

POSTED
3-18-81

DP-21 - Arrest of
COMMERCIAL CLUB
South of Kellum between
and Mansfield Drive

ACTION

DATE

COMMITTEE

M.A.P.C. *Approved sent to* 4-9-81
Conditions

B.C.C./B.C.O.C. *Approved to* 5-5-81
Recommended

Map No. 6046
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

AMENDED FILE #1
DP - 22
Filed 3-10-81

Associated
Case: _____

APPLICATION REQUEST: Approval of proposed Amendment to
EASTGATE SHOPPING CENTER C.U.P.
~~(Residential)~~ (Commercial) Community Unit Plan.

1. Applicant General Real Estate Shares, et al
Address 1146 First Natl. Bldg. Detroit, Mich. 48226 Phone 313-964-0573
2. Agent Grandy's of Wichita, et. al.
Address 555 N. Woodlawn, Suite 3102, 67208 Phone 684-5119
3. General Location: South of Kellogg between Rock Road and Mansfield Drive
Address _____
4. Proposed Use: _____

AREA DATA:

- (IRREGULAR)
1. Acres: 23.7 (580 ft. by 2000 ft.)
 2. Existing Zoning "LC" Proposed Zoning _____
 3. Area (is) (is not) platted. _____ Addition _____

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date 4-9-81 Action Approved sub to conditions

2. Governing Body

Date 5-5-81 Action Approved as Resubmitted

NOTES:

CASE FILE

1984
LOS ANGELES-CHICAGO-LUBAAN, OH
MORRISON TRACQUART BROVE, GA.

No. 2153C

S
Standard

Map No. 6046
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

AMENDED FILE #1
DP - 22
Filed 3-10-81

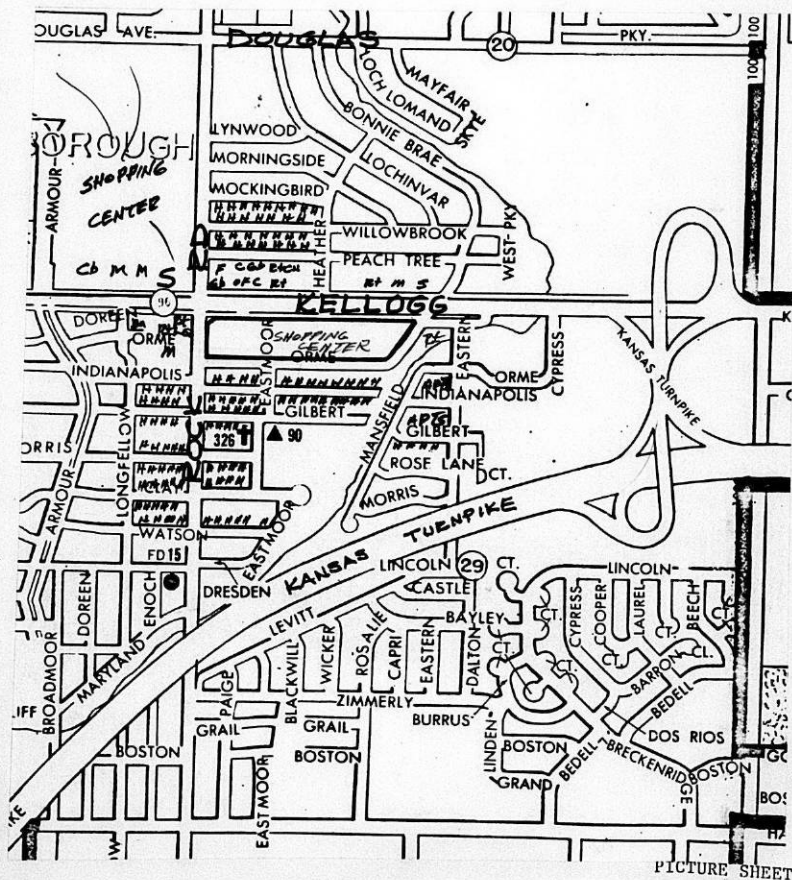
APPLICATION REQUEST: Approval of proposed Amendment to
EASTGATE SHOPPING CENTER C.U.P.
~~Rock Road~~ (Commercial). Community Unit Plan.

Associated
Case: _____

1. Applicant General Real Estate Shares, et al
Address 1146 First Natl. Bldg., Detroit, Mich. 48226 Phone 313-964-0571
2. Agent Grandy's of Wichita, et. al.
Address 555 N. Woodlawn, Suite 3102, 67208 Phone 684-5119
3. General Location: South of Kellogg between Rock Road and Mansfield Drive
Address _____
4. Proposed Use: _____

- AREA DATA: (IRREGULAR)
1. Acres: 23.7
 2. Existing Zoning: "LC" (580 ft. by 2000 ft.)
 3. Land Use: East RESTAURANT South SINGLE FAM
West MOTEL RESTAURANT North Kellogg US-54
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: EASTGATE SHOPPING CENTER
 6. Area (is) (is not) platted. _____

PHOTO DATA: DP-22
Taken by _____ Date _____ Time _____



IMPORTANT MESSAGE

FOR Mr. Baker
DATE 7/26 TIME 7:35 A.M.
P.M.

WHILE YOU WERE AWAY



GILBERT C. CLARK, JR., CLU

(316) 686-1911
22 Peach Tree Lane
Wichita, Kansas 67207

Please call him

SIGNED

Jinx

FORM 000-017

15,000 # ^{min} Golf Course - West

↳ ^m ~~min~~ Golf
↳ in main mall, DP 22
Eastgate

DP-22

4/27

CUP list

Shipping Center

Department Stores

Supermarkets

Variety Store

- other similar uses which

are permitted in the "LC" District.

I called them back
said I concerned for
had to back it up to check &
write folder's date if he
will issue permit for
but under their class. ASL

I don't see any problems with a miniature
golf course going in an enclosed building in
the "LC" district. In this case it depends
on how CID interprets "other similar uses".
Probably needs an administrative interpretation

MC

May 13, 1981

Robert B. Feldner, Superintendent of Central Inspection
Jack H. Galbraith, Chief Planner

DP-22 - Eastgate Shopping Center Commercial C.U.P.
Generally located on the south side of Kellogg between
Rock Road and Mansfield Drive.

The Board of City Commissioners on May 5, 1981, considered
the above captioned C.U.P. Their action was to approve the
C.U.P. subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
- b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- c. 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.

Attached for your information and files are two approved copies of the C.U.P. If you have any questions concerning this matter, please contact our office.

Jack H. Galbraith
Chief Planner

JHG:ADC:e1
Attachments

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERSREQUEST FOR APPROVAL OF AMENDMENT TO
COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. DP-22

CONSIDERED BY MAPC: 4-9-81

REQUEST FOR: Approval of amendment to the Eastgate
Shopping Center Commercial C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

None stated.

GENERAL LOCATION: South of Kellogg between Rock Road and
Mansfield Drive.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes
of April 9, 1981)APPLICANT: General Real Estate Shares, et al, 1146 First National
Bank Building, Detroit, Michigan
AGENT FOR APPLICANT: J. Leon Smith, Grandy's of Wichita, 555 N. Woodlawn,
Suite 3102.

PROTESTORS (LIST AGENT) IF ANY: Brenda Meier, 8336 E. Orme.

SURROUNDING ZONING: North and East, "LC"; South, "AA" & "A"; West,
"AA" & "LC".LAND USE: Existing, Shopping Center; North, Restaurant, office, retail
sales; East, Restaurant; South, Single-family; West, Motel, restaurant.CPO RECOMMENDATION: CPO Council Area "H" recommended by a vote of 3-1,
with one abstention, to approve the application.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown in
the excerpt from Planning Commission minutes of April 9, 1981. Lofton
moved, Bayouth seconded and it carried unanimously. Wright was absent.
One vacancy.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planning Commission and approve the Community Unit Plan subject to the
recommended conditions; or
2. Return the application to the Metropolitan Area Planning
Commission for its reconsideration. The City Commission states the
following reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 9, 1981

12. Case No. DP-22 - General Real Estate Shares, et al request approval of amendment to the Eastgate Shopping Center Commercial Community Unit Plan for all of Block 1 and Block 6 Eastmoor Addition to Wichita, together with vacated alley in said Block 1 and part of vacated Eastmoor Street lying between said Blocks 1 and 6; also all of Lots 1, 2 and 3 and that part of Lot 4 lying north of the extended north line of Orme Street, in Block 1, Replat of Block 1 in Sunny-Brook Addition to Wichita, All in Sedgwick County, Kansas. Generally located south of Kellogg, between Rock Road and Mansfield Drive.

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

COMMENTS:

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

In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the existing Eastgate Shopping Center C.U.P., located south of Kellogg, in an area between Rock Road and Mansfield Drive. The proposed amendment would create Parcel 3 at the southwest corner of Mansfield and Kellogg. The only permitted use would be a restaurant with a drive-thru window. Building setback lines, building coverage, floor area ratio and other restrictions are shown on the plan. No changes are proposed on the balance of the C.U.P.

2. Staff feels that the proposed restaurant will not adversely affect surrounding properties and is an appropriate use for this site. The plan states that a screening wall for Parcel 3 shall not be required. Staff would concur in the waiver since the trash receptacles will be enclosed and the landscaping strip along Mansfield Drive.
3. Should the Planning Commission determine that the proposed amendments are appropriate the following are recommended conditions of approval.
 - a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
 - b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
 - c. 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.

CHAMBERS stated that CPO Council Area "H" recommended by a vote of 3-1, with one abstention, to approve the application. He said that staff recommended approval.

J. LEON SMITH, representing the applicants, was present.

BRENDA MEIER, 3336 East Orme, speaking in opposition, stated that the neighbors main objection was the potential for increased traffic on Orme. She said that there was only the one access to Sunny-Brook 2nd Addition from Kellogg and there were about 500 residents using this access. She felt that approval of this request would add more cars to that access and they did not see how the residents would be able to get out.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into account the commercial character of the neighborhood; the commercial zoning of the properties adjacent to the newly created parcel, and considering the staff's recommendation of approval; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
- b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- c. 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.

Lofton moved, Bayouth seconded and it carried unanimously. Wright was absent. One vacancy.

April 10, 1981

J. Leon Smith
Grandy's of Wichita
555 North Woodlawn, Suite 3102
Wichita, Kansas 67208

Re: DP-22 - Approval of an Amendment to
the Eastgate Shopping Center
Commercial C.U.P.
Generally located south of Kellogg
between Rock Road & Mansfield Drive

Dear Mr. Smith:

At its regular meeting on April 9, 1981, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
- b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- c. 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.

Please submit 10 copies of the C.U.P. to our office by April 24, so that subject case can be scheduled for consideration by the Board of City Commissioners at their regular meeting on May 5, 1981. This meeting to

be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad

cc: General Real Estate Shares, 1146 First Nat'l. Bldg., Detroit, Michigan
48226
David W. Goldschmidt, 7603 East Harry, Wichita 67207
F. M. & Nellie Brady, 26 Lakeside Blvd., Wichita, Kb. 67218

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE April 7, 1981

TO Jack Galbraith, Chief Planner, Current Plans

FROM Bill Morris, Administrative Aide III

SUBJECT DP-22: South of Kellogg, between
Rock Road and Mansfield Drive

CPO Council "H" considered the captioned case on April 7, 1981. The Council voted 3-1 (plus one abstention) to recommend approval of the proposed CUP amendment.

Leon Smith and Dave Feather were present on behalf of the applicant. Two residents of the notification district were also present. It was the Council's opinion that the location of the site in the midst of a heavily commercialized area makes the proposed development an appropriate land use. The two residents present were not opposed to the proposed restaurant but are concerned about the high volume of vehicular traffic on Orme Street. The CPO member voting against the amendment is opposed to any additional drive-through restaurants in the area.



Bill Morris
Administrative Aide III

BM:ml

Noted:



Sarah Gilbert
CP Coordinator

WICHITA-SLEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 1-09-81

Case No. DP-22 Request: Approval of an Amendment
to the Lastgate Shopping
Center Commercial C.U.P.

Location: Generally located south of Kellogg between Rock Road
and Mansfield Drive.

Acres: 23.7 Size: 580' x 2000' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Shopping Center	"LC"
North	Restaurant, office, retail sales	"LC"
Last	Restaurant	"LC"
South	Single-family	"AA" & "A"
West	Motel, restaurant	"AA" & "LC"

Street Right-of-way is adequate. Platted: Yes

History: DP-22 10-20-66 MAPC Approve
11-06-66 BCC Approve

COMMENTS:

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

In compliance with Section 23.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of an amendment to the existing Lastgate Shopping Center C.U.P., located south of Kellogg, in an area between Rock Road and Mansfield Drive. The proposed amendment would create Parcel 3 at the southwest corner of Mansfield and Kellogg. The only permitted use would be a restaurant with a drive-thru window. Building setback lines, building coverage, floor area ratio and other restrictions are shown on the plan. No changes are proposed on the balance of the C.U.P.

2. Staff feels that the proposed restaurant will not adversely affect surrounding properties and is an appropriate use for this site. The plan states that a screening wall for Parcel 3 shall not be required. Staff would concur in the waiver since the trash receptacles will be enclosed and the landscaping strip along Mansfield Drive.
3. Should the Planning Commission determine that the proposed amendments are appropriate the following are recommended conditions of approval.
 - a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.

Page 2
DF-22
MAFC AGENDA
4-9-81

- b. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
- c. 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.

DP-22 - 217 - "Notice to Adjoining Property Owners" mailed 3-26-81 for
the MAPC meeting for 4-9-81

1 to CPO Office, including map
1 to "NEIGHBORS" newspaper, including map

219 TOTAL

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

March 26, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 9, 1981, said meeting beginning at 1:30 p.m., 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 amendment to the EASTGATE SHOPPING CENTER COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

DP-22 - All of Block 1 and Block 6 Eastmoor Addition to Wichita, together with vacated alley in said Block 1 and part of vacated Eastmoor Street lying between said Blocks 1 and 6; also all of Lots 1, 2 and 3 and that part of Lot 4 lying north of the extended north line of Orme Street, in Block 1, Replat of Block 1 in Sunny-Brook Addition to Wichita, All in Sedgwick County, Kansas. Generally located south of Kellogg, between Rock Road and Mansfield Drive.

The Development Plan of this area, originally approved on November 3, 1966, 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 to create Parcel 3 at the southwest corner of Kellogg and Mansfield Drive. The only permitted use would be a restaurant with a drive-thru window. Building height, ground coverage, setback lines and other restrictions are shown on the plan. There are no changes proposed for the balance of the Community Unit Plan.

The hearing of the proposed amendment to 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 said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

The Citizen 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 268-4516.

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

March 11, 1981

Robert B. Feldner, Superintendent of Central Inspection
Paul Graves, Chief Engineer
Mike Lindebak, Program Development Engineer

Arthur D. Chambers, Senior Planner

DF-22 - Eastgate Shopping Center - Generally located south
of Kellogg between Rock Road and Mansfield Drive.

A copy of a proposed amendment to the above referenced C.U.P.
is attached for your review. The only change proposed is
the creation of a Parcel at the southwest corner of Kellogg
and Mansfield Drive that would permit a restaurant. We have
tentatively scheduled this case for consideration by the
Planning Commission on April 9. We would appreciate receiv-
ing any comments you might have by Monday, March 16. If you
have any questions, please call.

Arthur D. Chambers
Senior Planner

ADC:el

Attachment

DP 22
Eastgate Shipping
Center
map

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, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants and/or their agent or agents.
 - a. Applicant General Real Estate Shares, a Michigan business trust
Address 1146 First National Bldg., Detroit, Michigan 48226 Phone 313 964-0573
Agent Grandy's of Wichita, a Kansas partnership (J. Leon Smith)
555 North Woodlawn, Suite 3102
Address Wichita, Kansas 67208 Phone 684-5119
b. Applicant David W. Goldschmidt and Rosalie Kreitzer, Co-Executors
of the Estate of William Levitt, deceased
7603 East Harry, Wichita, Kansas 67207
Address or P. O. Box 18185, SE Station, Wichita, Kansas 67208 Phone 686-6693
Agent David W. Goldschmidt
7603 East Harry, Wichita, Kansas 67207
Address or P. O. Box 18185, SE Station, Wichita, Kansas 67208 Phone 686-6693
c. Applicant F. M. Brady and Nellie Brady
Address 26 Lakeside Blvd., Wichita, KS 67218 Phone 316 683-4412
Agent Nellie Brady
Address Same Phone Same

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

2. a. The applicant hereby requests Community Unit Plan approval on property zoned LC and legally described as Lot(s) see below, Block(s) see below, Addition. See below

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

All of Block 1 and Block 6, Eastmoor Addition to Wichita, together with vacated alley in said Block 1 and part of vacated Eastmoor Street lying between said Blocks 1 & 6; also all of Lots 1, 2, & 3, and that part of Lot 4 lying north of the extended north line of Orme Street, in Block 1, Replat of Block 1 in Sunny-Brook Addition to Wichita, all in Sedgwick County, Kansas.

- OK for legal
- N/C
S/E
W
AA/A
AC (Eastside Center - CVP)
AA/IC
2. b. There are 23.7 acres (round to nearest tenth) in the above described property.

3. The general location is (use appropriate section)

a. at the N/A corner of N/A
and N/A; or

b. on the South side of Kellogg (U.S. Hwy 54) (Avenue,
~~Street)~~ between Rock Road ~~(Avenue; Street)~~ and
Mansfield Drive ~~(Avenue; Street)~~.

4. I (we), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. (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.

General Real Estate Shares,
a Michigan business trust

By J. Leon Smith
Authorized Agent (if any)
Grandy's of Wichita, a Kansas
partnership (J. Leon Smith)

David W. Goldschmidt and Rosalie
Kreitzer, Co-Executors of the Estate
of William Levitt, deceased

By David W. Goldschmidt
Authorized Agent (if any)
David W. Goldschmidt

F. M. Brady/Nellie Brady

X By F. M. Brady
Authorized Agent (if any)
Nellie Brady

WITNESS: Elizabeth S. Flynn
~~Authorized Agent (if any)~~

5. OFFICE USE ONLY

This application was received at the Planning Department at 230
(AM, PM) on March 10, 1981 (Day, Month, Year). It has been
checked and found to be complete and accompanied by required documents and
the appropriate fee of \$ 200.

Stephen D. Chambers Name
City Planner Title

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
The north 1 261.44 ft. of lot 1 & ½ of vacated Eastmoor St. adjacent	1	Eastmoor Addition	D F.M. Brady & Nellie Brady, 26 Lakeside Blvd., 67207
1 exc. the 1 north 261.44 ft.; together with ½ of vacated Eastmoor St. adjacent to said lot 1 except the north 261.64 ft.; & together with ½ of vacated alley in block 1 adjacent		"	✓ Levitt Jewelry Co., Inc., 7700 E. Kellogg, Room 243, 67207
2 thru 10 odd & even inclusive, together with ½ of vacated alley adjacent	1	"	"
11, to- gether with ½ of vacated Eastmoor St. adjacent & ½ of vacated alley adjacent	1	"	"
1	2	"	X M.J. Neher, Jr. and Patricia Joy Neher, Address Unknown
2	2	"	✓ Larry Lee McKee & Nina J. McKee, Clearwater, 67026
3	2	"	✓ Wava L. Thompson, 8013 E. Orme, 67207
4	2	"	✓ Herbert Berger & Lila Lee Berger, 340 Stratford, 67206
5	2	"	✓ Eric C. Fisher, Address Unknown RT #1, Augusta 67010
6	2	"	✓ William H. Smith & Kathleen L. Smith, 8031 E. Orme, 67207
7	2	"	✓ Robert R. Browning & Mildred H. Browning, 8037 E. Orme, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
8	2	Eastmoor Addition	✓ Robert H. Collins (Deceased) Ella Rue Collins, 8043 E. Orme, 67207
9	2	"	✓ William J. Pitz & Janice A. Pitz, 8049 E. Orme, 67207
10	2	"	✓ Harry E. Cramer & Theodoris Cramer, 8055 E. Orme, 67207
11	2	"	✓ Elmer James Gatz Jr., & Shirley D. Gatz, 8056 E. Indianapolis, 67207
12	2	"	✓ Willis E. Johnson & Dorothy R. Johnson, 8050 E. Indian- apolis, 67207
13	2	"	✓ Danny L. Boyes & Cheryl A. Boyes, 8044 E. Indianapolis, 67207
14	2	"	✓ Board of Trustees, Presbytery of Wichita, 216 E. 2nd, Room 420, 67202
15	2	"	✓ Forrest L. Evans & Annita J. Evans, 8032 E. Indianapolis, 67207
16	2	"	✓ Jack L. Krehbiel & Faith E. Krehbiel, 8026 E. Indian- apolis, 67207
17	2	"	✓ William R. Calhoun & Joean Calhoun, 8020 E. Indian- apolis, 67207
18	2	"	✓ Royce A. Friesen & Candace J. Friesen, 8014 E. Indian- apolis, 67207
19	2	"	✓ Jane S. Eulberg, 8008 E. Indianapolis, 67207
20	2	"	✓ Roy D. Flock (Deceased) & Nancy J. Flock, 8002 E. Indianapolis, 67207
1	3	"	✓ Clifford L. Ferch & Helen Ferch, 8001 E. Indianapolis, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
2	3	Eastmoor Addition	✓ Norman E. Harcourt & Wanda L. Harcourt, 8007 E. Indianapolis, 67207
3	3	"	✓ Ronald S. Hadden & Eleanor L. Hadden, 2900 Foulois Dr., 67210
4	3	"	✓ Lodis G. Klauman & Myrtle L. Klauman, 8019 E. Indianapolis, 67207
5	3	"	✓ Mark A. Blackmore & Jo Ann Blackmore, 8025 E. Indianapolis, 67207
6	3	"	✓ Frank Scanlin, Jr., & Jessie M. Scanlin, 6919 Timberon Lane, 67206
7	3	"	✓ Willard H. Kratz & Charlotte Kratz, 8037 E. Indianapolis 67207
8	3	"	✓ <i>sent to</i> → 606 W. Market 67214 Esther Williams & Dena J. Williams, Address-Unknown 73 1/2 Country acres.
9	3	"	✓ Tuan Van Nguyen & Minh Thi Trieu, 8049 E. Indianapolis, 67207
10	3	"	✓ Edgar J. Kirner & Cecile M. Kirner, 629 Eastmoor, 67207
11	3	"	✓ Thurza B. Hawes, 635 Eastmoor 67207
12	3	"	✓ Joseph Latas & Marjorie H. Latas, 8050 E. Gilbert, 67207
13	3	"	✓ Stanley I. Schultz, 8044 E. Gilbert, 67207
14	3	"	✓ Katie Thomas Hargis, 8038 E. Gilbert, 67207
15	3	"	✓ Harold D. Henry & Averil Jean Henry, 8032 E. Gilbert, 67207
16	3	"	✓ Juvencio Lara & Elizabeth A. Lara, 8026 E. Gilbert, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
17	3	Eastmoor Addition	✓ Michael R. Thull, 8020 E. Gilbert, 67207
18	3	"	✓ An Duong Phan & Thom Tihi Phan, 8014 E. Gilbert, 67207
19	3	"	✓ Eunice M. Clary, 8008 E. Gilbert, 67207 AND Charles G. Bair & Sue F. Bair, 8005 Clay, 67207
20	3	"	✓ Arthur A. Winquist & Jo Ann Winquist, 251 Post Oak Rd., 67206
1	4	"	✓ James Q. Lynch & Mary Ellen Lynch, 628 Eastmoor, 67207
2	4	"	✓ Marion E. Nichols & Meredith V. Nichols, 8107 E. Indianapolis, 67207
3	4	"	✓ David Duebler & Sally Duebler, 8113 E. Indianapolis, 67207
4	4	"	✓ John A. Kraus & Mary K. Kraus, 8119 E. Indianapolis, 67207
5	4	"	✓ Edward Joel Finley & Ruth Carolyn Finley, 8125 E. Indianapolis, 67207
6	4	"	✓ Edward Henry Zenner & Mary A. Zenner, 8131 E. Indianapolis, 67207
7	4	"	✓ Raymond C. Jones & Ruth A. Jones, 8137 E. Indianapolis, 67207
8	4	"	✓ Robert C. Hurtt & Ileana V. Hurtt, 8143 E. Indianapolis, 67207
9	4	"	✓ Roy Boren, Jr., & Rebecca Boren, 8144 E. Gilbert, 67207
10	4	"	✓ John N. Homan & Ann M. Homan, 8138 E. Gilbert, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
11	4	Eastmoor Addition	✓ Adolph Herman Riedl, Jr. & Betty L. Riedl, 8132 E. Gilbert, 67207
12	4	"	✓ Judith I. Caddell, 8126 E. Gilbert, 67207
13	4	"	✓ Ralph M. Enright & Dorothy M. Enright, 8120 E. Gilbert, 67207
14	4	"	✓ David H. Hohlfield & Carol K. Hohlfield, 8033 E. Morris, 67207
15	4	"	✓ Donald D. Ash & Barbara S. Ash, 8108 E. Gilbert, 67207
16	4	"	✓ Jim W. Hoyle, 8102 E. Gilbert, 67207, AND M.A. Sifford & Lenna Sifford, Address Unknown Rt 3, Augusta, 67010
1	5	"	✓ Francis L. Strong & Gloria J. Strong, 7803 E. Gilbert, 67207
2	5	"	✓ Michael P. McGill & Connie L. McGill, 8107 E. Orme, 67207
3	5	"	✓ James G. Savage & Virginia G. Savage, 3823 E. Funston, 67218
4	5	"	✓ Morris W. Peterson & Shirlene D. Peterson, 8119 E. Orme, 67207
5	5	"	✓ James E. Morgan & Mary L. Morgan, 8125 E. Orme, 67207
6	5	"	✗ Adam E. Steffy & Maggie V. Steffy, Address Unknown ✓
7	5	<i>Correct address is: 8137 E. Orme 67207 PO Box 18072 - Wichita 67218</i>	✗ Vaughn Fox & Karen L. Fox, Address Unknown 6080 Skittin 67207 ✓
8	5	"	✓ Walter L. Hoepner & Bernetta R. Hoepner, 8143 E. Orme, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
9	5	Eastmoor Addition	✓ Jack T. Brewer & Wilma J. Brewer, 8144 E. Indianapolis, 67207
10	5	"	✓ Glenn Lee Hoppock & Shirley Y. Hoppock, 8138 E. Indianapolis, 67207
11	5	"	✓ William R. Seligh, Jr. & Regina L. Seligh, 8132 E. Indianapolis, 67207
12	5	"	Edward F. Drey (Deceased), & Margaret A. Drey, Address Unknown
13	5	"	✓ Olan L. McWilliams & Aryvella L. McWilliams, 8120 E. Indianapolis, 67207
14	5	"	✗ Vernon S. Anderson & Evelyn M. Anderson, Address Unknown
15	5	"	✓ Harold Belt & Alice Belt, 1931 N. St. Clair, 67203
16	5	"	✓ Duane J. Desmarteau & Mary J. Desmarteau, 8102 E. Indianapolis, 67207
The north 261.44 ft. of lot 1 & ½ of vacated Eastmoor St. adjacent	6	"	D F.M. Brady & Nellie Brady, 26 Lakeside Blvd., 67207
Lot 1 exc. the north 261.44 ft., together with ½ of vacated Eastmoor St. adjacent	6	"	D Levitt Jewelry Co., Inc., 7700 E. Kellogg, Room 243, 67207
2 thru 9, odd & even inclusive	6	"	"
Block 1		Eastridge Park Addition	✓ Presbytery of Wichita, Synod of Kansas, 216 E. 2nd, Room 420, 67202

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1, 2, & 3	1	Replat of Block 1, Sunny-Brook Addition	X William Levitt, Deceased
That part of lot 4 lying north of Orme St.	1	"	"
5	1	"	✓ Anthony H. Cortese & Linda S. Cortese, 8209 E. Orme, 67207
6	1	"	✓ Arnold L. Sollars & Mary L. Sollars, 8203 E. Orme, 67207
East 7 ft. of lot 7, all of lot 8	1	"	✓ Richard R. McIlvain, 8208 E. Indianapolis, 67207
7 exc. the east 7 ft.	1	"	✓ Robert K. Johanson & Dolores M. Johanson (Deceased), Bitting Building, 115 N. Market, 67202
East 9 ft. of lot 9 & all of lot 10	1	"	✓ Larry E. Glenn & Doreen T. Glenn, 8220 E. Indianapolis, 67207
9 exc. the east 9 ft.	1	"	✓ Ronald E. Jilg & Barbara J. Jilg, 8214 E. Indianapolis, 67207
1	2	"	✓ Michael Guido Tesi & Kathryn Louise Tesi, 8203 E. Indian- apolis, 67207
2	2	"	✓ David W. Carr & Natalie J. Carr, 8209 E. Indianapolis, 67207
3	2	"	✓ Leon A. Zmroczek & Denise Zmroczek, 8217 E. Indian- apolis, 67207
4	2	"	✓ Nancy Marshall Periolat, 8208 E. Gilbert, 67207
5	2	"	✓ Joe F. Cox & Diane Lee Cox, 8202 E. Gilbert, 67207
Block 3		"	✓ Wichita Board of Education, 428 S. Broadway, 67202

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1 & 2	-	Russell-Lawrence Addition	✓ Earl G. Dunagan & Wanda Dunagan, 253 Wood Lane, 67212
		<i>Resent to: 904 Toh-N-Hall, 67212</i>	
Part of block 2		Sunny-Brook Addition	Socony Mobil Oil Co., Address Unknown
beg. at the intersection of the south line of the frontage road to the south line of Kellogg St. & the east line of Mansfield Dr.; then southwesterly along the east line of Mansfield Dr. 75 ft.; then southeasterly to a pt. on the west line of Eastern Ave., which pt. is 120 ft. south of the south line of said frontage road; then north along west line of Eastern Ave. 120 ft.; then west to beg.			
Block 2 exc. that part described immediately above		Sunny-Brook Addition	✓ John W. Hill, William A. Hays, & Russell C. Knotts, 2575 Ferris Rd., Columbus, Ohio
1 & the north 3 ft. of lot 2	3	"	✓ Charles W. Melton & Darlene F. Melton, 535 Eastern, 67207
2 exc. the north 3 ft.	3	"	✓ Donald W. Cullom & Janine R. Cullom, 541 Eastern, 67207
3	3	"	✓ Administrator of Veteran's Affairs, 5500 E. Kellogg, 67218
4	3	"	✓ Doris L. Miller, 8328 E. Orme, 67207
5	3	"	Administrator of Veteran's Affairs, 5500 E. Kellogg, 67218
6 exc. the east 64 ft.	3	<i>Resent: 2943 So. Kansas 67216</i>	✓ H.L. Swartzendruber, 101 S. Ridgcrest, 67218; AND ✓ Harold Reiland, 602 Rutland Rd., 67206
East 64 ft. of lot 6	3	"	✓ Frank M. Cupp a/k/a Frank Manning Cupp & Audie Elizabeth Cupp, Address Unknown

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1	4	Sunny-Brook Addition	✓ Robert G. Beard & Doris Beard, 8305 E. Orme, 67207
2	4	"	✓ Patricia Jean Allen, 8313 E. Orme, 67207
3	4	"	✓ Elwood L. Schoener & Kyong C. Schoener, 8321 E. Orme, 67207
4	4	"	✓ Joe D. Partridge (Deceased) & Betty Lou Partridge, 8327 E. Orme, 67207
5	4	"	✓ George E. Rathbun, 8333 E. Orme, 67207
6	4	"	✓ Avis Ellen Nelson, 8339 E. Orme, 67207
7	4	"	✓ Robert E. Hopkins & Cheryl E. Hopkins, 8338 E. Indianapolis, 67207
8	4	"	✓ Mohammed H. Dashti & Bibi F. Dashti, 8332 E. Indianapolis, 67207
9	4	"	✓ Dorothy R. Henry, 8324 E. Indianapolis, 67207
10	4	"	✓ Ralph O. Humphries & Geneva G. Humphries, 8318 E. Indianapolis, 67207
11	4	"	✓ Dudley R. Richardson & Carol A. Richardson, Address Unknown 505 N. Rock Rd. 67206
12	4	"	✓ Jess McCullough & Patty McCullough, 2003 Flynn Lane, 67207
13	4	"	D Administrator of Veteran's Affairs, 5500 E. Kellogg, 67207
1	5	"	✓ Joan Wilborn a/k/a Jo Ann Wilborn, 8303 E. Indianapolis, 67207
2	5	"	✓ Filomena F. Hamm, 8307 E. Indianapolis, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
3	5	Sunny-Brook Addition	✓ Jack W. Lawson & Patricia Ann Lawson, 8313 E. Indianapolis, 67207
4	5	"	✗ James White Burnett & Linda L. Burnett, Address Unknown
5	5	"	✓ Roger Louis Brown & Gail A. Brown, 8325 E. Indianapolis, 67207
6	5	"	✓ Toni Rae Deason, 8333 E. Indianapolis, 67207
7	5	"	✓ Ori L. Walton & Bess F. Walton, 8339 E. Indianapolis, 67207
9	5	"	✓ Marcellus C. Dedrick & Edna E. Dedrick, 8332 E. Gilbert, 67207
10	5	"	✓ Bill D. Ham & Beverly J. Ham, 891 Greenway Ct., Derby, 67037
11	5	"	✓ Darrell T. Schon, 3214 S. McComas, 67217
12	5	"	✗ G. Michael Bird & Jeneen L. Bird, Address Unknown by 1702 So. Mulwood, 67213
13	5	"	✓ Donovan Moore & M. Joyce Moore, 3564 Ponderosa St., 67203
14	5	"	✓ James Donald Bailey & Beverly Diane Bailey, 8306 E. Gilbert, 67207
15	5	"	✓ Willard Lee Thompson, Jr., & Adrienne Sue Thompson, 8302 E. Gilbert, 67207
1	6	"	✓ David Alan Baker & Mila D. Baker, 8303 E. Gilbert, 67207
2	6	"	✓ George B. Westerhaus & Phyllis M. Westerhaus, 8307 E. Gilbert, 67207
3	6	"	D Arthur J. Winquist & Jo Ann J. Winquist, 251 Post Oak Rd., 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
4	6	Sunny-Brook Addition	✓ Richard E. Williams & Linda K. Williams, 8315 E. Gilbert, 67207
1 & 2	-	Weaver-Reimold Addition	✓ Executive Inn, Inc., Address Unknown <i>8401 E. Keelocky 67207</i>
1	-	Manson-Cummings Addition	✗ Arthur W. Viner & Thomas G. Davis, Jr., Trustees under a re-stated Declaration of Trust dated 12-14-71, as amended, of ICM Realty (successor by change of name to Third ICM Realty), Address Unknown
1	1	Lankin 2nd Addition	✓ Arthur Lankin, 953 S. Greenwich Rd., 67207
		Wiedemann Addition	✗ East Wichita Partners, Address Unknown ✓
The South 30 ft. of the west 1010 ft. of Wiedemann Add., exc. that part included in drainage dedication & exc. an easement for road			
1	5	Bonnie Brae Addition	✓ Theodore B. VanZant (Deceased) & Cleota T. VanZant, 8002 Peach Tree Lane, 67207
2	5	" <i>no other add.</i>	✗ W.P. McMillan (Deceased), & Martha E. McMillan, 8008 Peach Tree Lane, 67207
3	5	"	✓ E. Eugene Lawler & Helen L. Lawler, 8014 Peach Tree Lane, 67207
4	5	"	✓ Carl F. Newman, Jr., & Clara J. Newman, 8020 Peach Tree Lane, 67207
5	5	"	✓ Lynn R. Ikerd & Mary Ann Ikerd, 8102 Peach Tree Lane, 67207
6	5	"	✓ Roy C. Lindell & Tillie M. Lindell, 8108 Peach Tree Lane, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
2	-	C.A.P. Addition	✓ Rocco R. Barrese & Sandra Barrese, 8213 Peach Tree Lane, 67207
3	-	"	✓ Jeffrey Todd Corbin & Bonnie Bing Corbin, 6605 E. 11th, 67206 AND Harry F. Corbin, Jr., 1400 N. Woodlawn, Apt. 7B, 67208
West 90 ft. of lot 1	7	Bonnie Brae Addition	✓ Leonard William Radermacher, Jr., & La Donna Radermacher, 8201 Peach Tree Lane, 67207
East 100 ft. of lot 2	7	"	✓ Patricia Rea Dumler & Harold R. Hall, Address Unknown 202 Lockinvar, 67207
3	7	"	✓ Richard Otto Watson & Eva Vera Watson, 8233 Peach Tree Lane, 67207
4	7	"	✓ Archie L. Stover (Deceased) & Marie H. Stover, 8301 Peach Tree Lane, 67207
5	7	"	✓ Clark V. Britton, Jr., & Regina J. Britton, 8307 Peach Tree Lane, 67207
6	7	"	✓ B.S. Breckbill & Phyllis Breckbill, 8315 Peach Tree Lane, 67207
7	7	"	✓ Hazel G. Myers & Charles B. Myers, Address Unknown
8	7	"	✓ Paul L. Cook & Dorothy Cook, 405 Bonnie Brae, 67207
1	8	"	✓ Union National Bank of Wichita, Trustee, 150 N. Main, 67202
2	8	"	✓ Steve M. Longan & Ronda S. Longan, Address Unknown 1126 N. Brunswick, 67212
3	8	"	✓ Douglas J. Moshier & Carolyn S. Moshier, 8415 Peach Tree Lane, 67207
4	8	"	✓ Doyle E. Meade & Jeanne S. Meade, 8421 Peach Tree Lane, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
3	9	Bonnie Brae Addition	✓ Marvin Edward Elliott & Mildred May Elliott, 8404 Peach Tree Lane, 67207
4	9	"	✓ Leo J. Johnson & Carolyn K. Johnson, 8418 Peach Tree Lane, 67207
1	10	"	✓ Robert Ripley, Jr., & Lorraine P. Ripley, 8202 Peach Tree Lane, 67207
2	10	"	✓ Lawrence E. Ree & Bonnie L. Ree, 8208 Peach Tree Lane, 67207
3	10	"	✓ Irwin V. Johnson & Phyllis A. Johnson, 8214 Peach Tree Lane, 67207
4	10	"	✓ Melany B. Pearce, 8220 Peach Tree Lane, 67207
5	10	"	✗ William D. Harrison & Clarice N. Harrison, Address Unknown
6	10	"	✓ Edwin E. Vigneaux & Nancy L. Vigneaux, 8232 Peach Tree Lane, 67207
7	10	"	✓ Douglas W. Buchan, 8302 Peach Tree Lane, 67207
8	10	"	✓ Louis P. Latimer & Lois M. Latimer, 8308 Peach Tree Lane, 67207
9	10	"	✓ V.S. Hass (Deceased) & Alma E. Hass, 8314 Peach Tree Lane, 67207
10	10	"	✓ Kenneth G. Fuson & Betty L. Fuson, 8320 Peach Tree Lane, 67207
11	10	"	✓ Raymond H. Rutherford & Susan R. Rutherford, 315 Bonnie Brae, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1	-	Dry Addition	J.R. Dry, Verda S. Dry, & J.R. Dry, Jr., Address Unknown
1	-	Ruth Addition	United Life & Accident Insurance Co., Address Unknown
Lot 2 exc. the east 174.4 ft. and the north 100 ft. thereof		"	Texaco, Inc., 8301 Oak Knoll, 67207
Lot 2 beg. 174.4 ft. west and 150 ft. north of the SE corner of lot 2; then west parallel to the south line to the east line of Bonnie Brae St.; then northeasterly along the east line of Bonnie Brae to the NW corner of lot 2; then east along the north line to a pt. 164.4 ft. west of the NE corner of lot 2; then south to beg., exc. easement on the north 15 ft. of described tract		"	C.L. Finley & Jane Finley, 7700 E. 13th, # 31, 67206
Lot 2 commencing at a pt. 174.4 ft. west and 150 ft. north of the SE corner of lot 2; then northeasterly along line which would intersect the north line of lot 2 164.4 ft. west of the NE corner of lot 2 to a pt. 92 ft. south of the north line for a pt. of beg.; then northeasterly to a pt. on the north line of lot 2 which is 164.4 ft. west of the NE corner of said lot; then east 9 ft.; then south 92 ft.; then west 19 ft. more or less to pt. of beg., exc. roadway easement over the north 15 ft. of described tract		"	"
North 100 ft. of lot 3 exc. the west 155 ft. thereof; and the west 155 ft. of lot 3; and all of lot 4		Ruth Addition	Pacific Motels, 8300 E. Kellogg, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 3 exc. the north 100 ft. and except the west 155.7 ft.		Ruth Addition	✓ Gary K. Edminster, 5908 South 107th St. East, Derby, 67037
Easement for ingress & egress over the north 20 ft. of lot 6		"	✓ Lindy Andeel, 8207 Peach Tree Lane, 67207; Harry B. Pollack, Address Unknown; ✓ Alfred A. Caro, 1559 Willow Rd., 67208; John J. Jabara, 583 Rutland Rd., 67206; & ✓ Eugene G. Coombs, 421 E. 3rd, 67202; each with a one-fifth interest
Lot 6, subject to easement over north 20 ft.		"	✓ F.I.G. Holding Company, Address Unknown
West 80 ft. of the west 175 ft. of lot 7		"	✓ Michael C. Foley, 8509 Huntington, 67206
West 85 ft. of the east 220 ft. of the south 140 ft. of lot 7		"	✓ W.A. Foshee a/k/a William A. Foshee, & Deanna Foshee, 201 S. Morningside Dr., 67218
East 220 ft. of lot 7 except the west 85 ft. of the south 140 ft. thereof		"	✓ Maverick Development Co. Inc., 250 N. Rock Rd., Suite 150, 67206
West 120 ft. of the east 170 ft. of lot 8		"	✓ Graham-Michaelis Drilling Co. 211 N. Broadway, 67202
West 130 ft. of lot 8		"	✗ Morco, Inc., Address Unknown
1 -		Mark 8 Addition	✓ Mark 8 Inns, 6115 E. 13th, 67208
1 -		Higgins-Andeel 2nd Addition	✓ John Clark Stevens, 5810 E. 17th, 67208
2 -		"	✓ James H. Stevens & Ann M. Stevens, 702 N. Doreen, 67206
Lots 3 & 4, together with an easement for ingress & egress from driveways on lots 1 & 2		"	✓ Andeel & Andeel Properties, 8207 Peach Tree Lane, 67207; Harry B. Pollack, Address Unknown; Alfred A. Caro, 1559 Willow Rd., 67208; John J. Jabara, 583 Rutland Rd., 67206; & Eugene G. Coombs, 421 E. 3rd, 67202; each a one-fifth interest

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 3 together with an easement over & across lot 2 commencing at the NW corner of said lot, then south 376 ft. for a pt. of beg.; then east 385 ft. to the eastern line of lot 2; then south 21 ft.; then east 20 ft.; then south 5 ft.; then west 405 ft. to west line of lot 2; then north 26 ft. to beginning		East Side Center Addition	✓ Wichita Properties Inc., 260 N. Rock Rd., 67206
Lot 2, together with an easement for ingress & egress over lot 3 beg. at the SW corner of lot 3; then north 30 ft.; then east 360 ft.; then south 30 ft.; then west to pt. of beg.		"	✓ Eastside Financial Property Inc., c/o The Corporation Co., Inc., 1st National Bank Bldg., Topeka, 66603
4 & 5	-	"	✓ Richard M. Leslie, 8001 Killarney Ct., 67206
5	5	Eastridge 11th Addition	✓ Vaughan O. Stevens & Grace I. Stevens, 220 Lochinvar Dr., 67207
6	5	"	✓ Joseph Mizenko & Mozelle Mizenko, 7720 E. Indianapolis, 67207
7	5	"	✓ Gerald L. Davey & Velma E. Davey, 1114 Royal Rd., 67207
8	5	"	✓ Paul A. Callaway & Anita L. Callaway, 7808 E. Indianapolis, 67207
9	5	"	✓ Cleve C. Holland Jr., & Marion Holland, 7814 E. Indianapolis, 67207
10	5	"	✓ Dinh H. Dao & Trinh T. Mai, 7820 E. Indianapolis, 67207
11	5	"	✓ Patrick S. Bean & Gail A. Bean, 7902 E. Indianapolis, 67207
12	5	"	✓ Eugene V. Moser & Carol M. Moser, 7908 E. Indianapolis, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
13	5	Eastridge 11th Addition	✓ Charles W. Switzer & Luella V. Switzer, 7914 E. Indian- apolis, 67207
14	5	"	✓ James Russell Harris & Ruth R. Harris, 7920 E. Indian- apolis, 67207
4	6	"	✓ Richard L. Cole & Elizabeth L. Cole, 7721 E. Indian- apolis, 67207
5	6	"	✓ Warren E. Moore & Mary Ellen Moore, 7803 E. Indianapolis, 67207
6	6	"	✓ Joseph A. Speer & Dorothy M. Speer, 7809 E. Indian- apolis, 67207
7	6	"	✓ Charles F. Lowder & Sheryl N. Lowder, 7815 E. Indian- apolis, 67207
8	6	"	✓ Wayne L. Richardson & Florence M. Richardson, 7821 E. Indianapolis, 67207
9	6	"	✓ Timothy J. Higgins & Mary J. Higgins, 7903 E. Indian- apolis, 67207
10	6	"	✓ Ralph C. Sapp (Deceased) & Vera I. Sapp, Address Unknown <i>207 E. Kelley, Augusta 67010</i>
11	6	"	✓ Jeannie Wood Montgomery, Address Unknown <i>8300 University, 67209</i>
12	6	"	✓ Charles D. Carroll & Sylvia A. Carroll, 7921 E. Indian- apolis, 67207
13 exc. the south 5 ft.	6	"	✓ Donald G. Owen, 7920 E. Gilbert, 67207
14	6	"	✓ Linda Swaney, 7914 E. Gilbert, 67207
15	6	"	✓ Gene D. Kuper & Nancy A. Kuper, 7908 E. Gilbert, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
16	6	Eastridge 11th Addition	✓ Roy E. Morlan & Agnes M. Morlan, 7902 E. Gilbert, 67207
17	6	"	X Louis S. Vincent & Ann P. Vincent, Address Unknown
18	6	"	✓ Elizabeth A. McPhail, Address Unknown ^{46908 Stowgate Ln.} 67286
19	6	"	✓ Ed L. Sisk & Laverne Sisk, 101 S. Morningside, 67218
10	9	"	D Joseph John Joseph & Beatrice E. Joseph, 7909 E. Gilbert, 67207
11	9	"	✓ June H. McMichael, 7915 E. Gilbert, 67207
12 exc. the north 5 ft.	9	"	✓ R. Chris Brasfield, 7921 E. Gilbert, 67207
1 exc. the east 22 ft.	-	Rockwood South 2nd Addition	X Reproco Inc., Address Unknown
East 22 ft. of lot 1	-	"	X City of Wichita, 455 N. Main, 67202
4	-	Kellogg Mall Addition	✓ Kellogg Mall Associates, 1712 N. Meridian, Indianapolis, Indiana, 46202

Part of lot 1 described as commencing at a pt. 1790.35 ft. south and 60 ft. west of the NE corner of the SE $\frac{1}{4}$ of 19-27-2E, then west 23.25 ft. to the east line of said lot 1 for a pt. of beg.; then continuing west a distance of 176.75 ft.; then south parallel with the east line of the SE $\frac{1}{4}$ a distance of 350 ft.; then east parallel with U.S. Hiway 54 a distance of 183.10 ft. to the east line of lot 1; then north along the east line of lot 1 350.07 ft. to the pt. of beg., subject to easement for ingress & egress

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 1 exc. that part described immediately previous	-	Kellogg Mall Addition	Fred E. Trotter, H.C. Eichelberger, & Wade H. McVay, Trustees under the will & estate of James Campbell, Deceased; 828 Fort Street Mall, Suite 500, Honolulu, Hawaii, 96813
The North 440 ft. of the east 660 ft. of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of 29-27-2E			D Board of Education District No. 1, 428 S. Broadway, 67202
Tract beginning 652.34 ft. south of the NE corner of the NW $\frac{1}{4}$ of 29-27-2E; then south 198 ft.; then west 165 ft.; then north 198 ft.; then east to the pt. of beg.			D Executive Inn, Inc., Address Unknown
The south 198 ft. of the north 850.34 ft. of the west $\frac{1}{2}$ of the east 20 rods of the NW $\frac{1}{4}$ of 29-27-2E			"

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We hereby certify the foregoing to be a true and correct list of the property owners within a 750 foot radius of

All of Block 1 and Block 6, Eastmoor Addition to Wichita, together with vacated alley in said Block 1 and part of vacated Eastmoor Street lying between said Blocks 1 & 6; also all of Lots 1, 2, & 3, and that part of Lot 4 lying north of the extended north line of Orme Street, in Block 1, Replat of Block 1 in Sunny-Brook Addition to Wichita, all in Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 6th day of March, 1981, at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Seale
Vice-President

Order No. 296261
GE

THE CITY OF WICHITA

Meek
Elin
CUP
Eastgate
DP22



CITIZEN PARTICIPATION ORGANIZATION
CITY HALL - THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4516

March 6, 1979



Ms. Sharon Ryan, Manager
Eastgate Shopping Center
8113 East Kellogg
Wichita, Kansas 67208

Dear Ms. Ryan:

Area "H" of the Citizen Participation Organization, was delighted to see the attractive masonry wall being constructed behind the Eastgate Shopping Center, and wishes to indicate our appreciation and the appreciation of the adjacent neighbors.

We have never wanted to appear antagonistic to businesses in our area, but rather, intend to encourage and applaud those many businesses which recognize a responsibility to their neighbors and willingly offer aesthetically pleasing developments to nearby residential properties.

We look forward, in the spring, to the landscaping indicated in the plan which was submitted to the Planning Department.

Yours truly,

Joan May

Joan May, Chairperson
CPO Area "H"

JM:al

cc: Jack Galbraith, Chief Planner ✓
Sam Mobley, Building Code Administrator

February 26, 1979

Sharon Ryan, Manager
Eastgate Mall
8113 East Kellogg
Wichita, Kansas 67207

Dear Ms. Ryan:

We have received and reviewed your amended landscape plan proposed for the required planting strip along the east side of the Eastgate Shopping Center Community Unit Plan. The proposed plan, as it is now drawn, appears to adequately address the items of concern mentioned to Mr. A. D. Daniels in our letter of January 24, 1979. We, therefore, approve your proposed landscape plan in accordance with General Provision No. 4.(B) of the approved community unit plan which states:

"A planting strip no less than 10 feet in width of low shrubbery shall be provided for those areas adjacent to Orme and Mansfield Drive when across from any "AA", "A", "RB", or "B" district and are separated by an alley, public way, or street and are not covered under provision 4.(A)".

We will by copy of this letter, advise the Superintendent of Central Inspection of the approval of your proposed landscape plan. We, furthermore, encourage you to complete the screening wall and install the plant materials as soon as possible during the current planting season. If you have any questions concerning this matter, please contact our office or the office of the Superintendent of Central Inspection.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:RLY:el

cc: Robert B. Feldner, Superintendent of Central Inspection
Sam Mobley, Building Codes Administrator
A. D. Daniel, Hilltop Nursery, 9200 Maple, Wichita, Ks.
67209

2/21/79

Jon Smoley advised that he would call Sharon, that what we needed was a accurate plan. He got a base plan from the building plans of Ardour, which show the building and where the asphalt steps. Is adequate area for planting, not having to go in parking area.

JMS

February 14, 1979

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



Re: Proposed Landscape Plan

Dear Jack:

I am answering your letter of January 24, 1979 to Mr. A. D. Daniel at Hilltop Nursery pertaining to our proposed landscaping plan he submitted to you.

It is my understanding that Sam Mobley of Central Inspection has discussed this letter with you.

Before we have our landscaper put in any more time regarding this matter, it would be my suggestion that perhaps you and Sam could come out to the shopping center and we can discuss exactly what it is you want.

Regarding some of the comments in your letter, I think part of the problem is due to the fact that in the drawing we had from the city, the area we were supposed to show the plantings in were all covered up by slashes and the landscaper put the trees and bushes underneath this area so that they could be seen. Also, we were putting the planting strip at the top of the grass area in our property in order to effect a more suitable screening area. To plant anything along the bottom of the grass would unfortunately not screen anything. After checking with the surveying department under the original CUP, the AA single family zoning ends exactly at the sidewalk of Ardans. It was my understanding that this is all we are required to take care of in the CUP.

Not correct

Additionally, our cement fence extends beyond the Ardans building and around the corner so that we do not need all of the trees we originally intended to plant in the corner. We can spread these out and get the same effect.

Not shown on the plan

Jack, I felt in submitting this plan that we were being more than cooperative inasmuch as our CUP does not require any trees. We felt that we were placing a nice variety of trees along the asphalt that would give us a nice screen and look good. I picked the trees we did for color and to blend with the shrubs we picked. Pin Oaks by the way if they are trimmed do not droop, and as far as maintenance of the adjacent public rights-of-way, I maintain that now and have for the last four years, at my own expense.

With regard to ground cover, there isn't any except the grass that is already there and growing. I do not intend to cut up all of that grass and turn it into dirt to make a ten foot strip. We discussed this at the time you and Sam were here and it was your statement to me that the grass would be adequate and that we did not have to take it out.

grass is adequate

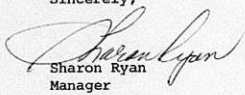
Mr. Jack Galbraith
February 14, 1979
Page II

With regard to the water supply, as we have previously discussed this is not a requirement under our CUP but you can rest assured that we will indeed water the trees and shrubs should they need it.

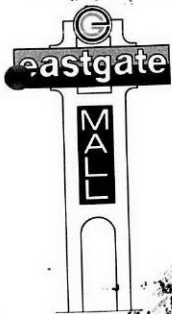
I have stopped my landscaper from doing any further work on this matter until such time as all of the parties involved can get together and decide what can be cooperatively agreed upon.

I look forward to hearing from you.

Sincerely,


Sharon Ryan
Manager

cc: Sam Mobley, Central Inspection
Mr. A. D. Daniel



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

eastgate mall ■ 8113 east kellogg ■ wichita, kansas 67207

January 24, 1979

Mr. A. D. Daniel
Hilltop Nursery
9200 Maple
Wichita, Kansas 67209

Re: Proposed Landscape Plan - Eastgate Shopping Center
(DP-24)

Dear Mr. Daniel:

We are in receipt of and have reviewed your proposed landscape plan for the required planting strip along Mansfield Drive on the Eastgate Shopping Center Community Unit Plan (DP-22). In concluding our review, we find that we cannot approve the proposed landscape plan in its current form.

The face of the plan does not contain a north arrow nor any indication of scale. The plan should be accurately drawn to scale, with proposed materials indicated in their intended locations in relation to street right-of-way, property lines, and/or other physical features existing or to be constructed on the site. The proposed plan as submitted, furthermore, indicates the placement of materials within the street right-of-way for Mansfield Drive. The provisions of the approved community unit plan specifies that the planting strip, no less than 10 feet in width is to be inside the Eastgate Shopping Center property line and not on street right-of-way. The approved community unit plan also indicates that the planting strip is to extend the full length of the adjacent "AA" single family zoning district existing along the east side of Mansfield Drive. This curvilinear distance scales to be approximately 425 feet in length on the approved community unit plan whereas your proposed landscape plan indicates the length of the planting strip to be approximately 330 feet. The planting strip must be extended to cover the entire area specified on the community unit plan. In extending this strip to the north, it is suggested that you consider the placement of additional trees on the plan and that evergreen varieties be used in association with the deciduous varieties now proposed.

It is also suggested that you consider substituting another variety for the Pin Oaks now proposed. Pin Oaks are susceptible to iron chlorosis and have a characteristic of droop-

Mr. A. D. DANIEL
Page 2
1-24-79

ing branch growth, which may hinder maintenance of adjacent public rights-of-way and the planting strip.

There is also no indication of the type of ground cover (if any) proposed to be placed in the planting strip nor the method by which an adequate supply of water will be furnished to the plant materials. Provision of adequate water together with regular maintenance will help assure the growth and survival of the materials planted. We suggest that you indicate on the face of the plan, how water is to be furnished to the site.

After you have revised your plan on the basis of the above comments, please forward four copies to our office for further consideration. If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:RY:hh

cc: Sharon Ryan, Manager
Eastgate Shopping Center
8113 East Kellogg
Wichita, Kansas 67207

Sam Mobley, Central Inspection




January 18, 1979

A. D. Daniel
Hilltop Nursery
9200 Maple
Wichita, Kansas, 67209

Gentlemen:

This will be my approval of the proposed landscaping plan as presented.

Final approval for the contract will come from General Real Estate Shares, the owners of the shopping center.


Sharon Ryan
Manager
Eastgate Shopping Center

HILLTOP NURSERY
9200 Maple
Wichita, Kansas, 67209

PROPOSAL FOR SCREENING FOR ARDAN'S FENCING PROJECT
(See attached drawing for layout)

12 Russian Olive @ \$40.00	480.00
10 Golden Rain @ \$70.00	700.00
3 Pin Oak @ 100.00	300.00
5 Forsythia @ 7.00	35.00
10 Spirea @ 7.00	70.00
10 Barbary @ 7.00	70.00
Labor \$960.00	960.00
	<u>2,290.00</u>
	Tax 68.70
Total Amount of Proposal	\$ 2,358.70

This proposal includes all material and labor for installation.
All material is guaranteed to be of good quality, alive and will
be replaced after (30) thirty days if not alive at that time.

We appreciate this opportunity to make this proposal and look
forward to working with you.

HILLTOP NURSERY

By: Bill Tatum

GENERAL REAL ESTATE SHARES

By: _____

HILLTOP NURSERY
9200 Maple
Wichita, Kansas, 67209

PROPOSAL FOR SCREENING FOR ARDAN'S FENCING PROJECT
(See attached drawing for layout)

12 Russian Olive @ \$40.00	480.00
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We appreciate this opportunity to make this proposal and look forward to working with you.

HILLTOP NURSERY

By: Bill Tatum

GENERAL REAL ESTATE SHARES

By:

86

THE CITY OF WICHITA

OFFICE OF Central Inspection Division DATE November 8, 1978



TO Robert Finch, Deputy City Manager
FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Eastgate Community Unit Plan

In accordance with your memo of October 24, 1978, requesting bi-weekly reports on the status of screening/landscaping at Eastgate Shopping Center, the following report is provided for the period October 25 - November 8, 1978.

It was previously reported, by memo to the City Manager, October 20, 1978, that a licensed general contractor, under contract to the owners of Eastgate Shopping Center, obtained the permit for construction of the masonry wall on Friday, October 20, 1978. At that time the contractor stated that construction would begin Monday, October 23, 1978. Unfortunately, an inspection conducted the afternoon of November 7, 1978, revealed that construction had not yet begun.

The Chief Planner of Current Plans, Mr. Galbraith, reports that representatives of a local nursery met with him, October 23, and discussed the alternative planting methods and materials, preparatory to formally submitting a new landscape plan. No further contact has been made with his office regarding Eastgate Shopping Center.

Throughout this two week period, repeated efforts by the Building Code Administrator, Mr. Mobley, to contact the Eastgate manager have been futile. However, she was contacted by telephone the afternoon of November 7. When questioned as to the delay, she responded that the general contractor was having difficulty locating an excavation subcontractor, but that one has been retained and the masonry wall construction would begin Friday, November 10, 1978. She also indicated that the local nursery should have the landscape plan ready for submission "very soon".

A further report on this subject will be provided on or before November 22, 1978.

Robert B. Feldner
Robert B. Feldner
Superintendent of Central Inspection

APPROVED:
R. W. Bruggeman
R. W. Bruggeman
Director of Public Works

RBF:AI:kda

cc: Jack Galbraith, Chief Planner of Current Plans

RAL
90

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE October 20, 1978

TO E. H. Denton, City Manager

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Eastgate Community Unit Plan
CUP DP-22

This correspondence is provided in accordance with the telephone conversation of Mr. Trail of your office and Mr. Inlow of Central Inspection, regarding a public agenda item on the above subject for the City Commission meeting of October 24, 1978.

Building plans were submitted and reviewed in June 1977, for the proposed construction of an Ardans store as an addition to the Eastgate Shopping Center. On July 20, 1977, a building permit was issued for the erection of the structure. Due to an unfortunate oversight by Central Inspection staff, the additional screening and landscaping requirements of the CUP were not included as a portion of the approved plans for the new store. When this oversight was discovered, those persons responsible for the property were contacted and informed of the screening/landscaping requirements. This certification occurred September 13, 1977, and contained requirements as follows:

- 4 (A) A 5 to 8 foot solid or semi-solid wall of brick, stone or similar material shall be constructed along the property line adjacent to Orme and Mansfield Drive, 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, public way, or street.
- 4 (B) A planting strip no less than 10 feet in width of low shrubbery shall be provided for those areas adjacent to Orme and Mansfield Drive when across from an "AA", "A", "RB", or "B" district and are separated by an alley, public way, or street and are not covered under provision 4 (A).

Submit four sets of landscape plans for approval prior to installation.

The manager of the Eastgate Shopping Center contacted Central Inspection shortly thereafter, confirmed receipt of the notification and expressed their intent to comply. Subsequent contacts reflected that landscape contractors were being approached and contractors contacted regarding

Page: 2
RE: Eastgate Community Unit Plan CUP DP-22
To: E. H. Denton
October 20, 1978

construction of the wall. The Ardans structure was completed December 9, 1977 and a follow-up notification sent to the property owners on December 21, 1977. Once again they agreed to comply, indicating that they were contracting for the screening wall and a landscaping plan was being drafted for submission. Throughout this period, Citizen Participation Organization Council "H" considered this matter several times, resulting in communication and/or correspondence with Central Inspection and the Metropolitan Area Planning Department.

In a follow-up telephone conversation between Central Inspection and the Eastgate manager, February 24, 1978, it was reported that the screening wall had been placed under contract and the landscape plan was still in the draft stages. It was indicated that construction on the screening wall would begin as soon as weather permitted. However, follow-up inspections in March evinced no progress. Contact with the Eastgate manager March 24, 1978 brought forth a request that a wood fence be allowed in lieu of the masonry wall. The procedures for obtaining a change to the CUP and/or for administrative approval of the change was explained. Shortly thereafter an attorney representing the Eastgate property owners approached the Director of Planning and requested an administrative adjustment to the CUP to allow a cedar fence in lieu of the required masonry screening wall and the planting strip. Mr. Lakin indicated some concern as to the appropriateness of the replacement, and informed the attorney that if CPO Council "H" indicated their approval of the substitution, the request would be further considered. At the request of the Eastgate representatives, this matter was placed upon the May 1, 1978, agenda of CPO Council "H". In that meeting the matter was discussed at length and the decision was deferred until the May 15, 1978 meeting. At that time Council "H" recommended that the original requirements be adhered to, thus acting unfavorably on the request for the cedar fence. Shortly thereafter, the Director of Planning informed the Eastgate representatives of the denial of the requested administrative adjustment and the resultant alternatives. Basically, those alternatives were to install the screening/landscaping in accordance with the approved plan, or formally request a change to the CUP.


Continued inspections and conversations still reflected a willingness to comply, however, no actual installation of screening or landscaping occurred. Ultimately, a meeting with the Eastgate officials was set for discussion of the project. This meeting, scheduled first for September 7, then September 28, had to be cancelled at the last minute due to the inability of some Eastgate representatives to attend, was rescheduled for October 18, 1978. In that meeting the Eastgate representatives indicated that the approved plan (and requirements) would be adhered to. Tentative plans for construction

Page: 3
RE: Eastgate Community Unit Plan CUP DP-22
To: E. H. Denton
October 20, 1978

of the masonry wall were reviewed by the Building Code Administrator, and found acceptable. The Eastgate manager also presented a tentative planting plan, prepared by a local nursery, and expressed her discontent with the layout designed. The Chief Planner of Current Plans, Mr. Galbraith, suggested several alternatives, which would satisfy the requirements. Both Mr. Mobley and Mr. Galbraith encouraged the Eastgate representatives to proceed without further delay, especially to have their contractor obtain the proper permits and begin construction of the masonry wall immediately. It was also suggested that the planting plan be submitted to the Metropolitan Area Planning Department at the earliest possible date. The Eastgate representatives indicated that they would do so.

A licensed general contractor, under contract to the owners of Eastgate Shopping Center, obtained the permit for construction of the masonry wall on Friday, October 20, 1978. The contractor stated that construction would begin Monday, October 23, 1978. Thus, it appears as if the screening/landscaping requirements on Eastgate are approaching compliance. It might be noted that the permit issuance and project completion was prior to the time that financial guarantees of such installations was established as policy. Although this policy has been in effect a relatively short time, it appears to be an effective tool in avoiding future occurrences of this nature.

If further information is desired, Central Inspection will expeditiously supply it upon request.


Robert B. Feldner
Superintendent of Central Inspection

Approved:


R. W. Bruggeman
Director of Public Works

cc: Robert Lakin, Director of Planning
Jack Galbraith, Chief Planner of Current Plans
Bill Morris, CPO Administrative Aide

RBF:AI:kda

10/19/78

Sam Smobley and I met with Sharon Ryan on 10/18/78 at her Eastgate Shopping Center office and we review the wall plans prepared by her contractor. We also walked along the area where the wall is to be constructed and discussed the heights of the wall at various locations. Several trees that will cause potential damage to the wall will have to be removed. Sam thought the plans were satisfactory and advised her that her contractor should contact Central Inspection immediately for a wall permit.

In discussing the landscaping along the east, she emphasized how she didn't want to plant expensive shrubs. We pointed out for her where the planting area was required and urged the filing of a landscape plan for our review and approval. She advised she would have her landscape architect contact us as soon as possible.

JHS

May 23, 1978

Mr. Vincent Bogart, Attorney
444 North Market
Wichita, Kansas 67202

Re: DP 22 Eastgate Shopping Center -
Required screening wall and
landscaping on south and east
sides.

Dear Vince:

Attached is a copy of a memo regarding CPO Area Council "H" opposition to modification of the existing C.U.P. requirements. In view of this opposition and the expressed exclusion of "wood" by the regulations, it is my position that a staff interpretation to the contrary would not be in keeping with the spirit and intent of the Community Unit Plan regulations.

I believe that your clients have two options: 1) construct the masonry wall and provide landscaping as required under the approved plan; or 2) formally amend the existing CUP. Should your clients decide to comply with the approved plan, wall construction plans should be submitted to the Office of Central Inspection for approval prior to construction; and a landscape plan, showing the type and specifications of plant materials should be submitted to our office for approval prior to planting. I would recommend that consideration be given to planting a combination of trees and shrubs which will eventually provide an attractive screen of the parking lot and east side of the building. It should be noted that the elevations of the wall need to clearly show the existing wall at the east end and the height of the new wall at that location and the height of the wall on east is to be measured from the asphalt paved area of the circulation and parking area and not from street grade.


If you or your clients have any questions on the preparation of either the construction plan for the wall or the landscape plan, please call. Also, should you decide to amend the present CUP,

Mr. Vincent Bogart, Attorney
May 23, 1978
Page Two

we will supply the proper forms and consult with you at your request.

Should you have questions regarding this matter, please call.

Sincerely,


Robert A. Lakin
Director of Planning

RAL:JG:gb
Attachment
cc: Robert Feldner, Superintendent of Central Inspection
Allen Inlow, Office of Central Inspection

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE May 17, 1978

TO Bob Lakin, Director of Planning

FROM Bill Morris, CPO Administrative Aide

SUBJECT Proposed Modifications to Eastgate
CUP

At the meeting of May 1 and 15, CPO Council "H" considered the captioned subject. Representatives of the property owner were present to explain the proposal to allow the substitution of a cedar fence for the required masonry wall and greenery.

The Council voted 6-0 to recommend that the Eastgate Shopping Center meet the CUP requirements and construct the required masonry wall and greenery.

Council "H" noted several reasons for opposing the proposed CUP modifications:

- 1) Observation of existing cedar fencing that has not been properly maintained by the property owner;
- 2) A cedar fence is not needed in place of the required greenery;
- 3) A resident of the neighborhood was present to speak in opposition to the proposal;
- 4) Given the change in grade elevation, a five-foot cedar fence would not provide proper screening of the rear of the Ardan's store.

The Council also wished to express its interest in ensuring that the extension of the masonry wall continue at the same elevation as the existing wall.

Bill Morris
Bill Morris
CPO Administrative Aide

BM:sm

Noted:

David L. Furnas
David Furnas
Citizen Participation Coordinator



28 04 190 5 CPOH - May 1/75

Screwing Brick, Stone, concrete
5'-8' Tile (not include wood
or woven wire)

Landscaping 10' adjacent to street

Sept 13, 1977

CID advised analysis of the
Urban Bldg. of wall
and landscaping adjacent.

4 sets of foundation Plans

Sharon Ryan - fencing agent.

Report.

120'-130' of wall to be constructed

Ryan proposed asphalt curb to keep
water from draining across the
landscaped area.

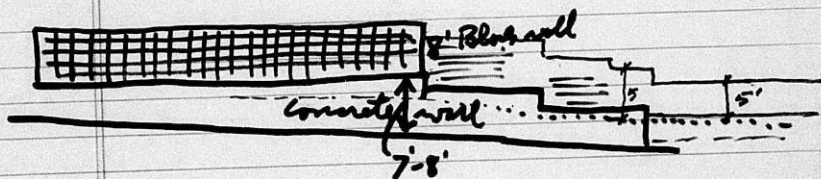
Fill with dirt and place fence
along the outside of curb.

Baron - Appraise - from below
Junk -
- Flash asphalt film for drainage
- Curbs initially -
- 5' fence - tying in with street wall
attyard - + foundation.
Proper landscaping (Street Trees)
Central Department, be responsible in opinion

- Trees behind the fence -
- Start the fence at the same elevation as the wall begins -

Additional distance of fence
saves the structure - fence

Question - Why fence any of the
side of the building.
Foundation is much more apparent than
a fence that looks nothing -





go

Vincent L. Bogart, Chartered
Attorney at Law
444 North Market - P. O. Box 1801
Wichita, Kansas 67202
(316) 263-6291

Vincent L. Bogart

25 April 1978

Mr. David Furnes
CPO Coordinator
455 North Main, 13th Floor
Wichita, Kansas 67202

Re: CUP - DP-22
Eastgate Shopping Center

Dear Mr. Furnes:

This office represents the owners and developers of Eastgate Shopping Center. We have been discussing with the planning department the possibility of replacing the present CUP screening requirement with a cedar fence.

It has been suggested that we bring the matter to the area H CPO group on Monday, May 1st. We would appreciate your attempting to get this matter on their agenda.

Please let me know if it has been accomplished.

Very truly yours,
VINCENT L. BOGART, Chartered

Vincent L. Bogart

VLB/cp

CC: Robert Lakin
Director, MAPD

Sharon Ryan
Eastgate Shopping Center

*Have someone
call.*

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS
CENTRAL INSPECTION DIVISION
CITY HALL — SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

December 21, 1977

General Real Estate Shares
3150 Republic Blvd.
Toledo, Ohio 43615

Gentlemen:

Re: Eastgate Shopping Center
Wichita, Kansas

With the addition of "Ardans, Inc." to the Eastgate Shopping Center, the screening and landscaping per Community Unit Plan DP-22 is required to be completed as indicated on Plan "A", General Provision No. 4 (A and B). See the attached drawing for a general location of the areas involved.

As you know the winter months provide the ideal time for transplanting trees and shrubs. Four sets of landscape plans shall be submitted for approval prior to installation.

If we can be of any assistance in accelerating the completion of the above requirements, please feel free to contact me.

Sincerely,

James H. Jorgensen

James H. Jorgensen
Assistant Plans Examiner

Attachment

cc: ✓ Jack Galbraith, Planning Department
Dan Lies, 805 S. Main
V. Jones, 505 Brown Bldg.
Bob Walker, Building Inspector



SUPERINTENDENT OF CENTRAL INSPECTION ... 268-4460
BUILDING CODE ENGINEER ... 268-4468
PLAN EXAMINATION ... 268-4477

HOUSING ... 268-4481
ZONING ... 268-4479
SIGNS ... 268-4475

BUILDING & CONSTRUCTION ... 268-4461
PLUMBING & MECHANICAL ... 268-4476
ELECTRICAL & ELEVATOR ... 268-4471

cc- V. Jones
505 Brown Building 67202

Parker - Krehbiel Associates
1021 E. Waterman 67211

September 13, 1977

Mr. Dan Lies
Continental Structures, Inc.
305 S. Main
Wichita, Kansas 67213

Dear Sir:

Re: Ardans, 8225 E. Kellogg

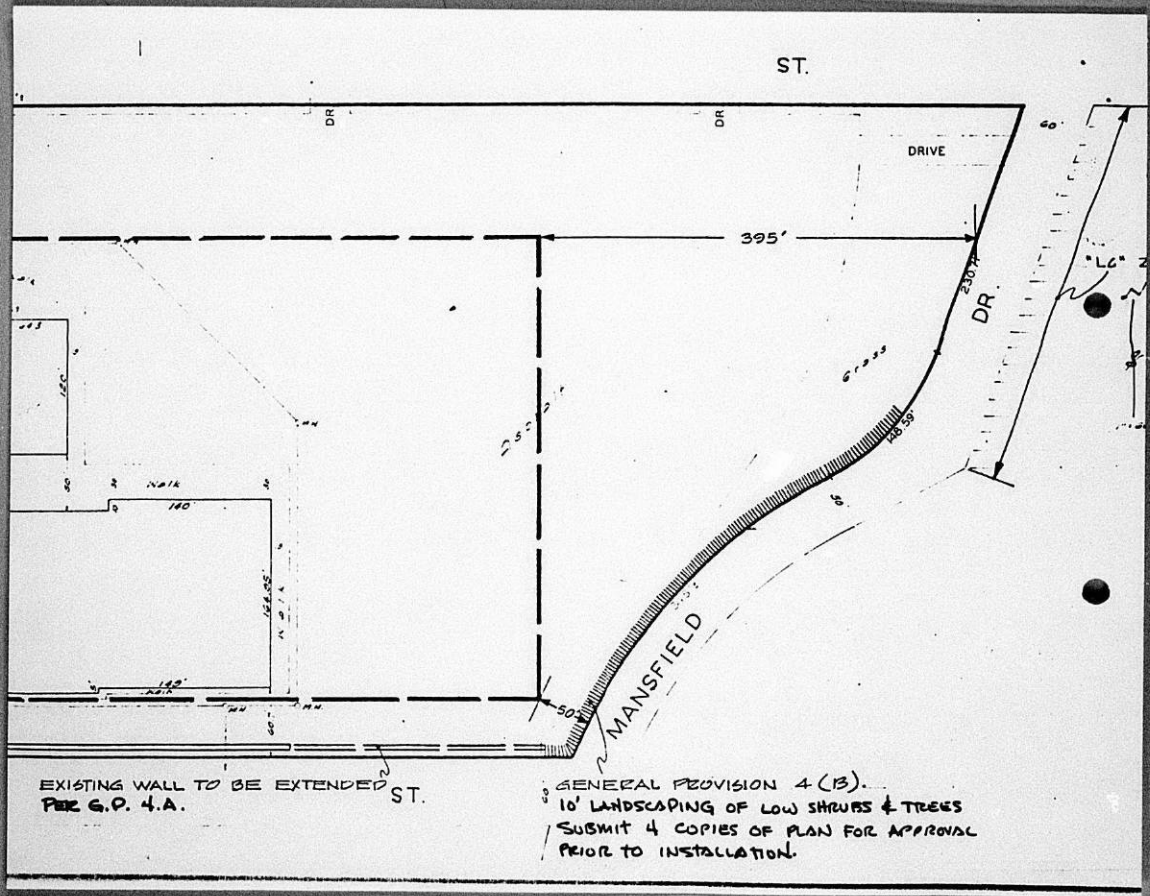
Screening and landscaping provisions as required by Community Unit Plan 22 were not included in the Central Inspection Division plan approval requirements. The following requirements as stated in General Provisions 4A and 4B shall be complied with prior to occupancy of the building:

- 4 (A) A 5 to 8 foot solid or semi-solid wall of brick, stone, or similar material shall be constructed along the property line adjacent to Orme and Mansfield Drive, 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, public way, or street.
- 4 (B) A planting strip no less than 10 feet in width of low shrubbery shall be provided for those areas adjacent to Orme and Mansfield Drive when across from and "AA", "A", "RB", or "B" district and are separated by an alley, public way, or street and are not covered under provision 4 (A).

Submit four sets of landscape plans for approval prior to installation.

Sincerely,

James H. Jorgensen
Assistant Plans Examiner



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December 16, 1977

Robert G. Finch, Deputy City Manager

Robert A. Lakin, Director of Planning

Eastgate C.U.P.

Since we (the City) are continuing to receive criticism from the City Commission as to the administration of C.U.P.'s, I'd like to bring the attached correspondence to your attention. As near as we can tell, nothing has been done. This is not the only one we have advised the Central Inspection Department on, although we have not maintained a log on enforcement items. By interdepartment contact, we are unable to resolve these issues. May I have your guidance as to how you wish to proceed?

Robert A. Lakin
Director of Planning

RAL:rme
Attachment

September 14, 1977

Robert B. Feldner, Superintendent, Central Inspection

Jack H. Galbraith, Chief Planner

DP-22 - Eastgate Shopping Center C.U.P.

I noticed last weekend a major construction project on the east end of Eastgate Shopping Center. As the CUP had not been amended since it was approved in 1966, I pulled the plan to see what landscaping and screening walls were required and whether or not the CUP is in compliance. In driving along Mansfield and Orme, the wall has never been extended to the east, and there is no planting along Mansfield. The reason I believe that this was never done is because there haven't been any building permits requested since 1966. I would have thought, however, that when Horton's made a major improvement in the old Penney's store that some of these deficiencies would have been noticed and required as a condition of issuing the building permit.

Mike Meek reviewed the CUP with Jim Jorgenson and Jim advised that he hadn't noticed that the wall had not been extended, nor that the planting had never been planted along Mansfield. Jim advised that he would contact the developer and advise him of the requirement.

Because of our past and recent experiences with inquiries on CUP's by the City Commission and why things that were required have not been done, it seems we need a better review of CUP's prior to the issuance of building permits. If you can think of a review procedure that would help catch the various requirements that should be required as a condition of issuance of the building permit, I would be interested. If we could be of assistance in reviewing CUP's with your plans examining staff, we would certainly make staff available. Since these deficiencies have now been noted, every effort should be made to see that the wall is extended and the plantings are provided as a condition of completing the building.

Page Two
Robert B. Feldner
September 14, 1977

One other item I noticed is that when this CUP was approved, two plans were approved - Plan A and an alternate Plan B. Since they have chosen to develop to the building setbacks in Plan A, Plan B should now be marked "void". Any additional building permits should comply with Plan A only. Would you please see that Plan B is marked accordingly.

If we can be of assistance in reviewing CUP's, or seeing that this development brings the CUP into compliance, please advise.

Jack H. Galbraith
Chief Planner

JHG:el

cc: John Riddel, Plans Examination Section - Central Insp.
Jim Jorgensen, Plans Examination Section - Central Insp.

December 10, 1974

Mr. Vincent Bogart
Attorney at Law
444 North Market
Wichita, Kansas 67202

Subject: DP-22 - Eastgate Shopping
Center Community Unit Plan

Dear Mr. Bogart:

Attached is a copy of the referral sheet including Planning Commission minutes associated with the Eastgate Shopping Center C.U.P. that was approved by the Board of City Commissioners on November 8, 1966. We have ordered prints of the approved community unit plan which will be delivered to your office.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:js

Encl.

FORM 25 1

PAYMENT NOTICE
City of Wichita

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

Planning

DESCRIPTION	AMOUNT
<i>...</i>	<i>1.222</i>
<i>...</i>	<i>...</i>

NAME *City of Wichita*

ADDRESS *...*

FUND *...* DUE DATE

COMMENTS

DATE *March 200* BY *...*

DR

DR

395'

Planting strip should be extended to here

Possible additional trees

140.59'

50'

Title

no material on public right-of-way.

NSFIELD

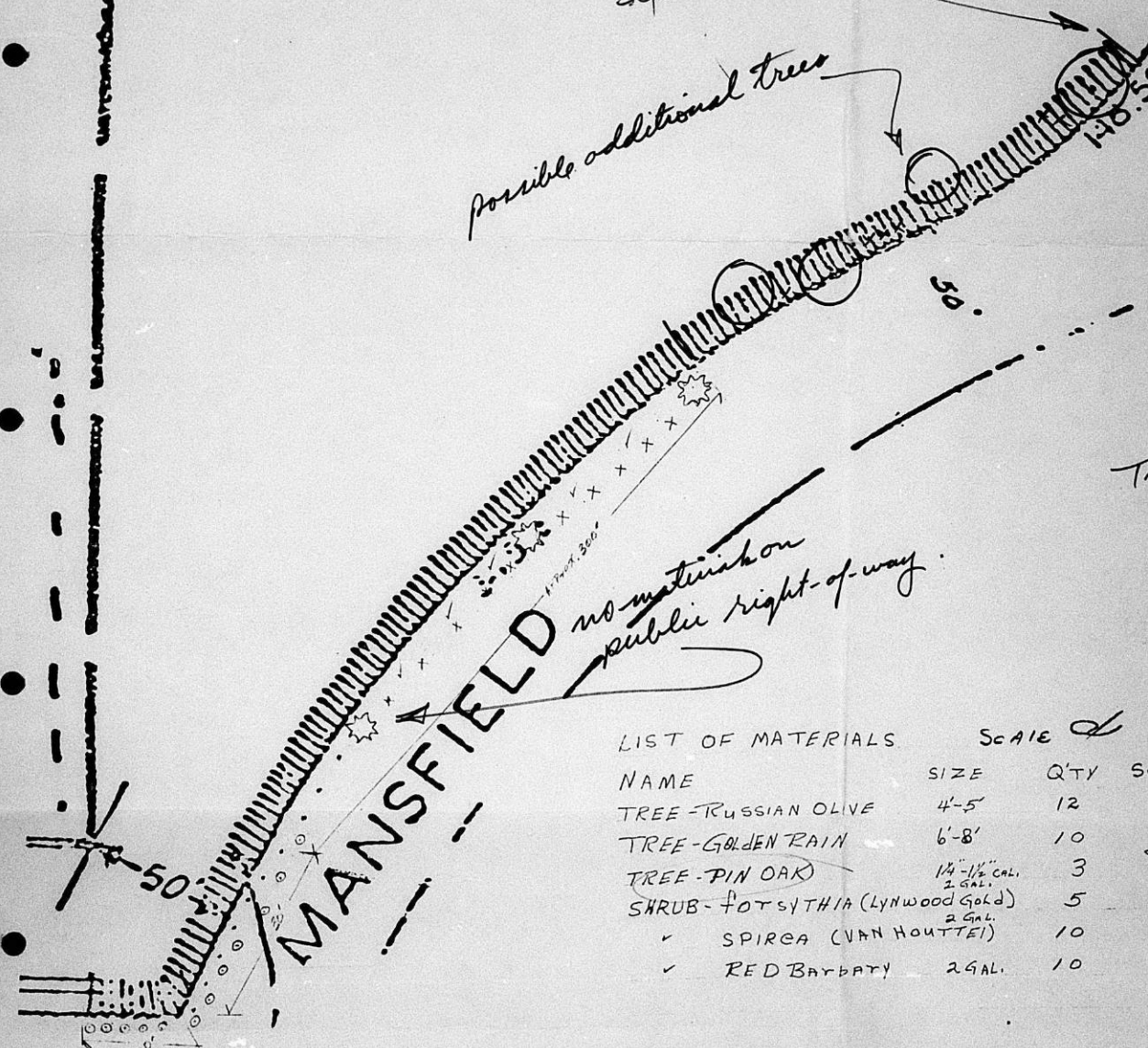
LIST OF MATERIALS

SCALE 1/2"

NAME	SIZE	QTY	Symbol
TREE - RUSSIAN OLIVE	4'-5'	12	○
TREE - GOLDEN RAIN	6'-8'	10	⊗

Planting strip should be extended to here

Possible additional trees



LIST OF MATERIALS

SCALE 1" = 300'

NAME	SIZE	QTY	SYM
TREE - RUSSIAN OLIVE	4'-5'	12	○
TREE - GOLDEN RAIN	6'-8'	10	□
TREE - PIN OAK	1 1/4" - 1 1/2" CAL. 2 GAL.	3	☆
SHRUB - FORTSYTHIA (LYNWOOD GOLD)	2 GAL.	5	✓
✓ SPIRCA (VAN HOUTTEI)	2 GAL.	10	x
✓ RED BARBARY	2 GAL.	10	.

GENERAL PROVISION 4 (B)...
 10' LANDSCAPING OF LOW SHRUBS &
 PROVIDE 4 COPIES OF THE PLANS FOR
 APPROVAL PRIOR TO INSTALLATION!

DR

60'

DRIVE

395'

230.7'

DR.

146.59'

50'

Planting strip should be extended to here

add additional trees

- Title of Plan?
- Scale?
- North arrow?
- Water supply?
- Groundcover?
- Planting specifications (DR, BR, etc)?

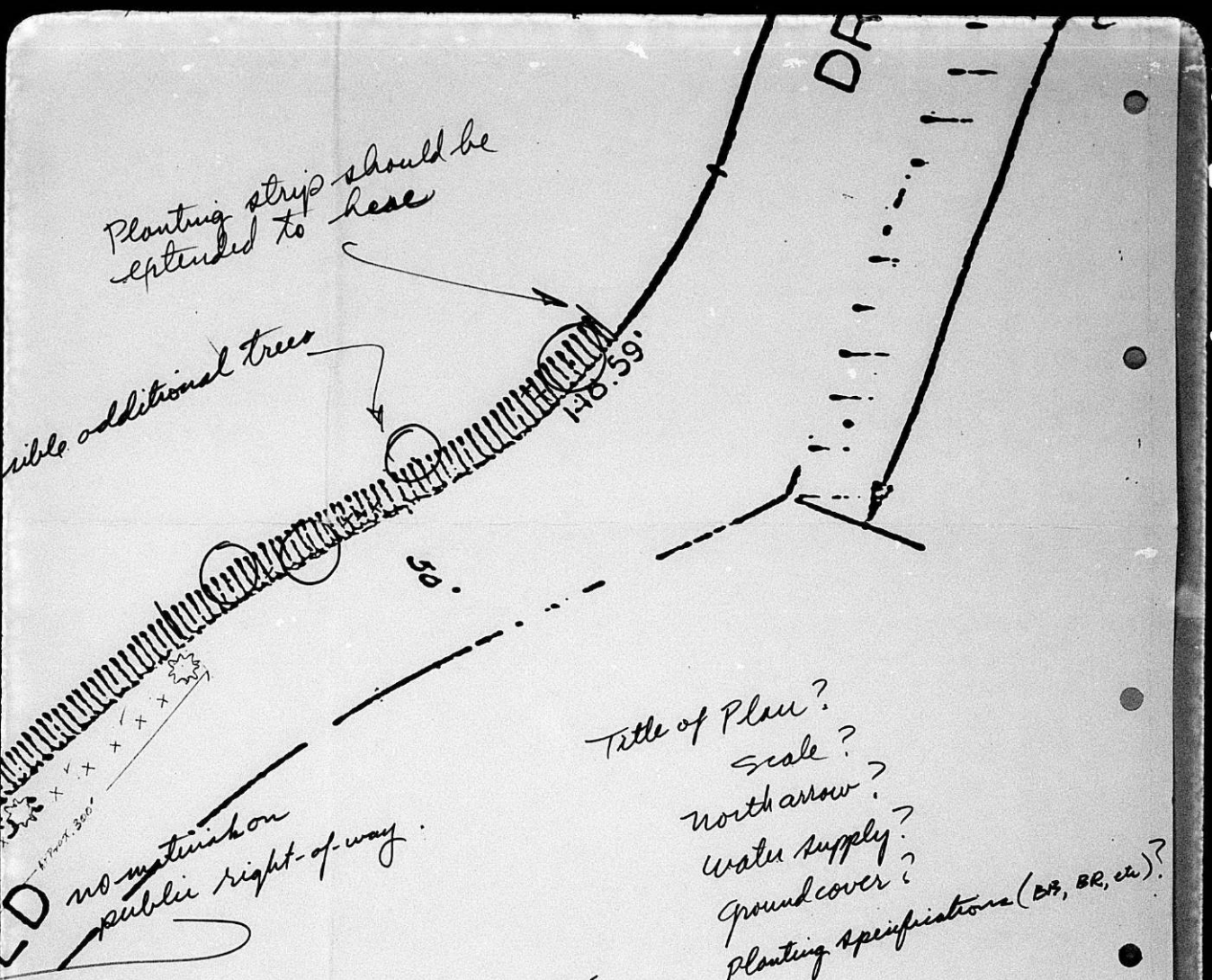
LD no markings on public right-of-way.

LIST OF MATERIALS

SCALE $\frac{1}{2}$

SIZE	QTY	Symbol
------	-----	--------

NAME



LIST OF MATERIALS

SCALE $\frac{1}{2}$

NAME	SIZE	QTY	Symbol
TREE - RUSSIAN OLIVE	4'-5'	12	○
TREE - GOLDEN RAIN	6'-8'	10	⊠
TREE - PIN OAK	1 1/2" cal. 2 GAL.	3	⊛
SHRUB - POTSYTHIA (LYNWOOD GOLD)	2 GAL.	5	✓
✓ SPIRCA (VAN HOUTTEI)	2 GAL.	10	x
✓ RED BARBATY	2 GAL.	10	.

REVISION 4 (B)....
 PLANTING OF LOW SHRUBS & TREES
 COPIES OF THE PLANS FOR
 WORK TO INSTALLATION!

*

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

Roll # 1

*