

DP-17 - WESTERN HEIGHTS SHOPPING CENTER, at the southwest corner of Central and Ridge Road File #1

Perce
4-12-66

ACTION

DATE

COMMITTEE

M.A.P.C. Approve subject 5-19-66
to conditions

B.C.C. ~~11~~ Approved as 6-7-66
recommended by Mage

Closed 6-9-66

Map No. F-0W
Sec. 21
Twp. 27S
Range 1W

DATA SHEET
COMMUNITY UNIT PLAN

DP-17
Z- 0781
Filed 4-11-66

APPLICATION REQUEST: Approval of proposed planned commercial development.

1. Applicant Max Robinson AM 26723
Meadowview Shopping Center, Inc. MU 2-554
Address 2704 East Central Phone MU 2-5541
Warren A. Miller, Architect, 1154 North Main AM 7-2711
2. Agent K. O. Taylor
Address 567 West Douglas Phone AM 4-4072
3. General Location Southwest corner of Central and Ridge Road
Address _____
4. Proposed Use "To construct shopping center and parking facilities and create an A zoning buffer."

AREA DATA

1. Acres 13.2 (_____ ft. by _____ ft.)
2. Existing Zoning "AA" & "LC" Proposed Zoning "LC" & "A"
3. Area (is) ~~platted~~ platted. Meadowview Estates Addition
4. Existing R/W 50 (Half) ft. 50 (Half) ft. 60 (Full) ft. 80 (Full) ft.
Central St. Ridge Road St. Third Street Country Club St.
Proposed R/W _____ ft. _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:
Date 5-19-66 Action Approve subject to conditions
2. Governing Body
Date 6-7-66 Action Approved as recommended by Maps

NOTES:

June 14, 1966

Glen Lytle, Superintendent of Central Inspection
Jack H. Galbraith, Senior Planner, Regulations Division

DP-17 - Western Heights Shopping Center Commercial
Community Unit Plan at the southwest corner of Central
and Ridge Road

On June 7, 1966, the Board of City Commissioners considered the above-captioned community unit plan. The action of the City Commission was to approve the community unit plan as recommended by the Metropolitan Area Planning Commission and instructed the City Clerk to record the dedication for additional street right-of-way with the Office of the Register of Deeds. Attached for your information and files is the Final Development Plan of the approved community unit plan which meets all the recommended conditions of the Planning Commission.

The development of this property shall proceed in accordance with the development plan as approved by the City 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 shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

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

JHG:bgs

Attachment

Report from the MAPC to the Board of City Commissioners

Case No. DP-17

Considered by M.A.P.C. 5-19-66

Request for: **Approval of Commercial Community Unit Plan**

Reason for request (as provided by petitioner):

None given.

Location of property: **Southwest corner of Central and Ridge Road**

Legal description of property:

Lots 1, 2, 3, 4 and Lot 5, except the north 125 feet of the east 125 feet, Block K, Meadowview Estates, Sedgwick County, Kansas.

Petitioner: **Meadowview Shopping Center, Inc.**
Address: **2704 East Central**

Counsel for petitioner: **K. O. Taylor, Engineer**

Protesters (list counsel, if any): **None**

Surrounding zoning: **To the north and east is "LC" and "AA"; south is "AA", and west is "AA", "A" and "BB"**

Land use: **Subject property and that to the south and west is vacant; north is a service station and vacant and east is a church and vacant.**

Planning Commission recommendation:

TROUT moved and GOEBEL seconded that the Planning Commission recommend to the City Commission that this application be approved, subject to the following:

(See attached sheet for Conditions.)

Respectfully submitted,

Vote of Planning Commission Unanimous

Secretary

- ACTION:**
- 1. Approve the recommendation of the Metropolitan Area Planning Commission; or**
 - 2. Return the application to the Metropolitan Area Planning Commission for its reconsideration. The City Commission states the following reasons for its action:**

Conditions of Approval

1. The applicant dedicating the additional 25 feet of right-of-way for Ridge and Central in the form of a separate instrument.
2. The applicant accurately locating and dimensioning, if possible, the proposed curb cuts on the plan and rewording General Provision No. 1 as follows: "Curb cuts to be permitted as indicated on the Plan." Curb cuts should be as follows: One on Third Street, one on Country Acres Avenue, two on Central Avenue and two on Ridge Road, except adjacent to the 75-foot half-street dedication.
3. When Ridge Road and Central Avenue are improved and a medial is considered, there shall be no more than one medial break for access to Ridge Road and one medial break for access to Central Avenue.
4. General Provision No. 2 being changed to read as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed adjacent to the rear lot lines of Lots 1, 2 and 3, Block K, Meadowview Estates. A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Country Acres Avenue, Third Street and Ridge Road, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" district, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with prior to the occupancy of any structure on the site."
5. Changing part of General Provision No. 4 from "No billboards anticipated" to "No billboards shall be permitted."
6. General Provision No. 5 being changed as follows: "Setbacks shall be as indicated on the Plan."
7. The development of this property shall proceed in accordance with the development plan as approved by the City 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.
8. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 19, 1966.

- "11. Case No. Z-0781 - Meadowview Shopping Center, Inc. requests change from "AA" to "A" for Lots 1, 2 and 3, Block K, Meadowview Estates, and change from "AA" to "LC" for an area beginning at the NW corner of Lot 4, Block K, Meadowview Estates; thence east 45 feet to a point 665 feet west of the NE Corner of Lot 5, Block K in said Meadowview Estates; thence south parallel to the east line of said Lot 5, 700 feet; thence east parallel to the north line of said Lot 5, 665 feet to the east line of said Lot 4; thence south 45 feet to the southeast corner of said Lot 4; thence west and southwesterly along the south line of said Lot 4 to the southeast corner of Lot 3 in said Meadowview Estates; thence northwesterly along the rear lot lines of Lots 3, 2, and 1, Block K, in said Meadowview Estates to the northeast corner of said Lot 1; thence northeasterly and north along the west line of said Lot 4 to the point of beginning. Generally located in an area south of Central between Country Acres Avenue and Ridge Road.
12. Case No. DP-17 - Meadowview Shopping Center, Inc. requests approval of Commercial Community Unit Plan for property described as Lots 1, 2, 3, 4, and 5, except the north 125 feet of the east 125 feet, Block K, Meadowview Estates. Generally located at the southwest corner of Central and Ridge Road.

GALBRAITH pointed out the area on the map and reviewed the following staff report:

Comments

1. The applicant is requesting "LC" zoning for that portion of Lot 4, Block K, Meadowview Estates that is presently zoned "AA" and is also requesting "A" duplex zoning for three residential lots which abut the southwest corner of the proposed shopping center.
2. The shopping center consists of two lots - Lots 4 and 5, Block K, Meadowview Estates. Lot 4 is an "L"-shaped lot which abuts both Country Acres Avenue and Third Street, and has a depth of 130 feet adjacent to both streets. Restrictive covenants require that Lot 4 be utilized only for duplexes or off-street parking. Part of Lot 4 was zoned "LC" by the Board of County Commissioners on March 5, 1959 (Case SCZ-0033). The restrictive covenants are enforced privately by the property owners in the subdivision and the City of Wichita is not a party to the covenants. The applicants have indicated a 100-foot setback adjacent to both Country Acres Avenue and Third Street, which is in conformance with the Planning Commission's general policy on setbacks for major structures in shopping centers.

It is the opinion of the Planning Department that since the development plan proposes 100-foot setbacks, the additional "LC" Light Commercial zoning is logical and proper.
3. It is also the opinion of the staff that the "A" duplex zoning for the three lots abutting the southwest corner of the shopping center is logical inasmuch as it will serve as a buffer between the shopping center and the single family residential to the west and south.

4. As a requirement under the CUP provisions of the zoning ordinance, a preliminary development plan has been submitted for review. The development plan indicates the required information pertaining to gross area, maximum building heights, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.

Curb Cuts

General Provision #1 refers to curb cuts or access points and the applicant, Traffic Engineer and Planning Staff do not agree as to the location and number of access points.

The Traffic Engineer has pointed out that when Ridge Road and Central Avenue are improved, medians will be installed and left turns will only be permitted at one location on Central and one on Ridge Road. Therefore, he has recommended that only one double access point be permitted on the Development Plan for each of the two major streets.

The applicant has approximately 625 feet of frontage on Ridge Road and 580 feet of frontage on Central Avenue. The Plan indicates access control for the areas where the additional 25 feet of right-of-way is to be dedicated for the intersection of Central and Ridge Road and this amounts to 175 feet of complete access control on each street. The Planning Department has reservations about limiting the access to only one point on the major streets. If the shopping center generates considerable traffic, persons will begin to utilize Third Street and Country Acres Avenue for ingress and egress which will have an adverse affect on the residential properties along these streets. It also has been a general policy to encourage commercial traffic to use major streets and not to use residential streets.

It is the opinion of the Planning Department that two access points on each of the major streets would better serve the shopping center circulation and would, therefore, reduce the possibility of Country Acres Avenue and Third Street becoming major access ways to the center.

The applicant has proposed two access points from Third Street to the site and the Traffic Engineer has concurred with this proposal inasmuch as he feels that the two curb cuts would provide better traffic circulation. It is the opinion of the staff that two access points on Third Street would encourage more traffic to utilize the residential street and would tend to adversely affect the residential property which will eventually face the center. One access point appears to be sufficient to Third Street in order to serve the residential to the south.

The Traffic Engineer has requested that all curb cuts be dimensioned and accurately located on the plan so that questions will not arise later as to location and type of curb cuts permitted. Therefore, it is the recommendation of the staff that General Provision #1 be changed to read as follows: "Curb cuts to be permitted as indicated on the Plan."

Screening

General Provision #2 pertains to the screening requirement. The applicant states that a double frontage structure is to be built so that the 10-foot planting area will be required instead of the 5' - 8' wall.

The Superintendent of Central Inspection actually makes the determination as to whether a building has double frontage when building plans are submitted; therefore, to avoid any confusion Provision #2 should read as follows:

"A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed adjacent to the rear lot lines of Lots 1, 2 and 3, Block K, Meadowview Estates.

A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Country Acres Avenue, Third Street and Ridge Road, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB", or "B" district, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB", or "B" district and is separated by an alley, publicway or street. The above provisions shall be complied with prior to the occupancy of any structures on the site."

Sign Control

General Provision #4 pertaining to sign control states that no billboards are anticipated. This statement is somewhat ambiguous and for clarification should be changed to read as follows: "No billboards shall be permitted."

Setbacks

General Provision #5 pertaining to setbacks does not appear to be clear as it could be and, therefore, should be changed to read as follows: "5. Setbacks shall be as indicated on the Plan."

Recommendation

It is the recommendation of the Planning Department that both zone change "AA" to "LC" and "AA" to "A" be approved and that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. The applicant dedicating the additional 25 feet of right-of-way for Ridge Road and Central in the form of a separate instrument.
2. The applicant accurately locating and dimensioning the curb cuts on the plan and rewording General Provision #1 as follows: "Curb cuts to be permitted as indicated on the Plan." Curb cuts should be as follows: One on Third Street, one on Country Acres Avenue, two on Central Avenue and two on Ridge Road.
3. General Provision #2 being changed to read as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed adjacent to the rear lot lines of Lots 1, 2 and 3, Block K, Meadowview Estates. A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Country Acres Avenue, Third Street and Ridge Road, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB", or "B" district, even

if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB", or "B" district and is separated by an alley, publicway or street. The above provisions shall be complied with prior to the occupancy of any structure on the site."

4. Changing part of General Provision #4 from "No billboards anticipated to "No billboards shall be permitted."
5. General Provision #5 being changed as follows: "Setbacks shall be as indicated on the plan."
6. The development of this property shall proceed in accordance with the development plan as approved by the City 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.
7. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their construction.

In the discussion, it was pointed out that practically the only difference between the plan as submitted and what the staff has suggested is the matter of access from the major roads (Central and Ridge Road) and the fact that there are two access points shown along the south side.

KENNETH TAYLOR, representing the applicant, said that they were agreeable to only one access along the south side. No one appeared in opposition.

PAUL GRAVES reviewed the access points on Central and Ridge Road, noting that if two are permitted on each of the major streets, then the medials proposed in relation to traffic movement at the intersection will have to be extended beyond the furthest access point from the intersection and ingress and egress confined to right turns only. He also recommended that the one access point allowed along the south line not be aligned with Acadia Lane because of the tendency of some motorists to cut through a parking area to avoid a congested intersection.

FOSTER pointed out that a letter had been received from G. Gordon Dotzour, President of Westlink Realty, Inc., in which he pointed out that there are protective covenants filed June 27, 1955, which specify that Lot 5, Block K, may be used for light commercial but specifically limits Lot 4, Block K to duplexes or the parking of cars.

The Commissioners noted that as long as the City is not a party to restrictive covenants, then private restrictive covenants should be ignored in establishing or recommending approval or denial of zoning.

MOTION: GOEBBL moved, BRANSON seconded and it carried unanimously that the Planning Commission recommend to the City Commission that Lots 1, 2 and 3, Block K, Meadowview Estates be approved for "A" zoning and that the balance of the application area be approved for "LC" zoning.

MOTION: TROUT moved, GOEBEL seconded and it carried unanimously that the Planning Commission recommend to the City Commission that DP-17 be approved, subject to the following:

1. The applicant dedicating the additional 25 feet of right-of-way for Ridge and Central in the form of a separate instrument.
 2. The applicant accurately locating and dimensioning, if possible, the proposed curb cuts on the plan and rewording General Provision No. 1 as follows: "Curb cuts to be permitted as indicated on the Plan." Curb cuts should be as follows: One on Third Street, one on Country Acres Avenue, two on Central Avenue and two on Ridge Road, except adjacent to the 75-foot half-street dedication.
 3. When Ridge Road and Central Avenue are improved and a medial is considered, there shall be no more than one medial break for access to Ridge Road and one medial break for access to Central Avenue.
 4. General Provision No. 2 being changed to read as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed adjacent to the rear lot lines of Lots 1, 2 and 3, Block K, Meadowview Estates. A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Country Acres Avenue, Third Street and Ridge Road, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with prior to the occupancy of any structure on the site."
 5. Changing part of General Provision No. 4 from "No billboards anticipated" to "No billboards shall be permitted."
 6. General Provision No. 5 being changed as follows: "Setbacks shall be as indicated on the Plan."
 7. The development of this property shall proceed in accordance with the development plan as approved by the City 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.
 8. Any major changes in this development plan shall be re-submitted to the Planning Commission and to the City Commission for their consideration."
-

May 20, 1966

Mr. K. O. Taylor
567 West Douglas
Wichita, Kansas

Subject: Z-0781 - Zone change from "AA" to "A"
and "LC"; and DP-17 - Commercial Community Unit
Plan for the south side of Central between Ridge
Road and Country Acres Avenue

Dear Mr. Taylor:

At its regular meeting on May 19, 1966, the Metropolitan Area Planning Commission considered the above-captioned zone change request. The action of the Planning Commission was to approve Lots 1, 2 and 3 for "A" and the remainder of the application area for "LC" zoning as requested.

The Planning Commission also considered and approved the Development Plan under the Community Unit Plan provisions of the Zoning Ordinance subject to the following conditions:

- OK 1. The applicant dedicating the additional 25 feet of right-of-way for Ridge and Central in the form of a separate instrument. (The dedication forms are enclosed.)
- OK 2. The applicant accurately locating and dimensioning, if possible, the proposed curb cuts on the plan and rewording General Provision No. 1 as follows: "Curb cuts to be permitted as indicated on the Plan". Curb cuts should be as follows: One on Third Street, one on Country Acres Avenue, two on Central Avenue and two on Ridge Road, except adjacent to the 75-foot half-street dedication.

May 20, 1966

3. When Ridge Road and Central Avenue are improved and a medial is considered, there shall be no more than one medial break for access to Ridge Road and one medial break for access to Central Avenue.
- ok 4. General Provision No. 2 being changed to read as follows: "A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed adjacent to the rear lot lines of Lots 1, 2 and 3, Block K, Meadowview Estates. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Country Acres Avenue, Third Street and Ridge Road, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with prior to the occupancy of any structure on the site".
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- ok 6. General Provision No. 5 being changed as follows: "Setbacks shall be as indicated on the Plan".
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8. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

May 20, 1966

Prior to forwarding the zone case and development plan to the Board of City Commissioners for their consideration, it is necessary that you revise the development plan as approved by the Planning Commission and submit eight corrected copies as well as the dedication forms for the additional right-of-way for Central and Ridge Road.

These matters may be forwarded to the Board of City Commissioners for their consideration on June 7, 1966, if all conditions of approval are complied with and the eight copies of the development plan and dedication forms are in our office by 5:00 p.m., Wednesday, June 1, 1966.

If there are any questions concerning these matters, please contact our office.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs

Enclosure

cc: Mr. Max Robinson
Meadowview Shopping Center, Inc.
2704 East Central

Mr. Warren A. Miller, Architect
1154 North Main

Mr. G. Gordon Dotzour, President
Westlink Realty, Inc.
9100 West Central

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned,

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

Beginning at a point on the east line of Lot 5, Block K, Meadowview Estates, one hundred twenty-five (125) feet south of the northeast corner of said Lot 5; thence west parallel to the north line of said Lot 5 a distance of twenty-five (25) feet; thence south parallel to the east line of said Lot 5 a distance of one hundred seventy-five (175) feet; thence east twenty-five (25) feet to the east line of said Lot 5; thence north one hundred seventy-five (175) feet to the point of beginning;

Also, beginning at a point on the north line of said Lot 5 one hundred twenty-five (125) feet west of the northeast corner of said Lot 5; thence south parallel to the east line of said Lot 5 a distance of twenty-five (25) feet; thence west parallel to the north line of said Lot 5 a distance of one hundred seventy-five (175) feet; thence north twenty-five (25) feet to the north line of said Lot 5; thence east one hundred seventy-five (175) feet to the point of beginning.

do hereby dedicate the above described real estate to the public for street purposes.

Executed this day of , 19

STATE OF KANSAS)
SEDGWICK COUNTY) SS

Personally appeared before me a notary public in and for the County and State aforesaid

to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof for and on behalf of and as the act of

Dated at Wichita, Kansas, this day of , 19

Notary Public

My Commission expires _____

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

DATE: May 19, 1966

Case No. Z-0781 and DP-17	Request: "AA" to "A" and "LC" Approval of a Development Plan under the CUP provisions of the ordinance
------------------------------	--

Location: South side of Central between Country Acres Avenue and
Ridge Road

Acres: 13.2

	Land Use	Zoning
Existing	Vacant	"LC" & "AA"
North	Service station & vacant	"LC" & "AA"
East	Vacant and church	"AA" & "LC"
South	Vacant	"AA"
West	Vacant	"AA", "A" & "BB"

Platted X

Existing R/W - Central - 50 ft.
Proposed R/W - Central - 50 & 75 ft.
Existing R/W - Ridge Road - 50 ft.
Proposed R/W - Ridge Road - 50 & 75 ft.
Existing R/W - Country Acres - 80 ft.
Proposed R/W - Country Acres - 80 ft.
Existing R/W - Third Street - 60 ft.
Proposed R/W - Third Street - 60 ft.

History: SC2-0033
"R-1" to "LC"
M&PC: 2-19-59 - Approved
in part
B.Co.Com: 3-5-59 - Approved
M&PC recommendation

Comments

1. The applicant is requesting "LC" zoning for that portion of Lot 4, Block K, Meadowview Estates that is presently zoned "AA" and is also requesting "A" duplex zoning for three residential lots which abut the southwest corner of the proposed shopping center.
2. The shopping center consists of two lots - Lots 4 and 5, Block K, Meadowview Estates. Lot 4 is an "L" shaped lot which abuts both Country Acres Avenue and Third Street, and has a depth of 130 feet adjacent to both streets. Restrictive covenants require that Lot 4 be utilized only for duplexes or off-street parking. Part of Lot 4 was zoned "LC" by the Board of County Commissioners on March 5, 1959 (Case SC2-0033). The restrictive covenants are enforced privately by the property owners in the subdivision and the City of Wichita is not a party to the covenants. The appli-

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3. It is also the opinion of the staff that the "A" duplex zoning for the three lots abutting the southwest corner of the shopping center is logical inasmuch as it will serve as a buffer between the shopping center and the single family residential to the west and south.
4. As a requirement under the CUP provisions of the zoning ordinance, a preliminary development plan has been submitted for review. The development plan indicates the required information pertaining to gross area, maximum building heights, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.

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The Superintendent of Central Inspection actually makes the determination as to whether a building has double frontage when building plans are submitted; therefore, to avoid any confusion Provision #2 should read as follows:

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General Provision #4 pertaining to sign control states that no billboards are anticipated. This statement is somewhat ambiguous and for clarification should be changed to read as follows: "No billboards shall be permitted."

Setbacks

General Provision #5 pertaining to setbacks does not appear to be as clear as it could be and, therefore, should be changed to read as follows: "5. Setbacks shall be as indicated on the Plan."

Recommendation

It is the recommendation of the Planning Department that both zone change "AA" to "LC" and "AA" to "A" be approved and that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190 of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. The applicant dedicating the additional 25 feet of right-of-way for Ridge Road and Central in the form of a separate instrument.
2. The applicant accurately locating and dimensioning the curb cuts on the plan and rewording General Provision #1 as follows: "Curb cuts to be permitted as indicated on the Plan." Curb cuts should be as follows: One on Third Street, one on Country Acres Avenue, two on Central Avenue and two on Ridge Road.
3. General Provision #2 being changed to read as follows: "A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed adjacent to the rear lot lines of Lots 1, 2 and 3, Block K, Meadowview Estates. A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Country Acres Avenue, Third Street and Ridge Road, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB", or "B" district, even

if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB", or "B" district and is separated by an alley, publicway or street. The above provisions shall be complied with prior to the occupancy of any structure on the site."

4. Changing part of General provision #4 from "No billboards anticipated" to "No billboards shall be permitted."
5. General Provision #5 being changed as follows: "Setbacks shall be as indicated on the Plan."
6. The development of this property shall proceed in accordance with the development plan as approved by the City 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.
7. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.



*File in
your case*

AREA CODE 316 / Parkview 2-2345 / 9100 WEST CENTRAL / WICHITA, KANSAS 67212

May 2, 1966

Metropolitan Planning Commission
City Hall Annex
Wichita, Kansas

ATTENTION: Mr. Bob Lakin

Gentlemen:

We are informed that we will be receiving a notice for zoning hearing on Lots 1, 2, 3, 4, and 5, Block K, Meadowview Estates. Westlink Realty, Inc. owns Lot 15, Block B, Meadowview Estates and other property within the 200 radius of the proposed zoning change.

We have no objection to the proper development of this corner. We have not seen the final plans of development but in viewing the preliminary plans we recall the developers were planning to position some buildings on Lot 4, Block K, Meadowview Estates.

The Protective Covenants, recorded in Book "347" of Misc., page 91 filed June 27, 1955 definitely state in paragraph 4 that Lot 5, Block K may be used in light commercial but specifically limits Lot 4, Block K to duplexes or car parking. We wish to state that we intend to have the Protective Covenants legally enforced in this matter and have given such notice to Consolidated Realty, Inc. in writing. We question the advisability of giving LC zoning to any parcel when such zoning conflicts with enforceable deed covenants. Of course it might lend an aura of value to the land to be shown on City records as light commercial, but when the reality is that such zoning is in violation of enforceable deed covenants, we feel this is an improper use of extending zoning.

Sincerely,

Gordon Dotzour
Gordon Dotzour,
President
Westlink Realty, Inc.

GGD/pt



CASE NO. DP-17 - 63 NOTICES MAILED MAY 5, 1966, FOR MAY 19, 1966, MAPC

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
Wichita, Kansas

NOTICE TO ADJOINING PROPERTY OWNERS

MAY 5 - 1966

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at its meeting at 2:00 p.m. on MAY 19 1966, at which time you may appear either in person or by agent or attorney, if you so desire.

C. Bickley Foster, Secretary

DP-17 - Lots 1, 2, 3, 4 and Lot 5, except the north 125 feet of the east 125 feet, Block K, Meadowview Estates, Sedgwick County, Kansas. Generally located at the southwest corner of Central and Ridge Road.

This Development Plan has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Code of the City of Wichita. The Development Plan is on file in the Office of the Planning Director, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The Development Plan on file proposes a 13.2 acre commercial development for the Western Heights Shopping Center. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, C. Bickley Foster, 104 South Main, 7 days prior to the meeting. The Chairman and Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" - One-Family Dwelling District
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" - Two-Family Dwelling District
Permits two-family dwellings and uses permitted in "AA".
- "RB" - Four-Family Dwelling District
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "B" - Multiple-Family Dwelling District
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" - Office District
Permits apothecaries, clinics, hospitals; medical, business and professional offices; motels under certain conditions; and all residential uses.
- "LC" - Light Commercial District
Permits all purely retail business conducted within an enclosed building; service stations; all residential and office uses.
- "C" - Commercial District
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" - Central Business District
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" - Light Industrial District
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" - Heavy Industrial District
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" - Mobile Home District
Permits mobile home parks and associated uses.

April 28, 1966

Mr. K. O. Taylor
567 West Douglas
Wichita, Kansas

Subject: DP-17 - Meadowview Shopping Center
Community Unit Plan at the southwest corner
of Central and Ridge Road

Dear Mr. Taylor:

We have reviewed the Preliminary Development Plan which you submitted relative to the Community Unit Plan provisions of the City Zoning Ordinance for the property zoned "LC" at the southwest corner of Central and Ridge Road. Following are some of the comments made by the Planning Department staff during the review of this Preliminary Development Plan.

Since the three lots in the southwest corner of the tract have not been requested for "LC" zoning, they should be deleted from the Plan and the area computations recalculated.

Parcel No. 2 is extremely small for an associated shopping center use separate from the major shopping center facilities and no specific reference has been made on the Plan as to the proposed use. The proposed parcel is below the minimum lot area requirements as set out in the Development Standards, Lot - Parcel report for quality commercial development. The 50'x100' parcel is unacceptable in size simply because it would be unacceptable as a lot if platted separately and because this size of lot would not be in conformance with the purpose and intent of the Community Unit Plan Regulations, which are to encourage well-planned and well-organized commercial areas. Therefore, it is recommended that Parcel No. 2 be redesigned to include an area approximately 180'x100' and that specific uses be designated for the parcel. A 35-foot setback should be indicated from

April 28, 1966

both the north and east boundary lines.

Setbacks

It has been the general policy of the Metropolitan Area Planning Commission to request minimum 100-foot building setback lines from street right-of-way to the major structure of a shopping center. The Plan indicates only a 35-foot setback adjacent to Country Acres Avenue and Third Street and it is the opinion of the staff that this is an inadequate setback for a major shopping center structure. Therefore, it is the recommendation of the Planning Department that a 100-foot setback be indicated from Country Acres Avenue and Third Street which is generally in agreement with the past Planning Commission policy.

Curb Cuts

The Traffic Engineer has requested that complete access control be granted for the areas where 75 feet of half-street right-of-way is requested for dedication on both Ridge Road and Central Avenue, and that one access point be granted adjacent to Ridge Road and Central Avenue. It is suggested that the applicant contact the Traffic Engineer prior to the submission of the corrected copy of the Development Plan so that the access points can be located and designated on the Plan. The one curb cut proposed for Country Acres Avenue should be across from the "BB" District. One of the two access points proposed for Third Street should not be encouraged. Access to shopping centers from residential streets should be discouraged as they increase traffic on residential streets and the residents facing the development would be constantly bothered by headlights at night. Therefore, it is recommended that the access point in line with Acadia Lane be retained and the ~~one to the west be deleted~~.

Condition No. 1 under General Provisions should, therefore, be revised to read as follows:

1. **Curb Cuts**

Ridge Road - one curb cut as designated on the Development Plan

Central Avenue - one curb cut as designated on the Development Plan

Third Street - one curb cut in line with Acadia Lane

Country Acres Avenue - one curb cut across from the "BB" District.

April 28, 1966

Screening

Since Lots 1, 2 and 3, Block K, are to remain residential, a solid or semi-solid wall to prevent the passage of debris or light, constructed of brick, stone, masonry, architectural tile or similar material, 5' to 8' in height shall be constructed adjacent to the rear property lines. In accordance with Section 8.a.2., it will be necessary to construct a similar wall adjacent to Country Acres Avenue across from the "A" zoned property.

The Plan indicates that structures will face Third Street and, therefore, the 10-foot planting strip will be provided. To avoid a future amendment to the Plan, it is suggested that the provision include a wall if structures do not face Third Street. Therefore, Condition No. 2 under General Provisions should be revised to read as follows:

2. A 5' to 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or other similar material shall be constructed adjacent to the rear of Lots 1, 2 and 3, Block K, and adjacent to Country Acres Avenue across from the "A" zoned property. If structures face Third Street, a 10-foot planting strip of low shrubbery shall be installed, but if the rear of the structures face Third Street, then a 5' to 8' solid or semi-solid wall shall be constructed.

Sign Control

Provision No. 4 pertaining to sign control shall be reworded to read as follows:

4. Signs along Central Avenue and Ridge Road shall not exceed 30 feet in height and shall not be placed so as to project over any public right-of-way. No sign shall be constructed adjacent to Country Acres Avenue or Third Street.

It was also noted in reviewing the Development Plan that the delineation could be more distinct so that the Plan would read more easily. Property lines should be more clearly indicated, setback lines labeled properly and planting strips and walls indicated clearly.

April 28, 1966

Fill Area

A note should be made under General Provisions that the "Existing excavation shall be filled in prior to the occupancy of any structure on Parcel No. 1".

The Preliminary Development Plan of Western Heights Shopping Center (DP-17) has been set for public hearing by the Metropolitan Area Planning Commission on May 19, 1966. Therefore, it will be necessary that you submit twelve corrected copies of the Preliminary Development Plan to our office no later than 5:00 p.m., May 9, 1966, so that we will have sufficient time to prepare our staff recommendations for the Community Unit Plan.

Enclosed is a corrected copy of the Development Plan for your information and files.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs

Enclosure

cc: Mr. Max Robinson
Meadowview Shopping Center, Inc.
2704 East Central
Wichita, Kansas

Mr. Warren A. Miller
Architect
1154 North Main
Wichita, Kansas

() (Published in The Wichita Beacon on April 26, 1966)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on May 19, 1966, at 2:00 P.M., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider an application for a **COMMUNITY UNIT PLAN - PLANNED COMMERCIAL DEVELOPMENT**, for property legally described as follows:

DF-17 - Lots 1, 2, 3, 4 and Lot 5, except the north 125 feet of the east 125 feet, Block K, Meadowview Estates, Sedgwick County, Kansas. Generally located at the southwest corner of Central and Ridge Road.

This Development Plan has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Code of the City of Wichita. The Development Plan is on file in the Office of the Planning Director, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The Development Plan on file proposes an 13.2 acre commercial development for the Western Heights Shopping Center. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

This hearing is to be held as provided in Section 28.04.190 of the Code of the City of Wichita 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.

WITNESS MY HAND AND SEAL this 21st day of April, 1966.

C. Bickley Foster, Secretary
Wichita-Sedgwick County Metropolitan Area Planning Commission

(SEAL)

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 Meadowview Shopping Center, Inc.
Address 2704 East Central Phone MU 2-5541
Agent / K. O. Taylor
Address 567 West Douglas Phone AM 4-472
- 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 Community Unit Plan approval on
existing A-A & LC
property zone proposed A & LC and legally described as Lot(s)
Lots 1, 2, 3, 4 and Lot 5 except
the north 125' of the east 125' Block(s) K
Meadowview Estates, Sedgwick County, Kansas Addition.

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

II.B There are 13.2 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) 8000 Block West Central.
The general location is (use appropriate section) NE 1/4 SEC. 31-27-1W

- a. at the Southwest corner of Central Ave.
and Ridge Road; or
- b. on the _____ side of _____ (Ave.,
Street) between _____ (Ave., Street) and
_____ (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.

By _____ Authorized Agent (if any) By Meadowley Shopping Center, Inc.
[Signature]
Authorized Agent (if any)
Its Court appointed Receiver

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

V. OFFICE USE ONLY

This application was received at the Planning Department at
11:50 (AM) PM on April 11, 1966 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ _____.

[Signature] Name
PAZ Title

STATEMENT OF RECORD OWNERSHIP

STATE OF KANSAS)
)
 SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

Property lying within a radius of 500 ft.
 of: Lots 1, 2, 3, 4, 5, Block K, Meadowview Estates,
 an Addition to Wichita, Kansas.


Fidelity
Title
Company.
inc.

And from such examination find that the record owners thereof are as set opposite the description of the property below, viz:

LOT	BLK	OWNER
MEADOWVIEW ESTATES		
1, 2, 3, 4,	K	✓ Meadowview Shopping Center, Inc. W. Jay Esco, Res. Agt. Schweiter Bldg.
5 exc N 125' of K E 125'		X Meadowview Shopping Center, Inc.
5 (E 125' of N 125')	K	✓ G. A. Harpool, Jr. & D. G. Harpool, d/b/a/ Harpool Bros. 2501 W. 13th St.
5	B	✓ Paul G. & Bernice E. Hertwig, ux 4403 W. Pawnee
6, 8, 10, 12, 13	B	✓ Westlink Realty, Inc. 8722 W. Maple St.
7	B	✓ Rock Island Lumber Co. Beacon Bldg.



LOT	BLK	OWNER
<u>MEADOWVIEW ESTATES</u>		
9, 11, 14, 15,	B	✓ Westlink Realty, Inc. John Callahan, Treas. Wichita Plaza Bldg.
1	J	✓ Wylie & Bertie M. Layman, ux 643 Dunsworth
2, 3, 5, 6,	J	✓ Robert M. & Zelva E. McGinnis, ux 13051 W. Central
4	J	✓ Ernest C. & Eleanore C. Russell, ux 642 Brown Thrush
7	J	✓ Howard T. & Gladys L. Oliphant, ux 614 Brown Thrush
8	J	✓ Eugene D. & Josephine E. Mueller, ux 242 Stearns, Haysville, Ks.
9	J	✓ Daniel J. Szrankowski, sgle. 1527 N. Broadview
10	J	X Westlink Realty, Inc.
11	J	✓ Larry N. & Susan Blick, ux 617 Dunsworth
12	J	✓ Ray Ruthrauff, Trustee 427 Lexington
13	J	✓ Administrator of Veterans Affairs <i>5500 East Kellogg</i>
6	H	✓ John A. & Nancy L. Dickinson, ux 612 Red Barn Lane
7	H	✓ Luther A. & Lila Ann Roasa, ux 1627 Jump
8	H	✓ Joseph S. & Neta Sweigart, ux 570 Red Barn Lane
9	H	✓ George A. & Analea Beard, ux 566 Red Barn Lane
16	H	✓ Herbert A. & Jo Ann M. McGreevy, ux 559 Country Acres
17	H	X Administrator of Veterans Affairs
18	H	✓ Warren P. & Phyllis M. Hurst, ux 571 Country Acres
19	H	✓ Clarence E. & Euzith M. Daniels, ux 247 Greenwood
20	H	✓ Robert I. & Luella N. Balman, ux 621 Brown Thrush
21	H	✓ Jerl E. & Norma J. Blalack, ux 453 W 16th St.
22	H	X Administrator of Veterans Affairs
23	H	✓ G. Gordon Dotzour, LeRoy E. McElwain, & Mery M. Suter 8722 W. Maple St.

LOT	BLK	OWNER
<u>MEADOWVIEW ESTATES</u>		
1	L	X Ray Ruthrauff, Trustee
2	L	J John R. Williams 1555 Womer
3	L	J Robert M. & Zelva E. McGinnis, ux 13051 W. Central
4, 5, 6, 7,	L	X Ray Ruthrauff, Trustee
8, 15, 16, 24,	L	J J. D. & Margaret Andrews, ux 601 Tippacano
9	L	X Ray Ruthrauff, Trustee
10, 11, 12, 14, 17, L		J John Darrah 200 N. Main
13	L	J Ralph Farha 1003 Stratford
18, 19, 20, 21, 22, L 23, 24, 25, 27, 28,		X John Darrah 200 N. Main
26, 29 30,	L	X J. D. & Margaret Andrews, ux 601 Tippacano
1	M	X Peter Joseph Fitzsimons O'Reilly Mary Leone O'Reilly, ux No Address Available <i>no address found</i>
2	M	X Administrator of Veterans Affairs
4	M	J Abelardo & Mary Ayala, ux 2136 S. Glendale
5	M	X Robert M. & Zelva E. McGinnis, ux 13051 W. Central
6	M	J J. O. Freemyer 811 Texas
7	M	J Gary Richard & Patricia L. DeWitt, ux 7330 Freeman Lane
8	M	X Richard Raymond & Joan Dorene Stoudtner, ux No Address Available <i>no address found</i>
9	M	J H. D. Palmer & M. L. Palmer, ux 7316 Freeman Lane
10	M	J W. E. McGreevy Box 83, Wichita, Ks.
11	M	X Ray Ruthrauff, Trustee
12	M	X J. D. & Margaret Andrews, ux 601 Tippacano
13	M	X Rock Island Lumber Co. Beacon Bldg.
14	M	X Leonard A. & Antoinette M. Oboski, ux No Address Available <i>no address found</i>

LOT	BLK	OWNER
<u>MEADOWVIEW ESTATES</u>		
15	M	✓ Don L. & Mary Lee Reeves, ux 2228 Bonn
16	M	✓ Thomas W. & Shirley Ann Reynolds, ux 2038 S. St. Clair
17	M	X Rock Island Lumber Co.
18	M	✓ Southwest Citizens Fed. S & L Assoc. 130 N. Market
19	M	X John Derrah 200 N. Main
1, 2, 3, 4,	N	X Ray Ruthrauff, Trustee
5	N	✓ Francis E. & Evelyn C. Gannon, ux 450 Acadia
6	N	✓ William E. & Velda L. Harvey, ux 442 Acadia
7	N	X Ray Ruthrauff, Trustee
<u>COUNTRY ACRES</u>		
1	2	✓ Harry J. & Dorothy M. Ragland, ux 701 Country Acres
3	2	✓ James L. & Doretha Baker, ux 725 Country Acres
2	2	X John H. & Patrosinia Oltmanns, ux No Address Available <i>no address found</i>
4	2	✓ William Martin, Jr. & Doris P. Keith, ux 735 Country Acres
5	2	✓ Charles M. & Margaret I. Thompson, ux 749 Country Acres
8	2	X Administrator of Veterans Affairs
9	2	✓ Howard Chester Smalley 7519 Hale
10	2	✓ W. L., Sr. & Margaret A. LaKamp, ux 2603 Sennett
11	2	✓ Carl D. & Ruth A. Beird, ux 7527 Hale
12	2	✓ Fredrick William Stump & Elizabeth Louise Stump, ux 7511 Cottontail
13	2	X Southwest Citizens Fed S & L Assoc. <i>130 N. Market</i>
14	2	✓ James W. & Minnie I. Jackson, ux Denver, Colo.
15	2	✓ Southwest Citizens Fed S & L Assoc. <i>130 N. Market</i>

LOT	BLK	COUNTRY ACRES	OWNER
17 (E $\frac{1}{2}$)	3		✓ Paul A. & Mrs. Paul A. Hanson, ux 7524 Cottontail
18	3		X Paul A. & Patty Jean Hanson, ux 7524 Cottontail
19	3		✓ C. Donald & Dollie D. Martin, ux 7520 Hale
Beg at NW cor of NW $\frac{1}{4}$ Sec 22, Twp 27, X Delano Township R 1 W; E 147.58 ft; S 295.16 ft; W 147.58 ft; N 294.16 ft to beg.			
Beg 147.58 ft E & 40 ft S of NW cor ✓ John P. Ritchie, Hale D. Ritchie & Sec 22, Twp 27, R 1 W; E 1188.15 ft Evan D. Ritchie, 'as co-partners, d/b/a to E line sd NW $\frac{1}{4}$ NW $\frac{1}{4}$; S 462.32 ft; The Ritchie Brothers Construction Co. W 1334.48 ft to a pt on W line sd 1820 N. Mosley Sec 22, 501.63 ft S of NW cor sd Sec 22; N along W line 206.47 ft; E 147.58 ft; N 255.16 ft to beg.			
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 22, Twp 27, R 1 West, exc ✓ Carl D. & Norma N. Thomason, ux beg at NW cor sd NW $\frac{1}{4}$; E 147.58 ft; S 426 Wetmor 295.16 ft; W 147.58 ft; N 295.16 ft to beg and exc beg 147.58 ft E & 40 ft S of NW cor Sec 22; E 1188.15 ft to E line sd NW $\frac{1}{4}$ NW $\frac{1}{4}$; S 462.32 ft; W 1334.48 ft to pt on W line sd Sec 22, 501.63 ft S of NW cor; N 206.47 ft; E 147.58 ft; N 255.16 ft to beg.			
The West 250 ft of the 240 ft of W $\frac{1}{2}$ of ✓ Anderson-Prichard Oil Corp. SW $\frac{1}{4}$ Sec 15, Twp 27, R 1 West. 1000 Liberty Bank Bldg., Oklahoma City, Okla.			
W $\frac{1}{2}$ of SW $\frac{1}{4}$ Sec 15, Twp 27, R 1 West, exc Myron C. Wilbur E 217.8 ft of S 400 ft & exc N 150 ft X 943 Wilbur Lane of S 880 ft of W 580.8 ft & exc W 250 ft Wichita, Ks. of S 240 ft.			
Beg 459.81 ft W of SE cor SE $\frac{1}{4}$; N 250 ft; Myron C. & Sylvia B. Wilbur, ux W 300 ft; S 250 ft; E to beg, exc W 125 943 Wilbur Lane ft of S 175 ft & exc W 125 ft of N 75 ft; Sec 16, Twp 27, R 1 West.			
Beg 759.8 ft W of SE cor SE $\frac{1}{4}$ Sec 16-27- ✓ Sam L. & Clarice H. Roberson, ux 1 W; N 175 ft; E 125 ft; S 175 ft; W as Trustees. to beg. 217 N. Atchinson, Eldorado, Ks.			
Beg 759.8 ft W & 175 ft N of SE cor SE $\frac{1}{4}$ ✓ William M. & Victoria Hamra, ux Sec 16-27-1W; N 75 ft; E 125 ft; S 75 ft; 724 Country Acres W to beg.			
Part of Lot 4, Blk 5, Country Acres 2nd ✓ Ridge Road Building, Inc. Addition: Beg 150 ft W of NE cor; W 234.45 X No Address Available ft; S 286.8 ft; E 234.45 ft; N 286.8 ft to <i>no address found</i> beg.			
Beg at Sly cor Lot 3, Blk 5, S 334.06 ft; X City of Wichita E 200 ft; NE to pt on N line sd Lot 4, 444.45 ft W of NE cor; NW 247.72 ft to E cor Lot 1; SW 240 ft to pt of beg. Blk 5, Country Acres 2nd Add.			

That part of Lot 4, Blk 5, Country Acres 2nd Addition desc as fol: Beg at intersection of Ridge Rd & Central Ave; N 175 ft; W 150 ft; S 175 ft to N line Central Ave; E along N line Central Ave. to beg.

✓ The American Oil Company
810 W. Douglas Ave.

Lot 4, Blk 5, Country Acres 2nd Add., exc that part W of a line 334.08 ft S of SE cor Lot 3 & 200 ft E extended NE to a pt 444.45 ft W of NE cor Lot 4 and exc E 150 ft of S 175 ft & exc W 234.5 ft of E 384.45 ft of N 286.8 ft thereof.

✓ Country Acres, Inc.
750 Country Acres Ave,

Beg at NW cor NE $\frac{1}{4}$ Sec 21, Twp 27, R 1 W; th S along W line sd NE $\frac{1}{4}$ 1479 ft for a place of beg; th S 1157.78 ft to cor stone in center sd Sec 21; th left at an angle of 89 deg. 29' 20" along the S line sd NE $\frac{1}{4}$ 1822.26 ft; th to left at an angle of 89 deg 38' 30" a distance of 670.33 ft to a pt of curve; th curving left with a delta of 25 deg. 51' 20" & a radius of 520.00' a distance on the curve of 235.32 ft to pt of tangent; th along tangent a distance of 995.26 ft; th to left at an angle of 90 deg a dist of 1481.25 ft to pt of beg. all of which lies in the NE $\frac{1}{4}$ sd Sec 21 and contains 59.625 Acres,

✓ Board of Education of the City of Wichita School Dist No. 1, Sedgwick County, Kansas.

Dated at Wichita, Kansas this 4th day of April, 1966 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Edward M Farrell Sec. OEH

Tracer # 74904

*

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

Roll # 1

*