy R. 15 Drury 67207
Lot 6, Block AZ	" " "	✓ D.M. Quinn & Adeline M. 70 Mission Rd. 67207
Lot 7, Block AZ	" " "	✓ David McElhiney & Shirley 17 Drury 67207
Lot 8 exc. S 25', Block AZ	" " "	✓ Vincent L. Scott & Rea M. 72 S. Mission 67207
Lot 9 exc. S 25', Block AZ	" " "	✓ Julius Jacobson & Norma Kenway Jacobson 19 Drury Lane 67207
Lot 1 & S½ vac. Morgan St., Block EZ	" " "	✓ Albert Causey & Maria 12 Drury Lane 67207
Lot 3, Block EZ	" " "	✓ R. Reed Hatfield & Dollie D. 14 Drury Lane 67207
Lot 5, Block EZ	" " "	✓ Roland J. King & Roselind J. 1 E. Douglas Ave. 67207

Lot	Addition	Property Owner
Lot 1	Bonnie Brae Second	Rock Road Investment Co. <input checked="" type="checkbox"/> % Robert C. Brim Jr. 200 S. Rock Road 7054 E. Kellogg 67207 672-07
Lots 2 & 3	" " " " "	<input checked="" type="checkbox"/> Caliendo Investment Corp. 400 N. Woodlawn Suite 1a 67208
Lot 6	" " " " "	<input checked="" type="checkbox"/> Marion Gray Romig 6403 Marjorie Lane 67206
Lots 7 & 8	" " " " "	<input checked="" type="checkbox"/> O'Donnell Corp. % Blair, Matlack, Rogg, Foote & Scott, P.A. 301 N. Market 67202
All that part of Lot 9 in Bonnie Brae Second lying S of an East-West line beginning at the NE corner of Lot 3 of said addition, thence E parallel to N line of said lot 9 to the E line of said Lot 9.		<input checked="" type="checkbox"/> Rock Road Investment Co. % Robert C. Brim Jr. 7054 E. Kellogg 67207
All that portion of Lot 9 in Bonnie Brae Second Addition lying N of an East-West line beginning at NE corner of Lot 3 of said addition, thence E parallel to N line of said Lot 9 to E line of said Lot 9.		<input checked="" type="checkbox"/> Savina Builders, Inc. 352 N. Broadway Rm 208 67202
Lot 1	Champlin	<input checked="" type="checkbox"/> Champlin Petroleum Company address unknown <i>none found</i>
Lot 2	" "	<input checked="" type="checkbox"/> Grove's Schwinn Cyclery Inc. 5600 E. Lincoln 67218 132 S. Rock RD 67207
Lot 1	Each Branch Y.M.C.A.	<input checked="" type="checkbox"/> Young Men's Christian Assoc. 8025 E. Douglas 67207
Lot 1	Clemons	<input checked="" type="checkbox"/> Irvin Kallman address unknown <i>none found</i>
E 44' Lot 2 & E 44' of S 75' Lot 3 & S 20' of N 40' of Lot 3	" "	<input checked="" type="checkbox"/> Neil W. Murney & Cleo B. 820 Dublin 67206
Lot 2 exc. E 44' & Lot 3 exc. E 44' of S 75' & exc S 20' of N 40' and all of lots 4,5,6 & 7	" "	<input checked="" type="checkbox"/> Fred D. Clemons & Nona C. 60 S. Stratford Rd. 67207
W 100' of Lot 8	Ruth	<input checked="" type="checkbox"/> Morco Inc. % Betty Joyce Morgan 530 Edgewater 67230
E 30' of W 130' of Lot 8	" "	<input checked="" type="checkbox"/> Morco Inc. % Betty Joyce Morgan 530 Edgewater 67230
E 170' of Lot 8	" "	<input checked="" type="checkbox"/> Graham-Michaelis Drilling Co. 211 N. Broadway Rm 301 67202

Lot	Addition	Property Owner
E 125' & E 95' of W 175' of Lot 7 exc. S 140'	Ruth	✓ Maverick Development Co. Inc. 250 N. Rock Rd. Suite 150 67206
W 80' of W 175' of Lot 7	" "	✓ Michael C. Foley 3900 N. Woodlawn 67220
W 85' of E 220' of S 140' Lot 7	" "	✓ W.A. aka William A. Foshee & Deanna 201 Morningside 67218
Lot 1 Exc N 360' of W ¹ / ₄ NW ¹ / ₄ of Sec. 29, T 27S R2E (being part of Lot 1, Block 1 & Lot 1, Block 6) & all of Lots 2,3,4,5,6,7,8,9,10, Block 1	Eastmoor	✓ Levitt Jewelry Co. Inc. 7930 E. Harry 67207
N 360' of W ¹ / ₄ NW ¹ / ₄ Sec. 29, T27S, R2E (being part of Lot 1, Block 1 & Lot 1, Block 6)	Eastmoor	✓ F.M. Brady & Nellie 26 Lakeside Blvd 67207
Lot 1, Block 2	Eastmoor	X M.I. Neher Jr. & Patricia Joy ✓✓ address unknown <i>none found</i>
Lot 2, Block 2	" "	✓ Larry Lee McKee & Nima J. 103d St. South Clearwater, Kansas 67226
Lot 3, Block 2	" "	✓ Wava L. Thompson 8013 E. Orme 67207
Lot 4, Block 2	" "	✓ Herbert Berger & Lila Lee 340 N. Stratford Rd. 67206
Lot 5, Block 2	" "	✓ Bernard Virgil Fairchild & Vicki Sue 8204 E. Harry St. 67207
Lot 19, Block 2	" "	✓ Jane S. Eulberg 8008 E. Indianapolis 67207
Lot 20, Block 2	" "	✓ Roy D. Flock & Nancy J. Flock 8002 E. Indianapolis 67207
Lot 1,	East Side Center	✓ Victor H. Scholfield James Richard Scholfield % 626 Rutland Rd. 67206
Lots 4 & 5	" " " "	✓ Transamerican Investment Properties, Inc. 200 W. Douglas Suite 430 67202

Lot	Addition	Property Owner
	Lot 2, East Side Center together with a non-exclusive permanent reciprocal easement for ingress and egress over & across the following desc. tract which abuts and provides access to Rock Road beginning at the SW corner of Lot 3 of East Side Center Add. thence N along W line of Lot 3, for 30'; thence E parallel to the S line of Lot 3 for 360' to the Eastern line of Lot 3; thence S along Eastern line of Lot 3 for 30'; thence W to point of beg. as desc. in Book 16 Page 923 & corrected by instrument recorded in Book 20, Page 710.	✓ Brooks Harvey Realty Investors 280 Park Ave. New York, New York 10017
	Lot 3, East Side Center together with a non-exclusive permanent reciprocal easement for ingress and egress over & across beginning at NW corner of Lot 2 of East Side Center Add. thence S along W line of Lot 2 for 376' for point of beg.; thence E from point of beginning parallel to N line of Lot 2, for 385' to eastern line of Lot 2; thence S along eastern line of Lot 2 for 21'; thence E 20 feet; thence S along eastern line of Lot 2 for 5'; thence W parallel to N line of Lot 2 for 405' to western line of Lot 2; thence N along said western line of Lot 2 for 26' to point of beginning.	✓ Wichita Properties Inc. % Max E. Eberhart 1400 Vickers KSB&T Bldg. 67202
Lot 1	East Side Center 2nd	✓ Scholfield Properties % Scholfield Bros. Pontiac 7633 E. Kellogg 67207
Block 4	Eastridge 8th	✓ Robert S. Lightner & Gwendolyn H. 26 Cypress Dr. 67206 ✓ Eugene W. Lightner 2201 S. Hillside 67211
Lot 2, Block 1	" " "	✓ LaVerne Dean Wedel & Wilms L. 536 Calhoun 67207
Lot 3, Block 1	" " "	✓ Richard Lee Wheeler & Carolyn Lee 542 Calhoun Dr. 67207
Lot 4, Block 1	" " "	✓ Thomas Forster & Marcella M. 548 Calhoun Dr. 67207
Lot 5, Block 1	" " "	✓ Carl L. Burrows & Margaret K. 554 Calhoun Dr. 67207
Lot 1	Replat of Block 1, Kellogg Crest	D Victor H. Scholfield James Richard Scholfield % 626 Rutland Rd. 67206
Lots 2 & 3	" " "	✓ K.T. Wideman % 4th National Bank & Trust Co., as Trustee 4th Financial Center 67202
Lot 4, Block 2	Eastridge 11th	D Victor H. Scholfield James R. Scholfield % 626 Rutland Rd. 67206
Lot 5, Block 2	" " "	✓ Koakish W. Cleston & Glenysse M. 7604 E. Orme 67207

Lot	Addition	Property Owner
Lot 1 & W2' Lot 2, Block 4	Eastridge 11th	✓ Eugene O. Schenck & Kiyoko 7503 E. Orme 67207
Lot 2 Exc W 2', Block 4	" " "	X Carter Hart, Jr. & Mozelle W. address unknown <i>none found</i> ✓✓
Lot 3, Block 4	" " "	✓ Valerian J. Greiving & Margaret A. 7515 E. Orme 67207
Lot 4, Block 4	" " "	✓ Paul T. Rollins & Betty S. 7603 E. Orme 67207
S 4' Lot 5 & all Lot 6, Block 4	" " "	✓ Robert B. Walker & Nadine 609 Longfellow 67207
Lot 5 exc S 4', Block 4	" " "	✓ Marcelline A. Wright 603 Longfellow 67207
Lot 7, & N 2.5' Lot 8, Block 4	" " "	✓ Lowell K. Ferris & Katherine L. 615 Longfellow 67207
Lot 8 exc. N 2.5', Block 4	" " "	✓ Thomas S. Shireman & Corliss J. 7610 E. Indianapolis 67207
W 0.75' Lot 9 & All Lot 10, Block 4	" " "	✓ Daniel S. Pfeifer & Karen L. 7516 E. Indianapolis 67207
Lot 9 exc. W 0.75', Block 4	" " "	✓ Hugh H. Amick & La Rita K. 7604 Indianapolis 67207
Lot 11, Block 4	" " "	✓ Sam Heinze & Laura A. 7510 E. Indianapolis 67207
Lot 12, Block 4	" " "	✓ Sam A. Lessley & Mildred J. 7504 E. Indianapolis 67207
Lot 1, Block 5	" " "	✓ Edna S. Voth 600 Longfellow 67207
Lot 2, Block 5	" " "	✓ Thomas James Brock 608 Longfellow 67207
Lot 3, Block 5	" " "	✓ Robert C. Hurtt & Ileana V. 2109 Ward 67211
Lot 4, Block 5	" " "	✓ Robert E. Haynes & Margaret M. 622 Longfellow 67207
Lot 5, Block 5	" " "	✓ Vaughan O. Stevens & Grace I. 220 Lochinvar 67207
Lot 6, Block 5	" " "	✓ Joseph Mizenko & Mozelle 7720 E. Indianapolis 67207
Lot 7, Block 5	" " "	✓ Gerald L. Davey & Velma E. 1114 Royal Rd. 67207
Lot 8, Block 5	" " "	✓ John W. Ronck & Sharon 7808 E. Indianapolis 67207
Lot 9, Block 5	" " "	✓ Cleve C. Holland Jr. & Marion 7814 E. Indianapolis 67207

Lot	Addition	Property Owner
Lot 10, Block 5	Eastridge 11th	✓ Steven Rex Boyd 7820 E. Indianapolis 67207
Lot 11, Block 5	" " "	✓ William Neil Kline & Janice 7902 E. Indianapolis 67207
Lot 12, Block 5	" " "	✓ Eugene V. Moser & Carol M. 7908 E. Indianapolis 67207
Lot 13, Block 5	" " "	✓ Charles W. Switzer & Luella V. 421 N. Chautauqua 67214
Lot 14, Block 5	" " "	✓ James Russell Harris & Ruth R. 7920 E. Indianapolis 67207
Lot 1, Block 2	Eastridge 8th	✓ Alonzo C. Smith Sr. & Shirley J. 1514 N. Erie 67214
Lot 2, Block 2	" " "	✓ Edmund Arthur Woodcox & Lucila 7309 E. Orme 67207
Lot 3, Block 2	" " "	✓ Chester C. Ramsey & Betty J. 7315 E. Orme 67207
Lot 4, Block 2	" " "	✓ Robert D. Mickelson & Betty L. 7321 E. Orme 67207
Lot 5, Block 2	" " "	✓ Edward L. Radell & Mauricia 7327 E. Orme 67207
Lot 6, Block 2	" " "	✓ Helen Y. White Lois Tefft % 609 S. Armour Dr. 67207
Lot 7, Block 2	" " "	✓ Lawrence E. Lybarger & Helen L. 2214 S. Rutan 67218
Lot 8, Block 2	" " "	✓ Sidney L. Foulston Jr. & Ruth Helen 625 S. Armour 67207
Lot 9, Block 2	" " "	✓ Leslie Wayne Nikkel & Jeannette M. 7332 E. Indianapolis 67207
Lot 10, Block 2	" " "	✓ Randy Divine & Linda 7326 E. Indianapolis 67207
Lot 11, Block 2	" " "	✓ Virgil James Griffith & Yvonne D. 7320 E. Indianapolis 67207
Lot 12, Block 2	" " "	✓ Howard DeMoure & Rose A. 7314 E. Indianapolis 67207
Lot 13, Block 2	" " "	✓ Judith L. Black Julia D. Black 7308 E. Indianapolis 67207
Lot 14, Block 2	" " "	✓ Judi A. Olenberger 618 Calhoun 67207
Lot 1, Block B	Eastridge 6th	✓ Frank L. Seten & Vivian Robert Ray Seten 602 Whittier 67207
Lot 2, Block B	" " "	✓ Edward Hughes Phillips & Letitia R. address unknown Twy 608 Whittier 67207

Lot	Addition	Property Owner
Lot 3, Block B	Eastridge 6th	✓ Lee G. Craddy & M. Johnnie 614 Whittier 67207
Lot 4, Block B	" " "	✓ Cecil I. Peterson & Betty R. 620 Whittier 67207
Lot 5, Block B	" " "	✓ Charles T. Eads & Gertrude J. 626 Whittier 67207
Lot 6, Block B	" " "	✓ Charles Herbert Jamis Jr. & Neva R. 632 Whittier 67207
Lot 17, Block B	" " "	✓ Donald F. Gattis & Marilyn L. 633 Calhoun 67207
Lot 18, Block B	" " "	✓ Virgil Kelly & Sylvia L. 627 Calhoun 67207
Lot 19, Block B	" " "	✓ John P. Redman & Leora K. 621 Calhoun 67207
Lot 20, Block B	" " "	✓ Joseph G. Simon & Claryce J. 4325 E. Lewis 67218
Lot 21, Block B	" " "	✓ Billy R. Popchoke & Wilma D. 607 Calhoun 67207
Lot 22, Block B	" " "	✓ Charles V. Lambertz 601 Calhoun 67207
Lot 1, exc. W 16', Block A	" " "	✓ Charles W. London & Vera A. 4805 E. 24th St. N. 67220
Lot 2, Exc. W 16', Block A	" " "	X John R. Jones & Deborah Y. ✓ address unknown <i>see in Phone Book, not in City Dir. Showing Deborah.</i>
Lot 3, exc. W 16', Block A	" " "	✓ William Stephen Timmerman 614 S. Gouverneur Rd. 67207
Lot 4, exc. W 16', Block A	" " "	✓ Richard A. Mohny & Suzanne E. 620 S. Gouverneur 67207
Lot 5, exc. W 16', Block A	" " "	D Charles W. London & Vera A. 4805 E. 24th St. N. 67220
Lot 6, exc. W 16', Block A	" " "	✓ Harvey E. Deck & Avis A. 632 S. Gouverneur 67207
Lot 23, Block A	" " "	X Otto C. Beach Jr. & Delores A. ✓ address unknown <i>none found</i>
Lot 24, Block A	" " "	✓ Frank J. Schneller & Margaret 627 Whittier 67207
Lot 25, Block A	" " "	✓ Bobby D. Price & Evelyn M. 621 Whittier 67207
Lot 26, Block A	" " "	✓ Mark D. Wood & Mary Ann 615 Whittier 67207
Lot 27, Block A	" " "	✓ David A. Cherry ✓ <i>1990 Waterbeds address unknown Unlimited 560 S. Oliver 67218</i>

Lot	Addition	Property Owner
Lot 28, Block A	Eastridge 6th	✓ Walter L. Johnson Jr. & Lorene B. 601 Whittier 67207
Lot 1, Block 1	Eastridge 5th	✓ Edward J. Campbell & DeLoise 6933 E. Orme 67207
Lot 2, Block 1	" " "	✓ Mervin T. Mapes & Vivian V. 6939 E. Orme 67207
Lot 3, Block 1	" " "	✓ Lawrence E. Pierce Jr. aka Lawrence Eugene Pierce Jr. & Patricia J. 7007 E. Orme 67207
Lot 4, Block 1	" " "	✓ Mary Ann Simion 7013 E. Orme 67207
Lot 5, Block 1	" " "	✓ Ray W. Goscha & Monica M. 7019 E. Orme 67207
Lot 6, Block 1	" " "	✓ Warren W. Cochran & Freda J. Linda F. Middleton % 7025 E. Orme 67207
Lot 7, Block 1	" " "	✓ Esther L. Marshall 7031 E. Orme 67207
Lot 8, Block 1	" " "	✓ Donald L. Broyles & Ruth H. 3108 Elpyco 67210
Lot 9, Block 1	" " "	✓ Milton J. Welsh Jr. & Judith L. 200 S. Woodlawn Apt 921 Derby, Kansas 67037
Lot 10, Block 1	" " "	✓ William L. Blomberg & Wendy J. address unknown 7038 E. Gilbert ⁶⁷²⁰⁷
Lot 11, Block 1	" " "	✓ Vernon S. Anderson & Evelyn M. 601 S. Yale 67218
Lot 12, Block 1	" " "	✓ Suresh M. Patel & Hansa S. 7026 E. Gilbert 67207
Lot 13, Block 1	" " "	✓ Timothy L. Dreher & Charlene K. 7020 E. Gilbert 67207
Lot 14, Block 1	" " "	✓ John E. Herndon & Kay E. 7014 E. Gilbert 67207
Lot 15, Block 1	" " "	✓ David Eugene Wilson & Sandra Y. 7008 E. Gilbert 67207
Lot 16, Block 1	" " "	✓ Phyllis A. Billings 7002 E. Gilbert 67207
Lot 1, Block 2	" " "	✓ Myrtle Browning 502 S. Mission Rd. 67207
Lot 2, Block 2	" " "	✓ Oscar Hollingsworth & Flossie 611 S. Mission 67207
Lot 3, Block 2	" " "	✓ Marjorie G. Randall 514 S. Mission 67207

Lot	Addition	Property Owner
Lot 11, Block 2	Eastridge 5th	✓ George R. Andrews & Patricia L. 521 Drury Lane 67207
Lot 12, Block 2	" " "	✓ Mark Alan Johnson & Adele E. 517 Drury Lane 67207
Lot 13 & S 1.5' Lot 14, Block 2	" " "	✓ Ronald R. Roberts & Carol A. 511 Drury Lane 67207
Lot 14 exc. S 1.5' Block 2	" " "	✓ Terry L. Boeken & Sheri C. 507 Drury 67207
Lot 15, Block 2	" " "	✓ George I. Rorabaugh & Martha 503 Drury 67207
Lot 2, Block 3	" " "	✓ Michael D. Klein & Brenda G. 840 S. Mission 67207 <i>1007 E.G. LEBERT</i>
Lot 3, Block 3	" " "	✓ Jerald D. Godsey & Ilene A. 7013 E. Gilbert 67207
Lot 4, Block 3	" " "	X Tom W. Hanan & Eva Aldean ✓ address unknown <i>none found</i>
Lot 5, Block 3	" " "	✓ Ronald D. Chippeaux & Wilma J. 7025 E. Gilbert 67207
Lot 6, Block 3	" " "	✓ Donald D. Ziegler & Karyn C. 7031 E. Gilbert 67207
Lot 7, Block 3	" " "	✓ Ernest F. Matlock & June 7037 E. Gilbert 67207
Lot 8, Block 3	" " "	✓ Twila M. Nelson 7043 E. Gilbert 67207
Lots 1 & 2, Block A	Lightner	D ✓ Robert S. Lightner D ✓ 26 Cypress 67206 Eugene W. Lightner 2201 S. Hillside 67211
Lots 1 & 2	Keys	✓ Pizza Hut, Inc. 240 N. Rock Rd. Suite 300 67206
Lot 4	" "	X Frank W. Buchholz Jr. & Meriam Jane ✓ address unknown <i>none found</i>
S 50' Lot 5	" "	✓ Nevets, Inc. ✓ 905 Stratford 67206
Lot 1 & W 37' of Lots 2 & 3	Keys 2nd	✓ Elizabeth Horning ✓ Opal Ramsdall 7 542 Whittier 67207
Lot 2 exc. W 37'	" "	✓ Eddys Toyota of Wichita, Inc. 7333 E. Kellogg 67207
Lot 3 exc. W 37'	" "	✓ Ronald P. Clements & Debra K. 555 Calhoun 67207

DP-12 #5
Kellogg-Mall

Lot	Addition	Property Owner
Part of Lot 13, Block 1, Rockwood 3rd Addition described as commencing at a point on W line of said Lot, 121.15' N of SW corner thereof; thence E parallel with S line of said Lot, 11' for a place of beginning; thence continuing E parallel with S line of said Lot 43.75'; thence S at right angles 74.65'; thence W at right angles 27.45'; thence S at right angles 2'; thence W at right angles 16.3'; thence N at right angles 76.65' to beginning, together with an undivided 1/12th interest in common areas		✓ L. Doyle Gerhardt & Winona D. 7104 E. Douglas 67206
Part of Lot 13, Block 1, Rockwood 3rd Addition described as commencing at a point on W line of said Lot, 121.15' N of SW corner thereof; thence E parallel with S line of said Lot, 100.08' thence S at right angles 25.2' for a place of beginning; thence E at right angles 45.4'; thence S at right angles 75.95'; thence W at right angles 15.82'; thence N at right angles 2'; thence W at right angles 29.58'; thence N at right angles 73.95' to beginning, together with an undivided 1/12th interest in common areas		✓ Walter T. Elnen 7114 E. Douglas Ave. 67206
Lot 13, Block 1, Rockwood 3rd Addition, except above last 4 described tracts		✓ D Union National Bank of Wichita 150 N. Main 67202
Part of Lot 14, Block 1, Rockwood 3rd Addition described as commencing at a point on S line of said Lot, 214.52' W of SE corner thereof; thence N parallel with E line of said Lot 38.6' for a place of beginning; thence continuing N parallel with E line of said Lot, 45.7'; thence E at right angles 74.02'; thence S at right angles 29.4'; thence E at right angles 2'; thence S at right angles 16.3'; thence W at right angles 76.02' to beginning, together with an undivided 1/12th interest in common areas		✓ Payne H. Ratner & Cliffe D. 7211 Huntington 67206
Part of Lot 14, Block 1, Rockwood 3rd Addition described as commencing at a point on S line of said Lot, 214.52' W of SE corner thereof; thence N parallel with E line of said Lot, 84.3' for a place of beginning; thence continuing N parallel with E line of said Lot, 45.78'; thence E at right angles 49.3'; thence S at right angles 2 feet; thence E at right angles 24.72'; thence S at right angles 28'; thence E at right angles 2'; thence S at right angles 15.78'; thence W at right angles 76.02' to beginning, together with an undivided 1/12th interest in common areas		✓ Vincent Canzoneri & Helen M. 7203 Huntington 67206
Part of Lot 14, Block 1, Rockwood 3rd Addition described as commencing at a point on S line of said Lot, 20' W of SE corner thereof; thence N parallel with E line of said Lot, 44.7' for a place of beginning; thence continuing N parallel with E line of said Lot, 75.86'; thence W at right angles 16.3'; thence S at right angles 2'; thence W at right angles 27.9'; thence S at right angles 24.68'; thence W at right angles 1.57'; thence S at right angles 49.18'; thence E at right angles 45.77' to beginning, together with an undivided 1/12th interest in common areas		✓ Kathryn Davis 7227 Huntington 67206

Lot	Addition	Property Owner
	Part of Lot 14, Block 1, Rockwood 3rd Addition described as commencing at a point on S line of said Lot, 20' W of SE corner thereof; thence N parallel with E line of said Lot 35.5'; thence W at right angles to E line of said Lot, 36.35' for a place of beginning; thence continuing W along the last described line extended, 32.2'; thence South at right angles 12.4'; thence W at right angles 52.7'; thence N at right angles 15.5'; thence E at right angles 2.75'; thence N at right angles 16.3'; thence W at right angles 2'; thence N at right angles 12.2'; thence E at right angles 25.83'; thence N at right angles 2'; thence E at right angles 48.9'; thence S at right angles 24.4'; thence E at right angles 9.42'; thence S at right angles 9.2' to beginning, together with an undivided 1/12th interest in common areas	X Thelma Wallingford address unknown <i>couldn't find</i>
Lot 14, Block 1, Rockwood 3rd Addition, except above last 4 described tracts		D Union National Bank of Wichita 150 N. Main 67202
Lot 7, Block 2	Rockwood 3rd	✓ Fred E. Fox & Anita J. 220 N. Armour 67206
Lot 8, Block 2	" " "	✓ Harold E. Ramsey & Frances N. 210 N. Armour 67206
Lot 9 & N2' Lot 10, Block 2	" " "	✓ Kenneth S. Martin & Dena G. 200 N. Armour 67206
Lot 10 exc. N 2' Block 2	" " "	X <i>couldn't find</i> Richard C. Gilmartin & Margaret U. address unknown
Lot 11, Block 2	" " "	✓ James D. Cavanaugh & Dorothy A. 144 N. Armour 67206
Lot 12, Block 2	" " "	✓ Larry B. Spikes & Valerie B. 134 N. Armour 67206
Lot 13, Block 2	" " "	✓ Gale W. Doner & Esther L. 124 N. Armour 67206
Beginning at SE corner of Lot 14, thence W along front line, 10'; thence Nly parallel with E line said Lot, 70'; thence Nly 75' more or less to NEly corner Lot 14, thence S 144' to beginning & all Lot 15, Block 2, Rockwood 3rd		✓ Gerry E. Munn & Lyn E. 8205 E. Boston 67207
Lot 14 except that part beginning at SE corner of Lot 14, thence W along front line, 10'; thence Nly parallel with E line said Lot, 70'; thence Nly 75' more or less to NEly corner Lot 14, thence S 144' to beginning, Block 2, Rockwood 3rd		✓ John M. Roberts & Marcella S. 104 N. Armour 67206
Lot 16, Block 2	Rockwood 3rd	✓ Glen E. Seaton & Joan M. 105 Rutland Rd. 67206
Lot 17, Block 2	" " "	✓ Randall P. Anderson & Reeva M. 115 Rutland Rd. 67206

Lot	Addition	Property Owner
Lot 18, Block 2	Rockwood 3rd	✓ Eleanor C. Bowman 135 Rutland 67206
Lot 19, Block 2	" " "	✓ Kenneth C. Mattley & Jane A. 145 Rutland 67206
Lot 20, Block 2	" " "	✓ W. Nolan Artz & H. Irene Scimeca Artz 155 Rutland 67206
Lot 21, Block 2	" " "	✓ H.B. Walls 201 Rutland Rd. 67206
Lot 22, Block 2	" " "	✓ Hugh D. Wallace & Janet F. 211 Rutland Rd. 67206
Lot 23, Block 2	" " "	✓ L. Fred Muenchrath & Ruth A. 221 Rutland 67206
Lot 1, Block 1	Rockwood 4th	✓ J. Elaine Grant 7302 Pagent Lane 67206
Lot 2 & W 0.25' Lot 3, Block 1	" " "	✓ Norris H. Madden & Doris W. 7316 Pagent Lane 67206
Lot 3 exc. W 0.25' Block 1	" " "	✓ Donna Vee Kidwell 7328 Pagent Lane 67206
Lot 4 & beginning at SWly corner of Lot 5, thence to NW corner, thence along rear line 2½', thence to SWly corner at beginning, Block 1, Rockwood 4th		✓ Robert B. Meeker & Betty J. 7400 Pagent Lane 67206
Lot 1, Block 2	Rockwood 4th	<i>X candidate for</i> Sheldon J. Miller & Alice N. address unknown
Lot 2, Block 2,	" " "	✓ Neil D. Frumkin & Sally A. 8202 Tamarac Lane 67206
Lot 3, Block 2	" " "	✓ Richard M. Kerschen & Hannah R. 1204 S. Gouverneur Ct. 67207
Lot 4, Block 2	" " "	✓ Gary M. Hanssen & Suzanne S. 154 Rutland Rd. 67206
Lot 5, Block 2	" " "	✓ Frank A. Addis & Lorena M. 200 Rutland Rd. 67206
Lot 6, Block 2	" " "	✓ Harvey A. Campbell & Mary Starr Campbell 7301 Pagent Lane 67206
Lot 7, Block 2	" " "	✓ Donald E. Hofmann & Merle S. 7315 Pagent Lane 67206
Lot 8, Block 2	" " "	✓ Fred C. BamBebber & Harriett E. 7329 Pagent Lane 67206
Lot 9, Block 2	" " "	✓ Charles E. Henning M.D. & Susan F. 7401 Pagent Lane 67206
Lot 10, Block 2	" " "	✓ P.K. Smith Jr. & Wanda L. 7405 Pagent Lane 67206
Lot 11, Block 2	" " "	✓ Ronald L. Wickham & Jo Ann 7409 Pagent Lane 67206
Lot 12, Block 2	" " "	✓ Robert L. McCroskey & Maribel B. 7413 Pagent Lane 67206

Lot	Addition	Property Owner
Lot 13, Block 2	Rockwood 4th	✓ Robert E. Mallonee & Barbara C. 243 Post oak St. 67206
Lot 14, Block 2	" " "	✓ Jo Ann B. Schovee 225 Post oak St. 67206
Lot 15, Block 2	" " "	✓ Richard D. Martens & Elinor J. 217 Post oak 67206
Lot 16, Block 2	" " "	✓ John P. Hawkins & Lois P. 201 Post oak 67206
Lot 17, Block 2	" " "	✓ Burl D. Greer & Alice Mae 171 Post oak St. 67206
Lot 18, Block 2	" " "	✓ Claude R. Kimbrel & Sue B. 157 Post oak 67206
Lot 19, Block 2	" " "	✓ Gerald D. Haag & J. Diane 143 Post oak 67206
Lot 20, Block 2	" " "	✓ John H. Haerberle & Georgia R. 125 Post oak 67206
Lot 21, Block 2	" " "	Elizabeth N. Gambrell address unknown
Lot 22, Block 2	" " "	✓ R.S. Huston & Vere M. 110 Brendonwood Ct. 67206
Lot 23, Block 2	" " "	✓ Elbie G. McNeil & Phyllis B. 118 Brendonwood Ct. 67206
Lot 24, Block 2	" " "	✓ Richard T. Foster & Carol Sue 126 Brendonwood Ct. 67206
Lot 25, Block 2	" " "	✓ F.W. Shelton Jr. & Shirley G. 134 Brendonwood Ct. 67206
Lot 26, Block 2	" " "	✓ Willis H. Webster & Melva B. 142 Brendonwood Ct. 67206
Lot 27, Block 2	" " "	✓ Max F. Blakely & Barbara A. 150 Brendonwood Ct. 67206
Lot 28, Block 2	" " "	✓ John E. Schlicher & Karol 139 Brendonwood Dr. 67206
Lot 29, Block 2	" " "	✓ Gerald W. Carr & Elenor R. 131 Brendonwood Dr. 67206
Lot 30, Block 2	" " "	✓ Bill E. Gravley & Clara J. 123 Brendonwood 67206
Lot 31, Block 2	" " "	✓ W. Philip Buck Jr. 115 Brendonwood Dr. 67206
Lot 32, Block 2	" " "	✓ Glenn E. Smith & Eleanor M. 107 Brendonwood 67206
Lot 1, Block 3	" " "	✓ Roger D. Farrow & Nancy J. 106 Brendonwood Dr. 67206
Lot 2, Block 3	" " "	✓ Jack G. Paulsen & Christine F. 114 Brendonwood 67206

X Parcel found

Lot	Addition	Property Owner
Lot 3, Block 3	Rockwood 4th	✓ Warren E. Meyer & Dorothy P. 130 Brendonwood 67206
Lot 4, Block 3	" " "	✓ Robert Lee Palmer Loren L. Morton % 2113 N. Edgemoor 67208
Lot 5 exc S 5' Block 3	" " "	✓ J.G. Phipps, M.D. & Dorothy E. 117 Brendonwood Ct. 67206
S 5' Lot 5 & All Lot 6, Block 3	" " "	✓ Joseph A. Bulger & Hazel Ruth 109 Brendonwood Ct. 67206
Lot 1, Block 4	" " "	✓ Jack S. Stevens & Alice R. 7301 Huntington 67206
Lot 2, Block 4	" " "	✓ William R. Coughenour & Patricia 7315 Huntington 67206
Lot 3, Block 4	" " "	✓ Ann Valerius Petrie 7329 Huntington 67206
Lot 4, Block 4	" " "	✓ George Ewonees & Vadys L. 7401 Huntington 67206
Lot 5, Block 4	" " "	✓ Albert H. Howard & Odetta 7409 Huntington 67206
Lot 6, Block 4	" " "	✓ Dr. Randall S. Ramsey 7818 E. Douglas Apt 209 67206
Lot 7, Block 4	" " "	✓ Brian E. Romalis & Miriam E. 7507 Huntington 67206
Lot 8 exc E 2' Block 4	" " "	✓ Velma Jean Gragg 7515 Huntington 67206
E 2' Lot 8 & All Lot 9, Block 4	" " "	✓ James C. Price & Sandra Kay 7523 Huntington 67206
Lot 2, Block 1	Rockwood 5th	✓ Walter S. Gick & Pauline M. 216 Post oak 67206
Lot 3, Block 1	" " "	✓ Homer G. Nester 212 Post oak St. 67206
Lot 4, Block 1	" " "	✓ James B. Connelly & Isabelle M. 206 Post oak St. 67206
Lot 5, Block 1	" " "	✓ Thomas O. Griffin & Sharon S. 200 Post oak St. 67206
Lot 6, Block 1	" " "	✓ Harry J. Frieze & Kathryn A. 130 Post oak St. 67206
Lot 7, Block 1	" " "	✓ A.R. Loomis 20 Lakeside Blvd. 67207
Lot 8, Block 1	" " "	✓ Russell W. Campbell & Elizabeth Ann 116 Post oak St. 67206

Lot	Addition	Property Owner
Lot 9, Block 1	Rockwood 5th	✓ Jack E. Smith & Margie E. 110 Post oak 67206
Lot 10, Block 1,	" " "	✓ Louise L. Yost 104 Post oak 67206
Lot 11, Block 1	" " "	✓ Francis Fredreck Lynch & Dorothy Ann 101 Penrose Dr. 67206
Lot 12, Block 1	" " "	✓ Ronald L. Ferguson & Carol Ann 109 Penrose Dr. 67206
Lot 13, Block 1	" " "	✓ James H. Reeder & Joan G. 117 Penrose Dr. 67206
Lot 14, Block 1	" " "	✓ Cletus T. Burgardt & Viola M. 125 Penrose 67206
Lot 15, Block 1	" " "	✓ Robert Namisnak & E. Jerrine 133 Penrose 67206
Lot 16, Block 1	" " "	✓ Edwin R. Clark & Doris Lee 141 Penrose 67206
Lot 17, Block 1	" " "	✓ Reginald Gilbert Hammond & Kathleen Mana Hammond 201 Penrose 67206
Lot 18, Block 1	" " "	✓ Raymond H. Davis & Hazel Blair Davis 209 Penrose 67206
Lot 19, Block 1	" " "	✓ Robert N. McNeil & Ray C. 217 Penrose 67206
Lot 4, Block 2	" " "	✓ Lawrence E. Hall & Pauline B. 216 Penrose 67206
Lot 5, Block 2	" " "	✓ Charles F. Squire & Nancy Ellen 208 Penrose 67206
Lot 6, Block 2	" " "	✓ James H. Steele & Roberta M. 200 Penrose 67206
Lot 7, Block 2	" " "	✓ Arthur J. Robinson & Donna 142 Penrose 67206
Lot 8, Block 2	" " "	✓ John N. Ryan Jr. 134 Penrose 67206
Lot 9, Block 2	" " "	✓ A. James King & Alma Jane 126 Penrose 67206
Lot 10, Block 2	" " "	✓ Perry T. Fleagle & Marcia M. 118 Penrose 67206
Lot 11, Block 2	" " "	✓ Lawrence A. Gittrich & Annabelle H. 110 Penrose 67206
Lot 12, Block 2	" " "	✓ Thomas R. Lentz & Melinda M. 6602 E. Harry Apt 1207 67207
Lot 5, Block 1	Rockwood 6th	✓ Thomas H. Hamner & Pamela B. 219 Burr Oak Rd. 67206

Lot	Addition	Property Owner
Lot 6, Block 1	Rockwood 6th	✓ Walter E. Ferguson & Dorris A. 213 Burr Oak Rd. 67206
Lot 7, Block 1	" " "	✓ Leon J. Marano & Jule M. 207 Burr Oak Rd. 67206
Lot 8, Block 1	" " "	✓ Ronald A. Glah & Glorana L. 201 Burr Oak 67206
Lot 9, Block 1	" " "	✓ James R. Mott & Rebecca S. 518 N. Terrace Dr. 67208
Lot 10, Block 1	" " "	✓ Charles E. Ramsey & Patricia B. 123 Burr Oak 67206
Lot 11, Block 1	" " "	✓ Robert T. High & Janet K. 119 Burr Oak Rd. 67206
Lot 12, Block 1	" " "	✓ W. Gary Poss & Joan M. 111 Burr Oak 67206
Lot 13, Block 1	" " "	✓ Earl W. Johnson & Kathryn M. 7722 Huntington 67206
Lot 7 exc N 2' Block 2	" " "	✓ James L. Burgess & Cynthia A. 253 Live Oak Lane 67206
Lot 8 & 9, Block 2	" " "	✓ Dorothy Compton Morton & Richard B. Hammond, Trustees Box 1118 67201
Lot 10, Block 2	" " "	✓ Larry R. Cary 215 Live Oak Lane 67206
Lot 11, Block 2	" " "	✓ William L. Poitevint & Clara A. 205 Live Oak 67206
Lot 12, Block 2	" " "	✓ Terry O. Everson & Barbara A. 204 Burr Oak Road 67206
Lot 13, Block 2	" " "	✓ Dennis W. Yockey & Peggy E. 208 Burr Oak Rd. 67206
Lot 14, Block 2	" " "	✓ Rodger M. Arst & Patricia L. 212 Burr Oak Ct. 67206
Lot 1, Block 4	" " "	✓ Samuel A. Baker & Grace M. 244 Live Oak Lane 67206
Lot 2, Block 4	" " "	✓ William J. Ervin & Mary Lou 236 Live Oak 67206
Lot 3, Block 4	" " "	✓ Daniel A. Derr & Elly S. address unknown
Lot 4, Block 4	" " "	✓ Joseph N. Berns & Karen A. 222 Live Oak Lane 67206
Lot 5, Block 4	" " "	✓ Dirk W. Vink & Margaret T. 216 Live Oak 752 N. Mission Rd. 67206
Lot 6, Block 4	" " "	✓ Patrick F. Regan & Ann M. 210 Live Oak Lane 67206
Lot 7, Block 4	" " "	✓ Ralph Edward Umbarger & Dorothy E. 124 Burr Oak Rd. 67206

Lot	Addition	Property Owner
Lot 8, Block 4	Rockwood 6th	✓ Stephen A. Imm & Judith M. 116 Burr Oak Rd. 67206
Lot 9, Block 4	" " "	✓ Cecil L. McClaren & Diane E. 110 Burr Oak 67206
Lot 10, Block 4	" " "	✓ W. Mike Campbell & Marilyn K. 104 Burr Oak Rd. 67206
Lot 11, Block 4	" " "	✓ Larry W. Robinson & Marlene M. 100 Burr Oak 67206
Lot 12 exc W 2' Block 4	" " "	✓ Wilbur B. Harrison & Dorothy A. 7721 Huntington 67206
W 2' Lot 12, Block 4	" " "	✓ John Hale, Jr. & Margaret 7711 Huntington 67206
Lot 5, Block 3	Rockwood 5th	" " " " " "
Lot 4, Block 3	" " "	✓ William H. Mitchell & Peggy Ann 7701 Huntington 67206
Lot 3, Block 3	" " "	✓ Thomas J. Curry & Elsie Jean 7623 Huntington 67206
Lot 2, Block 3	" " "	✓ Roy K. Steeby & Donna C. 7615 Huntington 67206
Lot 1, Block 3	" " "	✓ Hilaire J. Lavigne Jr. & Charlotte B. 7601 Huntington 67206
Lot 1	Rockwood Reserve A	✓ The Prudential Insurance Co. of America 6901 W. 63rd St. ✓ Overland Park, Kansas 66202
Lot 1, Block A	Rockborough	X- Rockborough Executive Park Co. address unknown
Lot 2, Block A	" " "	✓ Windsor at Rockborough 3310 Harrison St. 230 N. Rock Road Topeka, Ks. 66600 Wichita 67206
Lot 1	B & H	✓ Merle J. Hefley & Harvey W. 1441 N. Rock Rd 7701 Dublin St. 67206
Lot 2	" "	✓ J. Victor Benton & Helen M. 8501 Shannon Way 67206 Harvey W. Hefley & Merle J. D 7701 Dublin St. 67206
Lots 1 & 2, Block A	Nestor's	✓ Nestor R. Weigand Jr. 12 Colonial 67207 Merle E. Britting & Helen E. 7328 Elm Ct. 67206

Lot	Addition	Property Owner
	Beginning at a point 50' E & 40' N of SW corner NW $\frac{1}{4}$ of Section 20, T 27S, R2E, thence N parallel with W line of said quarter section 175'; thence E parallel with S line said quarter section, 175', thence S parallel to West line said quarter section, 175' thence W to beginning	X J.A. Vickers <i>current found</i> address unknown
Lots 1 & 2	Rockwood South 1st	D Estate of James Campbell Suite 500 828 Fort Street Mall Honolulu, Hawaii 96813
Lot 1	Rockwood South 3rd	✓ O.L. Eck 7310 E. Kellogg 67207
	Lot 2, Rockwood South 3rd except a tract of land along S line of Lot 2, described as beginning at SE corner of Lot 2, thence W along S line of Lot 2, 297.3' to P.C. of a curve to the right having a central angle of 88°33' and a radius of 44.10'; thence along the curve 68.16' to P.T. of said curve; thence N along W line of Lot 2, 11' to a point; thence SE at an interior angle of 44°16'30" 42.93' to a point; thence E parallel to S line of Lot 2, 310.91' to a point on E line of Lot 2, thence S 24' to point of beginning.	✓ Robert W. Moore 400 N. Walker Oklahoma City, Oklahoma 73102
Lots 2,3 & 4	Kellogg Mall	✓ Kellogg Mall Associates 1712 North Meridian St. Indianapolis, Ind. 46200
	Lot 1, Kellogg Mall Addition, except that part described as commencing at a point 1790.35' S & 60' W of N.E. corner of SE $\frac{1}{4}$ of Sec. 19, T27S, R2E; thence Wly parallel with U.S. HW 54 r-o-w, 23.25' to E line of said Lot 1 & a place of beg.; thence continuing Wly parallel with said HW, 176.75'; thence Sly parallel with E line of said SE $\frac{1}{4}$, 350'; thence Ely parallel with said HW, 183.1' to E line of said Lot 1; thence Nly along E line of said Lot 1, 350.07' to place of beginning.	D Estate of James Campbell Suite 500 828 Fort Street Mall Honolulu, Hawaii 96813
	Part of Lot 1, Kellogg Mall Addition described as commencing at a point 1790.35' S & 60' W of NE corner of SE $\frac{1}{4}$ of Section 19, T27S, R2E; thence W parallel with U.S. HW 54 r-o-w, 23.25' to E line of said Lot 1 & a place of beginning; thence continuing W parallel with said HW 176.75'; thence S parallel with E line of said SE $\frac{1}{4}$, 350'; thence E parallel with said HW 183.10' to the E line of said Lot 1, thence N along E line of said Lot 1, 350.07' to place of beginning	D Kellogg Mall Associates 1712 North Meridian St. Indianapolis, Ind. 46200

Lot	Addition	Property Owner
	A tract located in SE $\frac{1}{4}$ of Section 19, T 27S, R 2E, described as beginning at a point on W line of Armour Drive as platted in Rockwood South 3rd Add. said point being 80' N of NE corner of Lot 1 in said Addition; thence W parallel with N line of said Lot 1, 429.67' to point of curvature of a curve to the right having a central angle of 90°00' and a radius of 50'; thence along said curve 78.54' to the point of tangency of said curve; thence along tangent of said curve 279.99' to the point of curvature of a curve to the right having a central angle of 90°00' and a radius of 50'; thence along said curve 78.54' to the point of tangency of said curve; thence E along tangent of said curve and parallel with N line of said Lot 1, 426.59' to W line of said Armour Drive extended N; thence S along said Armour Drive extended N, 380' to beginning.	4th National Bank and Trust (1/2 int) 4th Financial Center 67202 E.V. Yingling, Jr. (3/8 int) Martha L. Gartung (1/2 int) Doreen G. Yingling (1/8 int) % 24 Via Roma 67230
	Beginning 8' E & 465' N of SW corner SE $\frac{1}{4}$ of Sec. 19, T27S, R2E, thence E 50', thence N 100', Thence W 50' thence S 100' to beginning.	Kansas Gas and Electric Company 120 E. 1st St. 67202
	A tract beginning 465' N of SW corner of SE $\frac{1}{4}$ Sec. 19, T27S, R2E; thence E 8'; thence N 100'; thence E 50'; thence N 65'; thence W 58' to W line of SE $\frac{1}{4}$; thence S along W line 165' to point of beginning.	Kansas Gas and Electric Company 120 E. 1st St. 67202
	Beginning 630' N of SW corner of SE $\frac{1}{4}$ of Sec. 19, T 27S, R 2E, thence E 58', thence S 35.29' more or less, to N line of Lot 2, Rockwood South 1st Addition, thence E 50'; thence N 120'; thence W 108' to W line of SE $\frac{1}{4}$, thence S along W line of SE $\frac{1}{4}$ 84.45', more or less to point of beginning	Kansas Gas & Electric Company 120 E. 1st St. 67202
	A tract in SE $\frac{1}{4}$ of Sec. 19, T 27S, R 2 E, desc. as beginning at a point on W line of SE $\frac{1}{4}$ & 40' S of N.W. corner thereof; thence E parallel with N line of SE $\frac{1}{4}$, 208.82' to W line of Armour Drive as platted in Kellogg Mall Add. ; thence SEly with a deflection to right of 81°00' along W line of Armour Drive, 447' to P.C. of a curve to the left, having a central angle of 38°50'15" and a radius of 316'; thence along said curve, 214.2 to P.T. of said curve; thence SEly along tangent of said curve 546.12' to P.C. of a curve to the right, having a central angle of 47°36'15" and a radius of 263.89'; thence along said curve, 219.25' to P.T. of said curve; thence Sly along tangent of said curve, 425' to SW corner of Armour Drive as platted in said Kellogg Mall Add.; thence W along N end of Armour Drive, 65' to NW corner of Armour Drive as platted in Rockwood South 3rd Add.; thence Nly along extended W line of Armour Drive as platted in said Rockwood South 3rd Add, 345'; thence W parallel with N line of Lot 1, in said Rockwood South 3rd Add., 426.59' to P.C. of a curve to the left, having a central angle of 90° & a radius of 50'; thence along said curve, 78.54'; thence S along tangent of said curve, 279.99' to P.C. of a curve to the left, having a central angle of 90° & a radius of 50'; thence along said curve, 78.54' to P.T. of said curve, being 80' N of N line of said Lot 1; thence E parallel with N line of said Lot 1, 429.67' to W line of Armour Drive as platted in said Rockwood South 3rd Add.; thence S 80' to NE corner of said Lot 1; thence W along N line of said Lot 1, 430.32'; thence continuing W along N line of said Lot 1 & a curve having a radius of 130', 100.02'; thence SWly along NWly line of said lot 1, 115.10'; thence S along W line of said Lot 1, 258' to a point on N line of Lot 2,	Estate of James Campbell Suite 500 828 Fort Street Mall Honolulu, Hawaii 96813

(cont)

Lot	Addition	Property Owner
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	Rockwood South 1st Add, ssid point being 205' E of W line of said SE $\frac{1}{4}$; thence W along N line of said Lot 2, 97'; thence N parallel with W line of said SE $\frac{1}{4}$, 120 feet to a point 714.45' N of S line of said SE $\frac{1}{4}$; thence W parallel with S line of said SE $\frac{1}{4}$; 108' to W line of said SE $\frac{1}{4}$; thence N along W line of said SE $\frac{1}{4}$, 1903.05' more or less to point of beginning	
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We hereby certify the foregoing to be a true and correct list of the property owners of:

✓ 1000' radius of SE $\frac{1}{4}$ of Section 19, Township 27 South, Range 2 East of 6th P.M. Sedgwick County, Kansas, except Rockwood South Second Addition

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 9th day of June, 1978 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Mary Gable
Vice President

Order No. 265223
rnk

Lot	Addition	Property Owner
Lot 8, Block 1	Rockwood 3rd	✓ Fred E. Fruhsauf & Neoma Sue 201 N. Armour 67206
Lot 9 exc. W 20' Block 1	" " "	✓ Claude E. Stinson & Mary 155 N. Armour 67206
W 20' of Lot 9 & W 20' of N 9.8' Lot 10, Block 1	" " "	D Jimmie Lee Kuhlmann & Jane M. 38 S. Stratford 67206
W 20' of S 80.2' Lot 10 & W 20' of N 19.8' of Lot 11, Block 1	" " "	D Reba L. Angle 8201 Tamarac Lane 67206
Lot 10 exc. W 20' Block 1	" " "	✓ Clyde Niernberger & Ruth E. 145 N. Armour 67206
S 70.2' of W 20' Lot 11, Block 1	" " "	✓ Union National Bank of Wichita 150 N. Main 67202
Lot 11 exc. W 20' Block 1	" " "	✓ Guilford Jones Jr. & Elizabeth E. 120 N. Westfield 67212
Part of Lot 12, Block 1, Rockwood 3rd Addition described as commencing at a point on N line of said Lot, 19.6' W of N.E. corner thereof; thence S parallel with E line of said Lot, 25.8' for a place of beginning; thence continuing S parallel with E line of said Lot 73.96'; thence W at right angles 29.77'; thence S at right angles 2'; thence W at right angles 15.93 feet; thence N at right angles 75.96'; thence E at right angles 45.7' to beginning together with an undivided 1/12th interest in common areas		✓ Norman K. Pullman & Bette 501 Longford Lane 67206
Part of Lot 12, Block 1, Rockwood 3rd described as commencing at a point on N line of said Lot, 19.6' W of N.E. corner thereof; thence S parallel with the E line of said Lot, 25.8'; thence W at right angles 45.7' for a place of beginning; thence S at right angles 73.96'; thence W at right angles 28.75'; thence S at right angles 2'; thence W at right angles 17'; thence N at right angles 75.96'; thence E at right angles 45.75' to beginning, together with an undivided 1/12th interest in common areas		✓ Luann H. Weigand 12 Colonial 67207
Part of Lot 12, Block 1, Rockwood 3rd Addition described as commencing at a point on N line of said lot 19.6' W of NE corner thereof; thence S parallel with E line of said Lot 99.76'; thence W at right angles 14.32'; thence S at right angles 67.31' for a place of beginning; thence continuing S on last described line extended, 29.87'; thence E at right angles 2'; thence S at right angles 16.25'; thence W at right angles 82.74'; thence N at right angles 24.5'; thence E at right angles 3.3'; thence N at right angles 3'; thence E at right angles 14.7'; thence N at right angles 7'; thence E at right angles 5.31'; thence N at right angles 11.62'; thence E at right angles 57.43' to beginning together with an undivided 1/12th interest in common areas		✓ Betty S. Innes 105 N. Armour 67206

Lot	Addition	Property Owner
	<p>Part of Lot 12, Block 1, Rockwood 3rd addition described as commencing at a point on N line of said Lot 19.6' W of N.E. corner thereof; thence S parallel with E line of said Lot 99.76'; thence W at right angles 63.75' for a place of beginning; thence continuing W on last described line extended, 10.7'; thence S at right angles 2'; thence W at right angles 19.13'; thence N at right angles 2.83'; thence W at right angles 16.3'; thence S at right angles 52.3'; thence E at right angles 14.82'; thence S at right angles 23.67'; thence E at right angles 3.3'; thence S at right angles 10.8'; thence E at right angles 14.7'; thence N at right angles 7'; thence E at right angles 5.31'; thence N at right angles 11.62'; thence E at right angles 8'; thence N at right angles 67.31' to beginning together with an undivided 1/12th interest in common areas</p>	<p>✓ Robert W. Wallace & Geraldine S. 111 N. Armour St. 67206</p>
	<p>Part of Lot 12, Block 1, Rockwood 3rd Addition described as commencing at a point on N line of said Lot, 19.6' W of N.E. corner thereof; thence S parallel with E line of said Lot, 25.8' for a place of beginning; thence continuing S parallel with E line of said Lot 73.96'; thence W at right angles 29.77'; thence S at right angles 2'; thence W at right angles 15.93'; thence N at right angles 75.96'; thence E at right angles 45.7' to beginning, together with an undivided 1/12th interest in common areas</p>	<p>✓ Leslie J. Rudd 125 N. Armour 67206</p>
	<p>Lot 12, Block 1, Rockwood 3rd Addition, except above last 5 described tracts</p>	<p>✓ Union National Bank of Wichita 150 N. Main 67202</p>
	<p>Part of Lot 13, Block 1, Rockwood 3rd Addition described as commencing at a point on W line of said Lot, 121.15' N of SW corner thereof; thence E parallel with S line of said Lot, 100.08'; thence S at right angles 25.2'; thence E at right angles 45.4' for a place of beginning; thence continuing east on last described line extended, 45.7'; thence S at right angles 75.95'; thence W at right angles 16.27'; thence N at right angles 2'; thence W at right angles 29.43'; thence N at right angles 73.95' to beginning together with an undivided 1/12th interest in common areas</p>	<p>✓ Gladys L. Levitt 7118 E. Douglas 67206</p>
	<p>Part of Lot 13, Block 1, Rockwood 3rd Addition described as commencing at a point on W line of said Lot, 121.15' N of SW corner thereof, thence E parallel with S line of said Lot, 54.75' for a place of beginning; thence continuing E parallel with S line of said Lot, 45.33 feet; thence S at right angles 74.65'; thence W at right angles 29.58'; thence S at right angles 2'; thence W at right angles 15.75'; thence N at right angles 76.65' to beginning, together with an undivided 1/12th interest in common areas</p>	<p>✓ Howard N. Fullington 7108 E. Douglas 67206</p>

Lot	Addition	Property Owner
Lot 7, Block Z	Eastborough 3rd	✓ Robert M. Lee & Katherine E. 62 Mission Rd. 67207
Lot 8, Block Z	" " "	✓ Persian N. Nacheff 7 Drury Lane 67207
Lot 9, Block Z	" " "	X Merle Knett & Eleanor ✓ address unknown <i>now found</i>
Lot 10, Block Z	" " "	✓ Earl E. Lecher & Barbara E. 9 Drury 67207
Lot 1, Block T	" " "	✓ Alfred G. Fitzner & Violet G. 11 E. Lynwood Blvd 67207
Lot 2, Block T	" " "	✓ Madyme M. Hershberger 13 E. Lynwood Blvd. 67207
Lot 3, Block T	" " "	✓ Jay K. Wisdom & Isabel F. 15 E. Lynwood Blvd. 67207
Lot 4, Block T	" " "	✓ Joan I. Peterson <i>try: 14 36 W. Kansas Ave</i> address unknown <i>67214</i>
Lot 5, Block T	" " "	✓ Amos C. Small 19 E. Lynwood Blvd. 67207
Lot 6, Block T	" " "	✓ Paul W. Fleeger & Nedra Evans Fleeger, Trustees 21 E. Lynwood 67207 ✓ Union National Bank, Successor Trustee 150 N. Main 67202
Lot 7, Block T	" " "	✓ Robert R. Arnold & Lila M. 23 E. Lynwood 67207
Lot 8, Block T	" " "	X Herman A. Asment & Louise L. ✓ address unknown <i>now found</i>
Lots 9 & 10, Block T	" " "	✓ Jeff H. King & Mildred C. 9 Willowbrook 67207
Lots 11 & 12, Block T	" " "	✓ Dwane L. Wallace & Velma L. 5 Willowbrook 67207
Lot 13, Block T	" " "	✓ Warner Moore & Maxine 1 Willowbrook 67207
Lot 14, Block S	" " "	✓ Benton Silloway Jr. & Leslie P. 67 Mission 67207
Lot 1, Block O	" " "	✓ Alfred James III & Elizabeth F. 50 Mission Rd. 67207
Lot 2, Block O	" " "	✓ James L. Deckinger & Marilyn H. 3 English 67207
Lot 3, Block O	" " "	✓ E.H. Steve Jordan & Evelyn E. 5 English 67207
Lot 4, Block O	" " "	✓ Gary A. Nagel & Judith A. 7 English 67207
Lot 5, Block O	" " "	✓ Victor N. Harris & Lola B. 9 English 67207

Lot	Addition	Property Owner
Lot 6, Block 0	Eastborough 3rd	✓ Morris D. McCready 11 English Ave. 67207
Lot 7, Block 0	" " "	✓ Walbur H. Weedn & Marjorie H. 13 English Ave. 67207
Lot 8, Block 0	" " "	✓ James Charles Manion & Janice Key 3415 Country Club Pl. 67208
Lot 9, Block 0	" " "	✓ Dwight J. Wilson & Lola Ann 52 Mission 67207
Lot 10, Block 0	" " "	✓ Darrell H. Leason 18 E. Lynwood Blvd. 67207
Lot 11, Block 0	" " "	✓ Ralph S. Lightner 20 E. Lynwood 67207
Lot 12, Block 0	" " "	✓ John H. Songer & Roslyn A. 22 E. Lynwood 67207
Lot 13, Block 0	" " "	✓ Donald J. Robinson & Agnes M. 24 E. Lynwood 67207
Lot 14, Block 0	" " "	✓ Lawrence W. Shannon & M. Grace 26 E. Lynwood 67207
Lot 15, Block 0	" " "	✓ J.C. Ripstra 61 S. Stratford 67207
Lot 1, Block W.M.G.	" " "	✓ Olive Ann Beech 48 Mission 67207
W 155' of Lot 2, Block W.M.G.	" " "	✓ James R. Boyd & Mary 13 E. Douglas 67207
E 81.74' Lot 2 & W 78.74' Lot 3, Block W.M.G.	" " "	✓ Cora Armstrong 15 E. Douglas 67207
E 158' Lot 3, Block W.M.G.	" " "	✓ Frank R. Solomon & Lorraine F. 17 E. Douglas 67207
Lot 4, Block W.M.G.	" " "	X William H. Avery & Hazel B. address unknown <i>now found</i>
Lot 5, Block W.M.G.	" " "	D Olive Ann Beech 48 Mission 67207
W 115' Lot 6, Block W.M.G.	" " "	✓ Glenn D. Byer & Dee Anne 4 English 67207
Lot 6 exc. W 115', Block W.M.G.	" " "	✓ Robert L. Burns & Frances E. 2116 Fairview 67203
E 78.74' Lot 7 & W 79.26' Lot 8, Block W.M.G.	" " "	✓ Theodore A. Hiebert, Trustee of Kathryn S. Hiebert, Trust & Theodore A. Hiebert Trustee of Theodore A. Hiebert, Trust 12 English 67207
W 158' Lot 7, Block W.M.G.	" " "	✓ Frank Knorr & Katherine H. # <i>9 Hillcrest</i> 21 Hillcrest 67218 #10 English 67207 <i>67207</i>
E 157.48' Lot 8, Block W.M.G.	" " "	✓ Luis A. Casado & Vera J. 14 English 67207

Lot	Addition	Property Owner
Lot 3, Block A,	Clayton Addition and Commencing at intersection of Nly line of Kellogg Drive with the Wly line of Clayton Addition, thence E along the N line of Kellogg Drive a distance of 60'; thence N along a line parallel with Wly line of Lot 1, Block A in said Clayton Addition to N line of said Lot 1; thence Wly along Nly line of said Lot 1 & Nly line of said Lot as extended to the intersection of Nly line of said Lot 1; as extended with Wly line of Clayton Addition; thence S along Wly line of Clayton Addition to point of beginning.	Windsor at Eastborough 1/2 Donald Whidden 7030 E. Kellogg St. 67207
All of Lots 1 & 2, Block A,	Clayton Addition except W 130'6" of Lot 1 & exc N 120' of Lot 2 & N 120' of E 19.6' of Lot 1 together with easement for common driveway purposes & public ingress & egress as follows: 1) over a strip of land 12'6" wide & abutting upon above-described land immediately to W thereof & 2) over a strip of land 30' wide, consisting of N 30' of S 155' of E 100'6" of W 130'6" of Lot 1, Block A in said Clayton Addition	X W.R. Azim & Ada J. Azim Address unknown <i>none found</i>
Lot 1 exc. E 19.6' & except above described tract owned by W.R. Azim in Block A,	Clayton Add.	Philip F. Farha & Gloria E. 557 N. Armour 67206
Lot 1	Aboud	Floyd J. Ellis & Jeanne G. 8020 University 67209
Lot 1, Block U	Eastborough 3rd	Richard H. Barton & Eunice H. 72 S. Stratford 67207
Lot 2, Block U	" " "	Philip W. Russell & Suzanne G. 74 S. Stratford 67207
Lot 1, Block P	" " "	Austin B. Craig & Mildred E. 56 S. Stratford 67207
Lot 2, Block P	" " "	William A. Hensley III & Carla A. 58 Stratford 67207
Lot 3, Block P	" " "	Nons Clemons 60 S. Stratford 67207
Lot 4, Block P	" " "	Edward G. Fahnestock & Opal M. 62 S. Stratford 67207
Lot 5, Block P	" " "	George R. Temple & Elizabeth 64 S. Stratford 67207
Lot 6, Block P	" " "	Jane B. Manka 66 S. Stratford 67207
Lot 7, Block P	" " "	Robert M. Smith Sr. & Florence L. 68 S. Stratford 67207
Lot 8, Block P	" " "	George A. Angle 70 S. Stratford 67207
Lot 2, Block K	Eastborough 2nd	James E. Winter & Sarah E. 127 Bonnie Brae 67207

Lot	Addition	Property Owner
Lot 3, Block K	Eastborough 2nd	✓ Orville Glick & Opal 15 Huntington 67206
Lot 4, Block K	" " "	✓ Perry A. Thayer & Ruth Anne 17 Huntington 67206
Lot 5, Block K	" " "	✓ Paul S. Bowen & Lynda S. 19 Huntington 67206
Lot 6, Block K	" " "	✓ George C. Croston Jr & Dorothy B. 21 Huntington 67206
Lot 7 & W 10' Lot 8, Block K.	" " "	✓ Robert A. Finney & Gertrude L. 23 Huntington 67206
Lot 8 exc. W 10' & W 15' Lot 9, Block K	" " "	✓ Howard C. Menne & Mary Louise 25 Huntington 67206
Lot 9 exc. W 15' Block K	" " "	✓ Henri L. VanDam & Karen L. 1113 Gouverneur Ct. 67207
Lot 11, Block K	" " "	✓ Richard V. Sardou & Ruth 14 E. Douglas 67206
Lots 12 & 13, Block K	" " "	✓ G.M. Dunn Sr. ✓ address unknown <i>none found</i>
Lot 14, Block K	" " "	✓ Hugh S. Edgerton 20 Douglas 67206
Lot 15, Block K	" " "	✓ Virgil L. Moody & Nola 22 Douglas 67206
Lot 16, Block K	" " "	✓ Nora M. Mergen Ruth M. Cox % 24 Douglas 67206
Lot 17, Block K	" " "	✓ Ward V. Lawrence & Jane H. 26 Douglas 67206
Lot 18, Block K	" " "	✗ Maryrose N. Bauslaugh ✓ address unknown <i>none found</i>
Lot 1, Block J	" " "	✓ James E. Colburn & Mary S. 6 Park Ave. 67206
Lot 2, Block J	" " "	✓ Wallace M. Stromberg & Judith K. 4 Park Ave. 67206
Lot 3, Block J	" " "	✓ Curtis Harvey Jones & Betty Sager Jones 32 Park 67206
That part Lot 5, beg. at NE cor of Lot 5, thence SWly 172.6' along lot line to SE cor of Lot 5, thence NWly 45' to a point being common to corner of lots 2,3,5 & 10 thence NEly to point on front lot line of lot 5 which point is 50' NWly of the point of beginning thence SEly along front lot line of Lot 5, 50' to point of beginning, being in Eastborough 2nd, Block J		✓ H.M. VanAuken & Norma A. 9 High Dr. 67206

Lot	Addition	Property Owner
W ½ of Lot 5 except a triangular tract of land lying within this described as beginning at SE corner of Lot 3, Block J, thence Nly along rear line of Lot 3, 80', thence SEly 50', thence SWly 60' to point of beginning being in Block J, Eastborough 2nd		W ½ of Lot 5 Mildred M. Powers address unknown
A triangular tract of land lying within following described as Beginning at SE corner Lot 3, Block J, thence Nly along rear line Lot 3, 80', thence SEly 50', thence SWly 60' to beginning, being part of W ½ of Lot 5, Block J, Eastborough 2nd		✓ Roy Thomas Orr & Mary Elizabeth 550 W. Central Apt 1403 67203
Lot 7, Block J	Eastborough 2nd	✓ Brace A. Helfrich & Stella C. 15 High Dr. 67206
Lot 8, Block J	" " "	✓ Arthur H. Bacon & Lorraine E. 20 Huntington 67206
Lot 9, Block J	" " "	✓ Raul E. Brito 18 Huntington 67206
Lot 10, Block J	" " "	✓ Herbert A. Jones & Virginia Maxine 16 Huntington 67206
Lot 4, Block H	" " "	✓ Ealon S. Hocutt & Marcelle R. 33 S. Stratford 67207
Lot 5, Block H	" " "	✓ Charles B. Jenney & Lucia Jean 12 Brookfield Rd. 67206
Lot 6 & SE 35' Lot 7, Block H	" " "	✓ George H. Vandenberg & Maxine A. 10 Brookfield 67206
NWly 65' Lot 7, Block H	" " "	✓ M. W. Heller 6 Brookfield 67206
Lot 5, Block I	" " "	✓ Karin McDonald Maloney 34 Stratford 67206
Lot 4, Block I	" " "	✓ Duane C. Randall Jr. & Nancy A. 36 Stratford 67206
Lot 3, Block I	" " "	✓ Jimmie Lee Kuhlmann & Jane M. 38 S. Stratford 67206
Lot 2, Block I	" " "	✓ Reba L. Angle 8201 Tamarac Lane 67206
Lot 1, Block I	" " "	✓ Richard A. Lynn & Kathleen S. 245 S. Glendale 67218
Lot 7 exc. S 20' Block I	" " "	✓ Peggy Steele Meyer Chloe Cory Steele 44 S. Stratford 67206
Block L	" " "	✓ Dennis A. Wallace & Suzanne S. 46 S. Stratford 67206
Lot 7, Block I	Rockwood 3rd	could find Mary Ann Skolant address unknown



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WICHITA, KANSAS

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