

POSTED
10-2-69

ACTION

DATE

COMMITTEE

M.A.P.C. Approved 11-14-68

M.A.P.C. Denied 12-12-68

B.C.C./B. CO. C. refused back to 12-31-68
M.A.P.C.

M.A.P.C. denied 1-9-69

B.C.C. Approved 1-21-69
subject to -
(see minutes)

B.C.C. Approved extra 1/28/69
access point ordinance

B.C.C. Corrected minutes 2-3/69
of 1/21/69

DP-23 - AMENDMENT to MARINA LAKE CUP
South side of 21st St. between Amidon
and Meridian. Clear Lakes, Inc.

Map No. 5349
Sec. 7
Twp. 27
Range 1E

DATA SHEET
COMMUNITY UNIT PLAN

AMENDMENT TO
DE- 23
Z-
Filed 9-25-68

APPLICATION REQUEST: Approval of proposed planned commercial and residential development.

1. Applicant Clear Lakes, Inc. ✓
Address 6572 E. Central DL Phone AM 51631
2. Agent Vincent Bogart ✓
Address 501 One Twenty Bldg. DL Phone FO 36291
3. General Location South side of 21st St. between Amidon and Meridian.
Address _____
4. Proposed Use _____

AREA DATA

1. Acres 7.5 65.0 (_____ ft. by _____ ft.)
2. Existing Zoning _____ Proposed Zoning _____
3. Area (is) (is not) platted. _____ Addition _____
4. Existing R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.
Proposed R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:
Date Action
11-14-68 denied deferred
12-12-68 denied
1-9-69 denied
2. Governing Body
Date Action
12-31-68 referred back to mapc for reconsideration
1-21-69 approved

NOTES: PREVIOUS ZONE CASE Z-0824

Send copy of all correspondence to Chuck Harris

EXTRACT
 COMMISSIONERS PROCEEDINGS
 DECEMBER 31, 1968

REPORTS FROM MET. AREA
 PLANNING COMMISSION
 Petition to change
 from "AA" to "LC"
 and amending to
 original DP-23 CUP
 for area on south
 side of 21st Street
 between Amidon and
 Meridian

Report from the Metropolitan Area Planning Commission (Case No. Z-1037)

in regard to petition to change from "AA" to "LC" a tract beginning at a point 50 feet west and 400.15 feet south of the northeast corner of Government Lot one in the Northwest Quarter of Section 7, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence south parallel to the West easement line of Amidon Avenue 330 feet; thence west 675 feet to a point 730 feet south of the center line of 21st Street; thence north at right angles, 250 feet; thence west at right angles, 460 feet to a point 480 feet south of the center line of 21st Street; thence north at right angles 130 feet; thence east at right angles 460 feet; thence south at right angles 50 feet; thence east 675 feet at right angles to the point of beginning, generally located on the south side of 21st Street between Amidon and Meridian, presented. Planning Commission recommended that this application (Case No. Z-1037 and Case No. DP-23 be denied.

Robert A. Lakin --

Robert A. Lakin, Assistant Director of Planning, reviewed this application with the Commission together with the surrounding zoning. He stated that in conjunction with the zoning case was a Community Unit Plan which covers generally all of the area to the west of Amidon and south of 21st Street, and changes to that CUP involves primarily the area where the zoning is requested to be changed, and he reviewed those changes with the Commission. Mr. Lakin referred to current traffic studies made in this area and when development first began, and he stated that traffic projections show that the Amidon - 21st Street intersection as presently designed, and coupled with the traffic generated by granting the additional light commercial zoning, that the intersection would become congested and would reach a "breakdown" level earlier than anticipated. It was also pointed out that a considerable cost would be incurred in condemning right-of-way to construct a six-lane facility at this intersection due to the service stations presently located in the area.

Paul Graves --

Paul Graves, Traffic Engineer, stated that analyzation of traffic at the intersection had been done by his staff, however they had not completed analyzation of other intersections which were being studied. He did, however, furnish certain traffic count data at Commissioner Keeler's request for comparative purposes. He further indicated that overloading would occur and cause delay in traffic movement by increasing "LC" in this area.

Vincent L. Bogart
 and H.D. Bledsoe --

Vincent L. Bogart, Attorney representing Clear Lakes, Inc., and H.D. Bledsoe, spoke in favor of the requested change in zoning to "LC" and approval of the amended CUP. He stated that the request would provide an increase of 301,000 square feet for "LC". He also noted a request for revision by the applicant in the gross leaseable area to be 50% instead of 45%. He further pointed out that the applicant requested that the building height restrictions be eliminated; that the sign control height be increased to 45 feet; also there were two curb cuts requested, one on 21st Street and one on Amidon directly across from the Twin Lakes access point where the medial breaks; and that the setback be modified which presently is 100 feet. He felt that these requests were logical in view of similar changes previously granted in other instances. He further contended that this was logical zoning for this property due to like commercial development in this area, and he further contended that if traffic congestion was the major factor to consider that there would not be any commercial zoning approved on any major streets in the City of Wichita. He felt that "LC" zoning requested was the most logical to permit the highest and best use of the property. Mr. Bogart also stated that his client would be willing to dedicate an additional 15 feet for street purposes at the time of platting, however they would like to retain use of the property until it is needed by the City.

EXTRACT (cont.)
 COMMISSIONERS PROCEEDINGS
 DECEMBER 31, 1968

Wm. J. Armstrong --

Wm. J. Armstrong, a traffic engineer with the consulting firm of Burgwin & Martin of Topeka, Kansas, was introduced by Mr. Bogart and referred to the traffic studies which his firm had compiled in this area. He reviewed traffic generation data which he had compiled in relation to the development proposed in 1967, and he stated that this study showed that 50% of the traffic generated would not utilize the intersection, therefore he was of the opinion that the intersection could handle the additional traffic for a considerable period of time before it would reach its maximum capability.

Charles Harris --

Charles Harris, attorney representing Lakeview Development Inc. (Twin Lakes, Inc.) pointed out that at the time the existing "LC" zoning is all built out and if the zoning is granted to Marina Lakes and their facilities are constructed, the projected traffic volumes at Amidon and 21st will be at "F" step at the time these facilities open their doors which presumably would be in late 1969 or early 1970.

He stated that the rate of traffic increase used by the staff was 2% per year. Mr. Armstrong used 1% and during the last two years neither of these percentages have been right. The percentage has been 9 1/2% increase in traffic per year.

Mr. Harris stated that to accommodate the traffic through the planning period which is 1985, the facility would need six lanes of traffic with two turning bays and based upon the actual projection of traffic, this would not be sufficient for the planning period. He further stated that Twin Lakes certainly does not want access to the property in question immediately opposite their access point as this would be a congestion of traffic as pointed out by the staff and would back up traffic tremendously on Amidon, caused by those attempting to make the left-turn into Twin Lakes or the Marina Shopping Center.

Woodard --

Commissioner Woodard inquired that if the left-turn entrance going south on Amidon into Twin Lakes were eliminated would this improve the traffic situation on Amidon and Paul Graves, Traffic Engineer stated that it would.

Anderson -- re. recessing meeting upon completion of this item & reconvening at 9:00 A.M. Thursday, Jan. 2, 1969

Mayor Anderson inquired if anyone on the Commission or in the audience would object to recessing this meeting upon the completion of this item and reconvening at 9:00 Thursday morning, January 2, 1969. No one objected and it was later determined that most of the City Clerk's agenda would also be considered before recessing the meeting today.

Michael Belluomo--

Michael Belluomo, 2245 Bullinger, stated that in addition to the traffic that would be created, he believed the beauty should be considered and no additional light commercial should be granted at 21st and Amidon.

Robert Shearer --

Robert Shearer, 2433 Benjamin, stated that he and others had passed petitions in the residential area to the north of 21st Street and they had obtained over 130 signatures objecting to additional "LC" zoning in the area.

Keeler --

Commissioner Keeler inquired how the right-of-way was obtained on Amidon between the bridge and 21st Street. What were the conditions at that time? Was the City to retain access control? Did the abutting property owners pay any portion and if so, how much? Or did the City at large pay for the paving of this street? And could curb cuts be denied along this street?

Ralph Wulz --

Ralph Wulz, City Manager, stated that at the time they went to the property owners on both sides and told them that they needed right-of-way from the River north to 21st on Amidon and that they wanted to retain access control and that an adjustment would be made in the assessment of special assessments for the cost of the paving in return for the access control. The City condemned the property immediately south of 21st Street and thereby gained complete

EXTRACT (cont.)
COMMISSIONERS PROCEEDINGS
DECEMBER 31, 1968

access control. The property immediately south of this property was assessed only a token amount for paving. The amount, he believed, was between six and seven thousand dollars instead of \$38,000.00 that should have been assessed as a special assessment for the street improvement between the bridge and 21st Street. Each property received three access points. Mr. Wulz pointed out that it did not seem to him to be advisable to continue to grant light commercial in the area to the south when it is quite apparent that eventually the highest priced light commercial property in the area located at the corner of 21st and Amidon will need to be condemned to take care of the traffic which will be caused by the additional granting of light commercial zoning.

Keeler --

Commissioner Keeler stated that this property is valuable today, not because it was there 25 years ago. It is valuable because of the construction of Amidon, which was mainly constructed by the City, the cost of the bridge which was totally paid by the City at large, and it seemed to him that the abutting property owners on both sides should pay or should have paid their fair share of the cost of this improvement.

--application returned to MAPC for reconsideration for reason that the highest & best use of this property is Light Commercial under a CUP plan

Woodard moved that the application be returned to the Metropolitan Area Planning Commission for their reconsideration for the reason that the highest and best use of this property is light commercial under a CUP plan. Motion carried 4 to 1, Enoch voting "No".

COMMISSIONERS PROCEEDINGS

10874

January 21, 1969



Attachment #2

Wichita, Kansas, January 21, 1969
Tuesday, 9:10 A.M.

MINUTES OF THE MEETING OF THE BOARD OF CITY COMMISSIONERS

Commission met in regular session with Mayor Anderson in the chair. Commissioners Enoch, Keeler, Vollmer, present. *Commissioner Woodard absent. Ralph Wulz, City Manager; John Dekker, Director of Law; Ralph C. Eberly, City Clerk, present.

Invocation by Reverend Robert Muir, Central Assembly of God Church. Minutes of the previous meeting of January 14, 1969, read and on motion approved.

Administering Oath of Acceptance of Appointment to Donald K. Enoch as member of Policemen's and Firemen's Retirement Board of Trustees

The matter of administering the Oath of Acceptance of Appointment to Donald K. Enoch who was appointed as a member of the Policemen's and Firemen's Retirement Board of Trustees to a term to expire December 31, 1972, appeared on the Commission agenda.

Anderson moved that the City Clerk be authorized to administer the oath. Motion carried unanimously.

--oath administered & framed copy of certificate of appointment presented to Commissioner Enoch

The City Clerk administered the oath to Commissioner Enoch, and Mayor Anderson presented him with a framed copy of his certificate of appointment.

Appointment to Met. Area Planning Comm.

City Manager reported that appointment was in order to the Metropolitan Area Planning Commission to fill one term to expire January 31, 1973. Deferred from the meeting of January 14, 1969.

Ronald J. Wilkinson appointed to term to expire Jan. 31, 1973

Mayor Anderson announced the appointment of Ronald J. Wilkinson to the Metropolitan Area Planning Commission to a term to expire January 31, 1973, and moved that the appointment be approved. Motion carried unanimously.

Keeler --

Commissioner Keeler stated that for the record he would like to point out that Ken Joslin of Boeing Company had been nominated, and Mayor Anderson stated that it was the procedure of the Commission to reveal only the name of the successful candidate.

Appointment to Bd. of Housing Standards & Appeals

City Manager reported that appointment was in order to the Board of Housing Standards and Appeals to fill one term to expire January 31, 1973. Deferred from the meeting of January 14, 1969.

Mrs. Mary Kopietz reappointed to term to expire Jan. 31, 1973

Mayor Anderson announced the reappointment of Mrs. Mary Kopietz to the Board of Housing Standards and Appeals to a term to expire January 31, 1973, and moved that the appointment be approved. Motion carried unanimously.

Reorganization of Wichita Traffic Commission

The matter with regard to reorganization of the Wichita Traffic Commission again appeared on the Commission agenda.

On January 14, 1969, the City Commission placed on first reading an Ordinance providing for the reorganization of the Wichita Traffic Commission as a 15-member board.

10875 COMMISSIONERS PROCEEDINGS

January 21, 1969

| ORDINANCE NO. 30-365 | |
|---|--|
| <p>Ord. providing for appointment of members to Traffic Commission; prescribing terms of office therefor, etc.</p> <p>--adopted</p> | <p>An ordinance providing for the appointment of members to the Traffic Commission; prescribing terms of office therefor; providing for removal from office for cause; and amending and repealing Section 11.06.020 of the Code of the City of Wichita, Kansas, read for the second time. Anderson moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously.</p> <p>Yeas: Enoch, Keeler, Vollmer, Anderson.</p> |
| <p>Appointment of one new member to Traffic Commission deferred for one week</p> | <p>With regard to the appointment of one new member to a three-year term to fill the vacancy created by the resignation of Charles Loop, Anderson moved that this appointment be deferred for one week. Motion carried unanimously.</p> |
| <p>Persons to serve one-year terms on Traffic Commission--</p> | <p>From the current membership of the Board, Enoch moved that the following persons be designated to serve one-year terms:</p> <p>Dwald Behnke Bruce McClure Dr. T. E. McDonald Victor Zakoura Charles W. Black</p> |
| <p>Persons to serve two year terms on Traffic Commission--</p> | <p>The following persons designated to serve two-year terms: George E. Wells R. D. Baird W. J. Quinn B. B. Clark Cleo Littleton</p> |
| <p>Persons to serve three-year terms on Traffic Commission--</p> | <p>The following persons designated to serve three-year terms: Paul Arabia Clyve W. Bailey Fred B. Farha Wayne King</p> <p>Motion carried unanimously.</p> |
| <p>Request for Street Cut Variance - Mid-Central Fish & Frozen Food, Inc.</p> | <p>Request from Mr. Emil O. Bayerl, Architect, 20 West Ninth Street Building, Kansas City, Missouri, for street cut variance, presented.</p> <p>By letter dated December 19, 1968, Mr. Bayerl requested, in behalf of Mid-Central Fish and Frozen Food, Inc., that a street cut variance be granted as provided by Section 10.16 of the Code of the City of Wichita. The applicant desired the street cut in connection with the proposed construction of a frozen foods storage plant which will be located on the northeast corner of Young Avenue and Irving Street.</p> <p>The request for a street cut variance was reviewed by the City Engineer, the Traffic Engineer, and the Director of Public Works. The Director of Public Works and his staff recommended that the request for a street cut variance be denied. City Manager concurred.</p> |
| <p>City Manager --</p> | <p>City Manager stated that the applicant had withdrawn his request for a street cut variance and that the matter had been resolved.</p> |
| <p>--item stricken from agenda</p> | <p>Vollmer moved that the item be stricken from the agenda. Motion carried unanimously.</p> <p>*COMMISSIONER WOODARD PRESENT.</p> |
| <p>City of Wichita Industrial Revenue Bond Issue - Ferroloy Foundry, Inc. - \$250,000</p> | <p>The matter with regard to City of Wichita Industrial Revenue Bond Issue to Ferroloy Foundry, Inc., in the amount of \$250,000, appeared on the City Manager's agenda.</p> <p>By letter dated November 6, 1968, the City of Wichita stated its intent to issue Industrial Revenue Bonds to Ferroloy Foundry, Inc. in the amount of \$250,000.</p> <p>The special bond counsel has now prepared a proposed Lease and Agree-</p> |

COMMISSIONERS PROCEEDINGS

10876

January 21, 1969

Mayor authorized to execute Lease & Agreement in behalf of City, Bond Ord. placed on 1st reading & purchase offer of First Securities Company of Kansas, Inc. accepted

Ord. authorizing & directing City of Wichita to acquire a tract of land in Sedgwick County, Kansas for Ferroloy Foundry, Inc.; authorizing & directing issuance of \$250,000.00 principal amount of Industrial Revenue Bonds, etc.

Ord. granting Community Antenna Television Franchise to Air Capital Cablevision, Inc.

Dan Moyer --

Ord. of City of Wichita, Kansas, granting a franchise to Air Capital Cablevision, Inc. to construct, operate & maintain a Community Antenna Television System

Proposed Rabies & Animal Control Ordinance

ment and a bond ordinance. In addition, the First Securities Company of Kansas, Inc. has agreed to purchase the revenue bonds.

The Director of Administration and Director of Law have reviewed the lease and agreement, the bond ordinance, and the purchase offer and recommended approval. City Manager concurred.

Anderson moved that the Mayor be authorized to execute the Lease and Agreement in behalf of the City, place the Bond Ordinance on first reading and accept the purchase offer of First Securities Company of Kansas, Inc. Motion carried unanimously.

ORDINANCE

An ordinance authorizing and directing the City of Wichita, Kansas, to acquire a tract of land in Sedgwick County, Kansas, for industrial development purposes; authorizing the payment of the cost of purchasing, constructing and equipping an industrial building thereon; authorizing and directing the issuance of \$250,000.00 principal amount of Industrial Revenue Bonds of said City for the purpose of paying the cost of purchasing, constructing and equipping such industrial facility; prescribing the form and details of said Industrial Revenue Bonds; providing for the collection, segregation and application of the revenues of such facility for the purposes authorized by law; pledging said facility and the net revenues from said facility to secure such bonds; providing for a trustee and prescribing the powers and duties of such trustee; and prescribing the form and authorizing the execution of a Lease and Agreement by and between said City as landlord and Ferroloy Foundry, Inc., as tenant, and the Easton Manufacturing Company, Inc., as guarantor, read for the first time and under the rules laid over.

An ordinance granting the Community Antenna Television Franchise to Air Capital Cablevision, Inc., presented.

At the meeting of December 17, 1968, the City Commission awarded the Community Antenna Television Franchise to Air Capital Cablevision, Inc.

This ordinance will award the franchise to Air Capital Cablevision, Inc. upon its third reading, adoption and expiration of a 60-day protest period.

The Director of Law recommended that the ordinance be adopted. City Manager concurred.

Dan Moyer, Attorney for Air Capital Cablevision, Inc., stated in reply to a question from Commissioner Vollmer, that the \$100,000 payment would be made to the City as soon as the FAA issues them a permanent license to operate.

Vollmer moved that the ordinance be placed on first reading. Motion carried unanimously.

ORDINANCE

An ordinance of the City of Wichita, Kansas, granting a franchise to Air Capital Cablevision, Inc., a Kansas Corporation, to construct, operate and maintain a Community Antenna Television System within the City of Wichita, Kansas, read for the first time and under the rules laid over.

Proposed rabies and animal control ordinance, presented.

The proposed ordinance revising the existing animal control ordinance has been developed over a period of several months including consultation with a number of groups and individuals. As directed by the City Commission, the

COMMISSIONERS PROCEEDINGS

January 21, 1969

Wichita-Sedgwick County Board of Health held a public hearing on October 15, 1968, and considered alternatives and selected the standards as indicated in the recommended ordinance.

The ordinance contains new or improved standards relating to the sale of baby chicks, inhumane treatment of animals, enforcement of the leash law (vicious animals, animals running at large, and the holding of animals without identification), vaccination of cats for rabies, catteries, number of cats other than in catteries, identification of cats, stray cats, kennels, barbed wire and electric fences, bees, chinchillas, and the separation of commercial animal maintenance from dwellings.

The Environmental Health Director, Director of Community Health and the Wichita-Sedgwick County Board of Health recommended that the improved rabies and animal control ordinance be adopted.

Jim Aiken, Environmental Health Director, reviewed the ordinance with the Commission.

Mrs. M. D. Williams, 603 No. Pinecrest and Mrs. Chapin spoke against the proposed ordinance. Mrs. John Epley spoke in favor of the proposed ordinance, reviewing an experience her Mother had with a neighbor that kept 40 cats on the premises.

Joann Jones stated that she was in favor of the ordinance but did not believe there should be a limitation on the number of cats to be kept.

Mrs. Billie Richwine spoke in opposition to the traps being used to catch cats and related an experience she had recently with a neighbor who supposedly trapped her cats.

Robert Norton, President of Kansas Humane Society, spoke in opposition to the 24-hour retention requirement replacing the 72-hour requirement previously for dogs, and also objected to the \$4.00 vaccination fee when some veterinarians charged only \$3.00.

Commissioner Keeler suggested that the trapped animals be turned over to the Health Department immediately, that 72 hours be the retention period instead of 24 hours, and possibly a \$3.00 fee be charged instead of \$4.00.

Jim Aiken returned and replied to each of these remarks indicating that thirteen of the sixteen veterinarians in the City of Wichita charge \$4.00 whereas only three charge \$3.00, and he replied further regarding the question from the Commission on one-year vaccination, that the best information they had from the experts was that nothing longer than one year is recommended but that a two or three-year vaccination was being studied and that he intended to stay in contact with the experts in this regard.

Woodard moved that the ordinance be placed on first reading. Motion carried 3 to 2, Vollmer and Anderson voting "No".

ORDINANCE

An ordinance amending Title 6 of the Code of the City of Wichita, Kansas, pertaining to animal control and protection and amending and repealing Sections 6.04.040, 6.04.050, 6.04.060, 6.04.070, 6.04.090, 6.04.100, 6.04.110, 6.04.120, 6.04.130, 6.04.140, 6.04.160, 6.12.010, 6.12.030, 6.12.040, 6.12.050, 6.12.070, and 6.12.080 of said Title 6 of the Code of the City of Wichita, Kansas, read for the first time and under the rules laid over.

Jim Aiken --

Mrs. M.D. Williams
& Mrs. Chapin spoke
against proposed
ordinanceMrs. John Epley
spoke in favor

Joann Jones --

Mrs. Billie
Richwine --

Robert Horton --

Keeler --

Jim Aiken --

Ord. placed on
first readingOrd. amending Title
6 of Code of City
of Wichita pertain-
ing to Animal Con-
trol & Protection

COMMISSIONERS PROCEEDINGS

10978

January 21, 1969

Minutes of Special Meeting of Wichita Library Board, Dec. 30, 1968 -- received & filed

SIDEWALK PETITIONS: North side of Kellogg Drive from Armour Drive to EL of Lot 2, Rockwood South 3rd Addition

East side of Armour Drive from Kellogg Drive to NL of Lot 2, Rockwood South 3rd Addition

Final Plat of Maple Hill Fifth Addition

--approved as approved by MAPC & Mayor authorized to sign

Request for Vacation of N-S Alley extending from NL of 21st St. to SL of Lot 29, Blk. DD, Audrey Matlock Heights 2nd Addn.

--request approved as recommended by MAPC. Ord. placed on 1st reading & substitute easements to be filed of record with Reg. of Deeds

Commission recessed at 11:10 A.M.

Commission reconvened at 11:33 A.M.

Minutes of a special meeting of the Wichita Library Board, December 30, 1968, presented.

Enoch moved that the minutes be received and filed. Motion carried unanimously.

Petition for a four (4) foot sidewalk on the north side of Kellogg Drive from Armour Drive to East Line of Lot 2, Rockwood South 3rd Addition, presented. City Manager reported that this is a good petition, being signed 100% by property owners abutting the project. City Manager recommended that the petition be granted. Woodard moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution, the publication of which to be paid by the applicant. Motion carried unanimously. (This petition replaces the original sidewalk guarantee of construction (S/D 66-96 - Rockwood South Third Addition) which has now expired).

Petition for a four (4) foot sidewalk on the east side of Armour Drive from Kellogg Drive to north line of Lot 2, Rockwood South 3rd Addition, presented. City Manager reported that this is a good petition, being signed 100% by property owners abutting the project. City Manager recommended that the petition be granted. Woodard moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution, the publication of which to be paid by the applicant. Motion carried unanimously. (This petition replaces the original sidewalk guarantee of construction (S/D 66-96 - Rockwood South Third Addition) which has now expired.)

Final Plat of Maple Hill Fifth Addition (S/D No. 68-60), located on the south side of Maple and 1/2 mile east of 151st Street West, presented. Planning Commission recommended that this plat be approved, subject to being recorded within 30 days after approval by the City Commission.

Keeler moved that the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor authorized to sign. Motion carried unanimously. (It was noted that sidewalks were not required as the plat lies outside the City Limits of Wichita and is designed with suburban sized lots.)

Report from the Metropolitan Area Planning Commission (Case No. V-0478) in regard to request for vacation of the North-South alley extending from the north line of 21st Street to the south line of Lot 29, Block DD, Audrey Matlock Heights Second Addition, Wichita, Sedgwick County, Kansas, located on the north side of 21st Street in an area west of Grove, presented. Planning Commission recommended that this application be approved, subject to: 1. Approval of the vacation case is subject to the approval of the Associated Plat - S/D 68-90, Nafziger's Second Addition. 2. Granting by separate instrument a substitute utility easement for the west 10 feet of the alley being vacated. 3. Any relocation or reconstruction of utilities necessitated by this vacation being at the sole expense of the applicant. 4. All proceedings being without cost to the City, County or any utility company.

Vollmer moved that the request be approved as recommended by the Metropolitan Area Planning Commission, the ordinance placed on first reading, and the City Clerk instructed to file the substitute easements of record with the Register of Deeds. Motion carried unanimously.

COMMISSIONERS PROCEEDINGS

January 21, 1969

| | |
|---|---|
| Easement from Phillips Petroleum Company | Easement from Phillips Petroleum Company by John Getgood, Vice President, dated November 11, 1968, granting and conveying to the City of Wichita a perpetual right-of-way and easement for sewer purposes and public utilities over, along, and under the following described real estate situated in Sedgwick County, Kansas, to-wit: The West 10 feet of the South 100 feet of Reserve in Nafsiger's Addition to the City of Wichita, Sedgwick County, Kansas, presented. |
| Easement from S.S. Bailey, Ethel Bailey, Shaw Bailey & Irene Bailey | Easement from S. S. Bailey, Ethel Bailey, Shaw Bailey and Irene Bailey, dated January 10, 1969, granting and conveying to the City of Wichita a perpetual right-of-way and easement for sewer purposes and public utilities over, along, and under the following described real estate situated in Sedgwick County, Kansas, to-wit: The west 10 feet of the S.S. Bailey Addition, Wichita, Sedgwick County, Kansas, presented. |
| Easement from G.E. Nafsiger | Easement from G. E. Nafsiger, dated January 14, 1969, granting and conveying to the City of Wichita a perpetual right-of-way and easement for sewer purposes and public utilities over, along and under the following described real estate situated in Sedgwick County, Kansas, to-wit: The west 10 feet of the north 130 feet of Nafsiger's Addition to Wichita, Sedgwick County, Kansas, presented. |
| --substitute easements accepted & to be recorded with Reg. of Deeds | Woodard moved that the substitute easements be accepted and the City Clerk instructed to record with the Register of Deeds. Motion carried unanimously. |
| Ord. vacating N-S alley extending from N. 21st St. to S. 1st Lot 29, Bk. DD, Audrey Matlock Heights 2nd Addn. | ORDINANCE An ordinance vacating the North-South alley extending from the north line of 21st Street to the south line of Lot 29, Block DD, Audrey Matlock Heights Second Addition, Wichita, Sedgwick County, Kansas, read for the first time and under the rules laid over. |
| Final Plat of Nafsiger's 2nd Addn. | Final Plat of Nafsiger's Second Addition (S.D No. 68-90), located on the west side of Grove in an area north of 21st Street, presented. Planning Commission recommended that this plat be approved, subject to: 1. Approval of the plat is subject to the approval of the Associated Vacation Case No. V-0478. 2. Recording within 30 days after approval by the Board of City Commissioners. Associated Case: V-0478. It was noted that a petition had been submitted guaranteeing the installation of a sidewalk adjacent to the west side of Grove Avenue, and a "certificate" was also submitted certifying the petition. The applicant has also submitted a check guaranteeing the closing of an existing curb cut to the vacated alley. |
| --petition approved & necessary resol. to be prepared; certificate to be filed with Reg. of Deeds; plat approved as approved by MAPC & Mayor authorized to sign | Enoch moved that the petition be approved and the Director of Law instructed to prepare the necessary resolution; the City Clerk instructed to file the certificate with the Register of Deeds, the publication and filing of which to be without cost to the City; and that the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor authorized to sign. Motion carried unanimously. |
| SIDEWALK PETITION: West side of Grove Ave. from 200 ft. north of CL of 21st Street to 330 ft. north of CL of 21st Street | Petition for a four (4) foot sidewalk on the west side of Grove Avenue from 200 feet north of the center line of 21st Street to 330 feet north of the center line of 21st Street, presented. City Manager reported that this is a good petition, being signed 100% by property owners abutting the project. City Manager recommended that the petition be granted. Enoch moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution, the publication of which to be without cost to the City. Motion carried unanimously, |

COMMISSIONERS PROCEEDINGS

10880

January 21, 1969

Petition to change from "RB" to "BB" Lots 1 and 2, Blk. 1, Peacock Addn.

Report from the Metropolitan Area Planning Commission (Case No. Z-1055) in regard to petition to change from "RB" to "BB" Lots 1 and 2, Block 1, Peacock Addition to Wichita, Sedgwick County, Kansas, located at the southeast corner of Westridge Drive and Central, presented. Planning Commission recommended that this application be approved, subject to the applicants installing or guaranteeing the installation of sidewalks adjacent to both streets. It was noted that sidewalks do not exist on Central or Westridge Drive, and the applicant submitted valid petitions guaranteeing their installation.

--petitions approved & necessary resolutions to be prepared; application approved as recommended by MAPC & Ord. placed on list reading

Vollmer moved that the petitions be approved and the Director of Law instructed to prepare the necessary resolutions, the publication and filing of which to be without cost to the City; the application approved as recommended by the Metropolitan Area Planning Commission and the ordinance effectuating the change in zoning be placed on first reading. Motion carried unanimously.

SIDEWALK PETITION: East side of Westridge Drive from SL of Central Ave. to 136.5' So. of SL of Central Ave.

Petition for a four (4) foot sidewalk on the east side of Westridge Drive from the south line of Central Avenue to 136.5 feet, more or less, south of the south line of Central Avenue, presented. City Manager reported that this is a good petition, being signed 100% by property owners abutting the project. City Manager recommended that the petition be granted. Vollmer moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution, the publication of which to be without cost to the City. Motion carried unanimously.

SIDEWALK PETITION: South side of Central Ave. from EL Westridge Drive to 104 Ft. East of EL of Westridge Dr.

Petition for a four (4) foot sidewalk on the south side of Central Avenue from the east line of Westridge Drive to 104 feet, more or less, east of the east line of Westridge Drive, presented. City Manager reported that this is a good petition, being signed 100% by property owners abutting the project. City Manager recommended that the petition be granted. Vollmer moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution, the publication of which to be without cost to the City. Motion carried unanimously.

ORDINANCE

Ord. changing zoning classifications or districts of certain lands located in City of Wichita

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the first time and under the rules laid over.

Resol. authorizing filing of application with Public Health Services, United States of America, for a grant under the Water Pollution Control Act

A resolution authorizing the filing of an application with the Public Health Services, United States of America, for a grant under the Water Pollution Control Act, presented.

The above captioned resolution authorizes the Director of Public Works to execute and file, on behalf of the City of Wichita, an application with the Public Health Service for a grant of approximately \$1,200,000 to aid in the construction of the Southwest Interceptor Sewer, Phase II, located generally between the Wichita-Valley Center Flood Control Ditch and Maize Road and from 31st Street South to 13th Street North.

Director of Public Works recommended adoption of the resolution. City Manager concurred.

B.E. Smith --

B. E. Smith, City Engineer, stated that he had heard verbally that it would be possible that the grant would be as much as \$1,500,000 instead of

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| --Resol. adopted | the \$1,200,000 as shown on the agenda. Keeler moved that the amended resolution be adopted. Motion carried unanimously. |
| Resol. authorizing filing of application with Public Health Service, United States of America, for a grant under the Water Pollution Control Act | <p style="text-align: center;">RESOLUTION</p> <p>Resolution authorizing the filing of application with the Public Health Service, United States of America, for a grant under the Water Pollution Control Act (33 U.S.C. 466 et seq.), read. Keeler moved that the amended resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.</p> |
| Traffic Signals Agreement with Kansas Highway Commission - No. 15-68 | <p>Traffic Signals Agreement with the Kansas Highway Commission - No. 15-68, presented.</p> <p>The Kansas Highway Commission submitted a proposed agreement between the Commission and the City of Wichita for Project 35W-87 1-35W-1 (76) S1. The project is for the construction of traffic signals for the ramp connections of the I-35W and 21st Street interchange which is presently under construction. The proposed agreement provides that the installation of traffic signals will be paid for with Federal or State funds and that the City will maintain and operate the traffic signals after the project is completed.</p> <p>It will be necessary that the City adopt a simple ordinance authorizing the Mayor to execute the agreement and giving the State Highway Commission of Kansas authority to act for the City to obtain for the City such benefits as are available under the program of the Federal and State Aid Plan of Highway Construction.</p> |
| --agreement approved & Ord. placed on 1st reading | Anderson moved that the agreement be approved and that the ordinance be placed on first reading. Motion carried unanimously. |
| Ord. relating to benefits obtainable by cities under the program for Federal & State aid on highway construction | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance relating to benefits obtainable by cities under the program for Federal and State aid on highway construction, read for the first time and under the rules laid over.</p> |
| Acquisition of North Wichita Thruway R/W | The matter with regard to acquisition of North Wichita Thruway right-of-way, appeared on the City Manager's agenda. |
| | <p>At the meeting of November 5, 1968, the City Commission adopted a resolution authorizing the acquisition of right-of-way for the North Wichita Thruway from I-235 to I-35W.</p> <p>At the present time Builders, Inc., owns vacant property on the north side of 25th Street between Garland Avenue and Hood Avenue and between Hood Avenue and Payne Avenue, and plans development of one of the tracts. It would be beneficial to the City to acquire the portions of the two vacant tracts which will be required for the North Wichita Thruway.</p> <p>Builders, Inc., has agreed to accept the pre-appraisal amount of \$18,800.00 for the two tracts of land. The pre-appraisal was prepared by Mr. Herman Oakes.</p> <p>Director of Public Works recommended that the Director of Law be authorized to complete the negotiated purchase. City Manager concurred.</p> |
| --Director of Law authorized to complete negotiation Corporation Quitclaim Deed to Santa Fe Land Improvement Company from City | <p>Keeler moved that the Director of Law be authorized to complete the negotiation. Motion carried unanimously.</p> <p>Corporation Quitclaim Deed to Santa Fe Land Improvement Company from the City of Wichita, presented.</p> |

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In 1964 the City of Wichita purchased right-of-way for I-35W in the vicinity of Industrial Avenue. Acquisition costs were paid 100% by the State Highway Commission. I-35W has been constructed in the subject area, and the State Highway Commission has indicated that portions of the right-of-way acquired can now be released.

The Santa Fe Land Improvement Company has requested permission to purchase portions of the right-of-way in order to construct a railroad spur into land which the company has acquired for an industrial park. Purchase price of the land is \$7,420.00, which amount will be returned to the State Highway Commission and Bureau of Public Roads. A corporation quitclaim deed releasing the two tracts of land abutting Industrial Avenue and located west of Interstate Highway 35W has been prepared. The release of this right-of-way has been approved by the Bureau of Public Roads.

Director of Public Works recommended approval of the quitclaim deed. City Manager concurred.

Keeler moved that the quitclaim deed be approved and the Mayor authorized to execute in behalf of the City. Motion carried unanimously.

Quitclaim Deed approved & Mayor authorized to execute in behalf of City

CITY CLERK'S AGENDA:

Mayor Anderson announced that the City Clerk's agenda would be considered as a consensus agenda, and Item 23 was withdrawn momentarily.

Anderson moved the approval of all items on the Clerk's agenda, in accordance with the recommended actions shown thereon. Motion carried unanimously.

City Manager reported that at 10:00 A.M., Monday, January 20, 1969, pursuant to advertisements published, bids were received, publicly opened, read aloud and tabulated by the Board of Bids and Contracts on the following:

City Clerk's Agenda

Item 23 withdrawn momentarily all items approved in accordance with recommended actions shown thereon

City Mgr. - Bids

Constructing Lateral 33, District T, S.S. No. 20

Constructing Lateral 33, District T, Sanitary Sewer No. 20

| | W.B. Carter Const. Co., Inc. | Utility Contractors, Inc. | Mid-States Const. Co., Inc. |
|---------------------------------------|------------------------------|---------------------------|-----------------------------|
| 8" sewer, per lin. ft. | \$ 5.25 | \$ 5.00 | \$ 5.40 |
| Manholes - Type A, each | 485.00 | 500.00 | 475.00 |
| Fence removed, per lin. ft. | .50 | .25 | .50 |
| Fence replaced, per lin. ft. | .80 | 1.00 | .50 |
| Retaining wall removed, per lin.ft. | .30 | 1.00 | .50 |
| Retaining wall replaced, per lin. ft. | 1.00 | 5.00 | 2.00 |
| Driven water well removed, each | 20.00 | 40.00 | 20.00 |
| Stumps removed, each | 25.00 | 30.00 | 20.00 |
| Large trees removed, each | 50.00 | 40.00 | 65.00 |
| Small trees removed, each | 25.00 | 15.00 | 20.00 |

Contract to W.B. Carter Const. Co.

The Board of Bids and Contracts reported that the bid of W. B. Carter Construction Company, Inc. was the lowest responsible bid and within the estimate. Anderson moved that the contract be awarded to W. B. Carter Construction Company, Inc. on its bid, same being the lowest responsible bid and within the estimate. Motion carried unanimously.

Constructing Lateral 42, War Industries Sewer

Constructing Lateral 42, War Industries Sewer

| | Utility Contractors, Inc. | W.B. Carter Const. Co., Inc. | Mid-States Const. Co., Inc. |
|-----------------------------------|---------------------------|------------------------------|-----------------------------|
| 8" sewer, per lin. ft. | \$ 4.80 | \$ 5.00 | \$ 5.10 |
| Manholes - Type A, complete, each | 480.00 | 500.00 | 500.00 |

Contract to Utility Contractors Inc.

The Board of Bids and Contracts reported that the bid of Utility Contractors, Inc. was the lowest responsible bid and within the estimate. Anderson moved that the contract be awarded to Utility Contractors, Inc. on its bid, same being the lowest responsible bid and within the estimate. Motion carried unanimously.

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Constructing
Lateral 44, War
Industries Sewer

Constructing Lateral 44, War Industries Sewer

| | W.B. Carter Const. Co., Inc. | Mid-States Const. Co., Inc. |
|--------------------------------------|------------------------------------|-----------------------------------|
| 8" vitrified clay pipe, per lin. ft. | \$ 6.15 | \$ 6.50 |
| 8" cast iron pipe, per lin. ft. | 10.00 | 9.00 |
| Manholes - Type A, each | 600.00 | 600.00 |
| Casing, per lin. ft. | 35.00 | 40.00 |
| Asphaltic concrete, per ton | 20.00 | 18.00 |
| Walk removed, per sq. ft. | .15 | .50 |
| Walk replaced, per sq. ft. | .90 | .80 |
| Curb removed, per lin. ft. | .75 | 1.00 |
| Curb replaced, per lin. ft. | 3.00 | 3.00 |

The Board of Bids and Contracts reported that the bid of W. B. Carter Construction Company, Inc. was the lowest responsible bid and within the estimate. Anderson moved that the contract be awarded to W. B. Carter Construction Company, Inc. on its bid, same being the lowest responsible bid and within the estimate. Motion carried unanimously.

Transmitter-receiver
radio units and
rack-chargers &
leather carrying
cases for Police
Dept.

22 - Handie-Talkie portable 2-channel transmitter-receiver radio units, Motorola Type H 23 DCN series or approved equivalent

22 - Vehicular rack-chargers and leather carrying cases
For Police Department - as per specifications
F.O.B. Wichita Police Department

Radio Division

2000 Gentry Drive, Wichita, Kansas

(Bids were received and taken under advisement on
January 6, 1969. Deferred from January 6, 1969)

(Ref: Bid analysis report attached to Bd. of Bids minutes of 1/20/69)

Contract to Radio
Corporation of
America

The Board of Bids and Contracts recommended that the contract be awarded to Radio Corporation of America on its net total bid of \$12,320.00, same being the lowest and best bid meeting specifications. Anderson moved that the recommendation of the Board of Bids and Contracts be approved. Motion carried unanimously.

Tap Sleeves and
Valves for Water
Dept.

2 - 4 x 4 MJ Tap Sleeves and Valves
10 - 6 x 6 MJ Tap Sleeves and Valves
4 - 8 x 4 MJ Tap Sleeves and Valves
12 - 8 x 6 MJ Tap Sleeves and Valves
10 - 8 x 8 MJ Tap Sleeves and Valves
6 - 12 x 6 MJ Tap Sleeves and Valves
2 - 16 x 6 Tap Sleeve and Valves, Calk type for CI Pipe
2 - 16 x 8 Tap Sleeve and Valves, Calk type for CI Pipe
2 - 16 x 12 Tap Sleeve and Valves, Calk type for CI Pipe
MJ Tapping Sleeves to be provided with two sets of
gaskets each to fit AB-CD CI Pipe.

For Water Department - As Per Specifications
F.O.B. Meter Shop

1701 Sun Park Drive, Wichita, Kansas

(Ref: Bid analysis report attached to Bd. of Bids minutes of 1/20/69)

Contract to Mueller
Company

The Board of Bids and Contracts recommended that the contract be awarded to Mueller Company on its net total bid of \$9,318.79, same being the lowest and best bid meeting specifications. Anderson moved that the recommendation of the Board of Bids and Contracts be approved. Motion carried unanimously.

BOND AND CONTRACT:
W.B. Carter Const.
Co., Inc.

Bond and Contract of W. B. Carter Construction Company, Inc., covering construction of Lateral 33, District T, Sanitary Sewer No. 20 and Lateral 44, War Industries Sewer, presented. Approved as to form by the City Attorney. Anderson moved that the bond and contract be approved and filed and the Mayor authorized to sign the contract for the City of Wichita. Motion carried unanimously.

BONDS:
Performance Bond of
Don Carter Paint,
Inc.

Performance Bond of Don Carter Paint, Inc., written in the Insurance Company of North America, in the amount of \$1,991.00, dated January 13, 1969, covering repainting the underside of digester floating cover, sewage treatment plant No. 1, Wichita, Kansas, presented. Approved as to form by the City Attorney. Anderson moved that the bond be approved and filed. Motion carried unanimously.

Drain Layer's Bond
of Jack K. Sentel

Drain Layer's Bond of Jack K. Sentel, written in the National Surety Corporation, in the amount of \$2,000.00, dated January 16, 1969, presented. Approved as to form by the City Attorney. Anderson moved that the bond be approved and filed. Motion carried unanimously.

Air Conditioning,
Refrig., etc. Bond
of Moon & Gillis
Plumbing, Inc.

Air Conditioning, Refrigeration and/or Warm Air Heating Contractor's Bond of Moon and Gillis Plumbing, Inc., written in the Maryland Casualty Company, in the amount of \$2,000.00, dated January 16, 1969, presented. Approved as to form by the City Attorney. Anderson moved that the bond be approved and filed. Motion carried unanimously.

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Drain Layer and Plumber's Bond of Moon & Gillis Plumbing, Inc.

Drain Layer' and Plumber's Bond of Moon and Gillis Plumbing, Inc., written in the Maryland Casualty Company, in the amount of \$2,000.00, dated January 16, 1969, presented. Approved as to form by the City Attorney. Anderson moved that the bond be approved and filed. Motion carried unanimously.

IRREVOCABLE LETTER OF CREDIT: from Tony King, filed by American Savings & Loan Association

Irrevocable Letter of Credit from Tony King, dated January 13, 1968, in the amount of \$13,000.00, filed by American Savings & Loan Association of Wichita, guaranteeing payment of special assessments in lieu of the development requirements for paving Cornelison Street from EL of I-235 Frontage Road to WL of McComas Street - C17-25, presented. The petition for the project was approved by the Board of City Commissioners and the City Engineer was instructed to withhold the estimate until sufficient development had occurred to justify the project. The City Engineer recommended that the irrevocable letter of credit be approved and filed and that he be instructed to proceed with the project. Anderson moved that the irrevocable letter of credit be approved and filed and the City Engineer instructed to proceed with the project. Motion carried unanimously.

NOTICES OF CANCELLATION: Sign Hanger's Bond of Bill Jennings Signs

Notice of Cancellation of Sign Hanger's Bond of Bill Jennings Signs, written in the United States Fidelity and Guaranty Company, in the amount of \$2,000.00, dated August 14, 1967, presented. Anderson moved that the notice of cancellation be received and filed. Motion carried unanimously. Motion carried unanimously.

Certificate of Insurance of Interstate Exterminators, Inc.

Notice of Cancellation of Certificate of Insurance of Interstate Exterminators, Inc., written in the Hartford Accident and Indemnity Company, for a period to expire August 1, 1969, filed in connection with pest control license, presented. Anderson moved that the notice of cancellation be received and filed. Motion carried unanimously. Motion carried unanimously.

RELEASE OF DEVELOPMENT BOND: Request from C. Bill Bachman, d/b/a Bachman Co.

Request from C. Bill Bachman, doing business as Bachman Co., for release of Development Bond submitted by them guaranteeing payment of special assessments in connection with construction of Lateral 34, Submain 17, Sanitary Sewer No. 22, in the amount of \$5,400.00, dated April 7, 1967, written in the Trinity Universal Insurance Company, presented. The bond was submitted and guaranteed payment of special assessments to be levied against property in the benefit district in which improvements had not been started, for a period of 10 years or until 35% of the property had improvements started. City Engineer reported that sufficient development had occurred in the are to permit release of the bond. Anderson moved that the bond be released as recommended. Motion carried unanimously.

--released as recommended

CERTIFICATES OF INSURANCE: James E. Van Ausdall Receiver for Otto H. Boyer, d/b/a Boyer's I.G.A.

Certificate of Insurance of James E. Van Ausdall, Receiver for Otto H. Boyer, doing business as Boyer's I.G.A., written in the National Surety Corporation, for a period to expire July 10, 1969, filed in connection with maintenance of a 6' x 8' storm entrance structure to building at 1603 E. Kellogg, presented. Approved as to form by the City Attorney. Anderson moved that the certificate of insurance be received and filed. Motion carried unanimously.

Berean Fellowship, Inc.

Certificate of Insurance of Berean Fellowship, Inc., written in the Cinnarron Insurance Company, Inc., for a period to expire January 6, 1972, filed in connection with Minor Street Privilege Permit No. 306, for permission to retain a stone fence on property they have been required to dedicate to City for additional r/w on Maple Street at intersection of Evergreen Lane, presented. Approved as to form by the City Attorney. Anderson moved that the certificate of insurance be received and filed. Motion carried unanimously.

George W. Wayman & Kenneth A. Simon, d/b/a Wayman & Simon Standard Service

Certificate of Insurance of George W. Wayman & Kenneth A. Simon, doing business as Wayman & Simon Standard Service, written in the United States Fire Insurance Company, for a period to expire December 19, 1969, filed in connection with Minor Street Privilege Permit No. 294, for permission to install fountain, rock and landscaping for parking area adjacent to service station, presented. Approved as to form by the City Attorney. Anderson moved that the certificate of insurance be received and filed. Motion carried unanimously.

Bruce Terminix, Inc

Certificate of Insurance of Bruce Terminix, Inc., written in the Continental Casualty Company, for a period to expire February 1, 1970, filed in connection with pest control license, presented. Approved as to form by the City Attorney. Anderson moved that the certificate of insurance be received and filed. Motion carried unanimously.

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

The following applications for licenses to retail cereal malt beverages, presented:
 NEW, 1969:
 James C. Barner Red Flame 1009-1011 E. Douglas
 James A. Job Silver Maple 719 Maple
 Michael C. Foley Taco Grande, Inc. 8144 E. Kellogg
 Roberts Freeman Starlight Club 2418 E. 9th
 Hazel Shunatona The Office Lounge 1710 E. Morris
 RENEWAL, 1968:
 Geo. L. Goodwin, Jr. Goodwin's IGA, Inc. 3906 Maple
 James Bobo, Jr. The Inn Crowd Steak House 1250 N. Mosley
 Nathaniel Sanders The Shocker Lounge 1413 1/2 N. Hillside
 James G. Fisher Somplance Elms 1108 S. Seneca
 M. Beth Hogan East Kellogg Cafe 11210 E. Kellogg
 Jack L. Morgan The Picket Line Club Inc. 4921 Cessna Street
 Delores J. Campbell El Toco 7038 E. Lincoln
 Cecil Carl Murrell Golden Chance Steak Saloon 4205 S. Seneca
 Jay L. Conover Town & Country Restaurant 4702 W. Kellogg
 L. F. Kapley Midland Lake, Inc. 4228 Gold

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| Leonard Selsor | K-Mart Foods | 4210 W. Kellogg |
| Marvin Holley | K-Mart Foods | 8610 E. Kellogg |
| Edwin R. Egbert | Egbert Service Inc. | 3955 S. Broadway |

Police files reflect no records to disqualify the applicants and there are no churches or schools within 300 feet of the establishments. The Police Department has approved the applications and the Legal Department has approved them as to form. Anderson moved that the applications be approved and filed and the License Collector instructed to issue the proper licenses. Motion carried unanimously.

The following application for license to retail cereal malt beverages, presented:
 NEW, 1969:
 Daryle R. Blanck Pat's Crazy Lounge #1 3525 East Harry

For existing location - located within 300 feet of All Saints School, however it has been previously licensed. The Police Department has approved the applicant since their files reflect no reason to disqualify him. The Legal Department has approved the application as to form. Anderson moved that the application be approved and filed and the License Collector instructed to issue the proper license. Motion carried unanimously.

— approved

ESTIMATES:

First Partial Estimate in favor of W.B. Carter Const. Co., Inc.

First Partial Estimate in favor of W. B. Carter Construction Company, Inc., for construction of a 12" water main in Lincoln Street from Greenwich Road to Romney Terrace, an 8" water main in Dowell Terrace from Wilshire Terrace to Lincoln Street, a 6" water main in Bristol Terrace from Wilshire Terrace to Lincoln St., an 8" water main in Romney Terrace from Wilshire Terrace to Lincoln St., an 8" water main in Wilshire Terrace from Dowell Terrace to Bedford Terrace, a 6" water main in Bedford Court from Wilshire Terrace to the EL of Lot 8, Blk. 4, Windsor Park Addition, and an 8" water main in Bedford Terrace from Wilshire Terrace to SL of Windsor Park Addition, in the amount of \$38,774.46, read. Anderson moved that the first partial estimate be approved and filed. Motion carried unanimously.

First Partial Estimates in favor of Ritchie Const. Co., Inc.

First Partial Estimates in favor of Ritchie Construction Company, Inc., covering:

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| Improving the East Side of Edgemoor Drive from the NL of 21st Street to the NL of Prairie Village Subdivision; Callen Lane and Kane Lane in Blks. 2 and 3, Prairie Village Subdivision; and 22nd St. from the EL of Edgemoor Drive to the SL of Lamson St. | \$27,447.35 |
| Improving Killarney Place from the EL of Doreen St. to the EL of Lot 10, Woodlawn East 2nd Addition | 7,174.00 |
| Improving Killarney Court from the SL of Killarney Place to and including Cul-de-sac, in Woodlawn East 2nd Addition | 7,417.95 |
| Improving Tara Lane from the SL of Block 5, Brookhollow 1st Addn., to the SL of Central Avenue; Limerick Lane from the EL of Tara Lane to the NL of Tamarac Lane; Tamarac Lane from the EL of Tara Lane to the EL of Lot 11, Blk. 1, Brookhollow 1st Addition | 30,935.32 |
| Paving Westlawn Street from the EL of West Dale Drive to the WL of West Street | 6,460.00 |
| Improving Westlink Avenue from the SL of Central Avenue to the SL of Rolling Hills 7th Addition | 4,009.45 |
| Improving and reimproving 21st Street from the WL of Meridian Avenue to the WL of Lot 2, Marina Lake Addition | 61,195.32 |
| Paving 31st Street from the EL of Pierpoint Acres to the WL of Amidon Avenue | 17,582.25 |

read. Anderson moved that the first partial estimates be approved and filed. Motion carried unanimously.

First Partial Estimates in favor of Mid-Kansas Const. Co., Inc.

First Partial Estimates in favor of Mid-Kansas Construction Company, Inc., covering:

| | |
|--|-------------|
| Paving Bluff Avenue from the SL of Colonial Park 2nd Addition to the SL of 31st St. South | \$27,892.75 |
| Paving Navajo Lane from the Center Line of Lot 5, Blk. 2, McCarty 2nd Addition to the NL of 31st Drive South | 11,227.68 |
| Paving Navajo Lane from the EL of Bluff Avenue to the center line of Lot 5, Blk. 2, McCarty 2nd Addition | 4,271.67 |
| Improving 27th Street from the WL of Grove St. to the center line of Volutsia Avenue | 26,095.00 |

read. Anderson moved that the first partial estimates be approved and filed. Motion carried unanimously.

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| Final Estimates in favor of Mid-Kansas Const. Co., Inc. | covering: Final Estimates in favor of Mid-Kansas Construction Company, Inc., Paving Cardinal Drive from the NL of Benjamin Drive to the SL of Redbud Lane \$ 6,150.76 Paving Emerson Avenue from the WL of Wilbur Lane to the WL of Dunsworth Avenue 3,387.38 Constructing deceleration lane and driveway for Heersche Addition on the East Side of Seneca Avenue (2800 Block) 952.62 Paving Wilbur Lane from the NL of Ponderosa Street to the SL of Emerson Avenue 4,168.05 read. Anderson moved that the final estimates be approved and filed. Motion carried unanimously. |
| Final Estimate in favor of Globe Const. Co., Inc. | Final Estimate in favor of Globe Construction Company, Inc. for paving Beaumont Street from the east line of Farmstead Street to the west line of Sieffkin, in the amount of \$1,800.23, read. Anderson moved that the final estimate be approved and filed. Motion carried unanimously. |
| Final Estimate in favor of Ritchie Const. Co., Inc. | Final Estimate in favor of Pitchie Construction Company, Inc., for paving Kessler Avenue from the south line of 16th Street to the south line of 17th Street, in the amount of \$15,055.47, read. Anderson moved that the final estimate be approved and filed. Motion carried unanimously. |
| STATEMENTS OF COST: SEWER | Engineer's statement of cost of constructing Lateral 11, Sanitary Sewer No. 1, in the amount of \$2,085.03, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 11, S.S. No. 1 | |
| Lateral 12, S.S. No. 1 | Engineer's statement of cost of constructing Lateral 12, Sanitary Sewer No. 1, in the amount of \$1,927.85, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 11, District R, S.S. No. 20 | Engineer's statement of cost of constructing Lateral 11, District R, Sanitary Sewer No. 20, in the amount of \$7,892.56, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 12, District R, S.S. No. 20 | Engineer's statement of cost of constructing Lateral 12, District R, Sanitary Sewer No. 20, in the amount of \$13,711.61, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 186, Submain 5, S.S. No. 22 | Engineer's statement of cost of constructing Lateral 186, Submain 5, Sanitary Sewer No. 22, in the amount of \$1,936.07, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 18, Submain 4, S.S. No. 23 | Engineer's statement of cost of constructing Lateral 18, Submain 4, Sanitary Sewer No. 23, in the amount of \$12,550.85, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 19, Submain 4, S.S. No. 23 | Engineer's statement of cost of constructing Lateral 19, Submain 4, Sanitary Sewer No. 23, in the amount of \$14,903.91, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 43, War Industries Sewer | Engineer's statement of cost of constructing Lateral 43, War Industries Sewer, in the amount of \$6,719.42, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 11, Submain 8, War Industries Sewer | Engineer's statement of cost of constructing Lateral 11, Submain 8, War Industries Sewer, in the amount of \$10,414.50, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 9, Submain 9, War Industries Sewer | Engineer's statement of cost of constructing Lateral 9, Submain 9, War Industries Sewer, in the amount of \$6,472.36, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 14, Submain 12, War Industries Sewer | Engineer's statement of cost of constructing Lateral 14, Submain 12, War Industries Sewer, in the amount of \$4,326.24, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 34, Westlink Sewer | Engineer's statement of cost of constructing Lateral 34, Westlink Sewer, in the amount of \$7,480.96, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 35, Westlink Sewer | Engineer's statement of cost of constructing Lateral 35, Westlink Sewer, in the amount of \$10,477.61, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 39, Westlink Sewer | Engineer's statement of cost of constructing Lateral 39, Westlink Sewer, in the amount of \$25,366.02, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Lateral 42, Westlink Sewer | Engineer's statement of cost of constructing Lateral 42, Westlink Sewer, in the amount of \$25,318.88, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Storm Water Sewer No. 85 | Engineer's statement of cost of constructing Storm Water Sewer No. 85, in the amount of \$74,516.38, read. Anderson moved that the statement of cost be approved and filed. Motion carried unanimously. |

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REPORT ON DESCRIPTION OF LANDS NECESSARY TO BE ACQUIRED to open & widen a controlled access st. beginning at a point of intersection of NL Kellogg Ave., ect.

EASEMENTS: from 1st National Bank, Trustee under J.C. Ripstra Trust & Ks. Investment Properties, Inc. filed in connection with V-0453 from Colby B. Sandlian & Josephine A. Stabler for Lateral 44, War Industries Sewer

Agreement with City & Coleman Co. on closing alley bet. 1st & 2nd St. east of St. Francis

Monthly Financial Report for Dec., 1968

Appraisers' Report in matter of acquisition of property by Eminent Domain for Lateral 11, Submain 4, S.S. No. 23

Street Lighting Resolution No. 5/69

RESOLUTION OF FINDINGS: of improving 31st Drive So. from EL Bluff Ave. to EL Navajo Lane

RESOLUTION AUTHORIZING IMPROVEMENT OF 31st Drive South from EL Bluff Ave. to EL Navajo Lane

RESOLUTION TO CREATE AND DEFINE A LATERAL SEWER DISTRICT FOR: Lateral 15, Submain 4, S.S. No. 22

SIDEWALK RESOLUTIONS: West side of McComas St. from 231.41' south of Central to 474.41' south of Central Ave.

Report from the City Engineer on description of lands necessary to be acquired to open and widen a controlled access street beginning at a point of the intersection of the NL of Kellogg Avenue and the Center Line of the Wichita Drainage Canal; thence northerly along the Wichita Drainage Canal to the center line of Seventeenth Street, presented. Anderson moved that the report be approved and filed and the City Attorney instructed to prepare the necessary ordinance. Motion carried unanimously.

Easement from the First National Bank, Trustee, under J. G. Ripstra Kansas Investment Properties, Inc., dated October 24, 1968, filed in connection with V-0453 - Vacation of Hampton Rd. in an area south of Kellogg and East of Woodlawn, described as the east 5' of the south 116' of that portion of "Englewood 2nd Addition" to Wichita, Kansas, platted as Hampton Road in Sedgwick County, Kansas, presented. Anderson moved that the easement be accepted and the City Clerk instructed to record with the Register of Deeds. Motion carried unanimously

Easement from Colby B. Sandlian and Josephine A. Stabler, dated December 23, 1968, for Lateral 44, War Industries Sewer, described as the east 10 feet of the north 204 feet of Lot 1, Block 1, Turnpike Industrial Addition, presented. Anderson moved that the easement be accepted and the City Clerk instructed to record with the Register of Deeds. Motion carried unanimously.

Agreement on closing alley between First Street and Second Street, East of St. Francis, presented. By letter dated January 14, 1969, the Coleman Company, Inc. has requested the annual extension of an agreement between the City of Wichita and the Coleman Company. Anderson moved that the annual extension be authorized. Motion carried unanimously.

Monthly Financial Report for the month of December, 1968, presented. Anderson moved that the report be received and filed. Motion carried unanimously.

Appraisers' Report in the matter of acquisition of property by Eminent Domain, Project No. C 23-63A, for Lateral 11, Submain 4, Sanitary Sewer No. 23, Case No. C-15347, Division No. 5, presented.

The District Court approved the award to landowners in the amount of \$5,413.00; allowed the three appraisers \$900.00 each for their services (Appraisers: Harold Yarnell, Mike Savina and Harold Irwin) and court costs \$19.20, making a total of \$8,132.20.

Anderson moved that the appraisers' report be received and filed and the City Treasurer authorized to deposit with the Clerk of the District Court sufficient monies to pay the amount of the awards, appraisers' fees and court costs. Motion carried unanimously.

RESOLUTION NO. 5/69

A resolution authorizing and directing the Kansas Gas and Electric Company to install and/or change certain street lights in the City of Wichita, Kansas, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.

RESOLUTION

Resolution of findings made by the Governing Body of the City of Wichita as to the advisability of improving 31st Drive South from the east line of Bluff Avenue to the east line of Navajo Lane, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.

RESOLUTION

Resolution authorizing the improvement of 31st Drive South from the east line of Bluff Avenue to the east line of Navajo Lane in accordance with the findings of the Governing Body upon the advisability of said improvement heretofore adopted; directing the City Engineer to prepare plans and specifications and to file an estimated cost of said improvement; establishing a benefit district against which the cost of the work will be charged, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.

RESOLUTION

(Lateral 15, Submain 4, Sanitary Sewer No. 22)

A resolution declaring it to be a public necessity to create and define a lateral sewer district; and directing the City Engineer of the City of Wichita to prepare and submit a description of the lands which should properly come within said sewer district, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.

RESOLUTION

A resolution declaring it necessary and ordering the construction of a four foot sidewalk on west side of McComas Street from 231.41 feet south of Central Avenue to 474.41 feet south of Central Avenue in the City of Wichita, Kansas, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.

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| <p>North side of Pawnee Ave. from W. of Grace Baptist Church Addn. to EL of Grace Baptist Church Addn.</p> | <p style="text-align: center;">RESOLUTION</p> <p>A resolution declaring it necessary and ordering the construction of a four foot sidewalk on north side of Pawnee Avenue from west line of Grace Baptist Church Addition to east line of Grace Baptist Church Addition in the City of Wichita, Kansas, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.</p> |
| <p>North Side of 16th St. from 145' east of EL of Harvard Ave. to EL of Lot 1, Trombold Addn.</p> | <p style="text-align: center;">RESOLUTION</p> <p>A resolution declaring it necessary and ordering the construction of a four foot sidewalk on north side of 16th Street from 145 feet east of east line of Harvard Avenue to east line of Lot 1, Trombold Addition in the City of Wichita, Kansas, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.</p> |
| <p>South Side of 27th St. So. from Osage Ave. to 1058.3' east of Osage Ave.</p> | <p style="text-align: center;">RESOLUTION</p> <p>A resolution declaring it necessary and ordering the construction of a four foot sidewalk on south side of 27th Street South from Osage Avenue to 1058.3 feet east of Osage Avenue in the City of Wichita, Kansas, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.</p> |
| <p>East Side of West St. from 230.8' south of Central Ave. to 473.8' so. of Central Ave.</p> | <p style="text-align: center;">RESOLUTION</p> <p>A resolution declaring it necessary and ordering the construction of a four foot sidewalk on east side of West Street from 230.8 feet south of Central Avenue to 473.8 feet south of Central Avenue in the City of Wichita, Kansas, read. Anderson moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson.</p> |
| <p>ORDINANCES CHANGING ZONING CLASSIFICATIONS OF LANDS IN CITY.</p> | <p style="text-align: center;">ORDINANCE NO. 30-366</p> <p>An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Anderson moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson. (Case No. Z-1023)</p> |
| <p>Case No. Z-1023</p> | <p style="text-align: center;">ORDINANCE NO. 30-367</p> |
| <p>Case No. Z-1063</p> | <p>An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Anderson moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Keeler, Vollmer, Woodard, Anderson (Case No. Z-1063)</p> |
| <p>FIRST READING:</p> | <p style="text-align: center;">ORDINANCE</p> |
| <p>Ord. amending Ord. No. 30-002 providing for imp. & reimp. of Lincoln St. from EL of Midland Valley RR R/W to left bank of Arkansas River</p> | <p>An ordinance amending Ordinance No. 30-002 providing for the improvement and reimpovement of Lincoln Street from the east line of the Midland Valley Railroad Right-of-way to the left bank of the Arkansas River as a main trafficway in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Ord. adopting new revision & codification of ordinances of City of Wichita, etc.</p> | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance adopting a new revision and codification of ordinances of the City of Wichita, Kansas; providing specifically for the repeal of Ordinance No. 29-656; providing generally for the repeal of certain other ordinances of the City not included therein; excepting certain general and special ordinances of the City from repeal; saving certain rights, duties, forfeitures and penalties; and providing for the construction thereof, read for the first time and under the rules laid over.</p> |
| <p>ORDINANCES AUTHORIZING CONSTRUCTION OF: Lateral 33, District 7, S.S. No. 20</p> | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance authorizing the construction of Lateral 33, District 7, Sanitary Sewer No. 20, in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Lateral 42, War Industries Sewer</p> | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance authorizing the construction of Lateral 42, War Industries Sewer, in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Lateral 44, War Industries Sewer</p> | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance authorizing the construction of Lateral 44, War Industries Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p style="text-align: center;">The Commission recessed for lunch at 12:00 Noon.</p> | |

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Anderson - re.
Item 11 - Petition
to change from "AA"
to "LC" (Z-1037)
area on south side
of 21st Street be-
tween Amidon &
Meridian

Commission reconvened from noon recess at 2:10 P.M. with Mayor Anderson in the Chair. Commissioners Enoch, Keeler, Vollmer, Woodard, present.

Mayor Anderson announced that Item 11 on the City Manager's agenda had been deferred to this time and although the item was shown as Case No. Z-1037 and DP-23 combined, he stated that the zoning application would be considered first.

Report from the Metropolitan Area Planning Commission (Case No. Z-1037) in regard to petition to change from "AA" to "LC" a tract beginning at a point 50 feet west and 400.15 feet south of the northeast corner of Government Lot one in the Northwest Quarter of Section 7, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence south parallel to the West easement line of Amidon Avenue 330 feet; thence west 675 feet to a point 730 feet south of the center line of 21st Street; thence north at right angles, 250 feet; thence west at right angles, 460 feet to a point 480 feet south of the center line of 21st Street; thence north at right angles 130 feet; thence east at right angles 460 feet; thence south at right angles 50 feet; thence east 575 feet at right angles to the point of beginning, generally located on the south side of 21st Street between Amidon and Meridian, again presented, having been returned to the Metropolitan Area Planning Commission for reconsideration at the City Commission meeting of December 31, 1968. Planning Commission recommended that this application be denied.

Anderson --

Mayor Anderson announced that those favoring the zoning request would be heard at this time.

Vincent L. Bogart--

Vincent L. Bogart, Attorney representing Clear Lakes, Inc. and H. D. Bledsoe, appeared in support of the application. He reviewed at some length the history of the actions taken relative to the matter when it was before the Planning Commission and City Commission at various times in the past, to help clarify any misunderstandings interested persons had relative to the request and to support his contention that the Commission had expressed favorable support for "LC" for this area in question at previous meetings when the matter was considered. He noted that considerable protest was generated due to the fact that notification of the pending application was sent to property owners within a 1,000 foot radius when normally only those within 200 feet are notified. He requested that the application receive the Commission's approval.

Mr. Howard B.
Scott & Mr. Earl
Van Long --

Mr. Howard B. Scott, Realtor, and Mr. Earl Van Long, property owner in southwest Wichita, also appeared in support of the request.

Charles Harris --
and other persons
who spoke in
opposition to
requested change
in zoning --

Charles Harris, Attorney representing Lakeview Development, Inc., spoke in opposition to the requested change in zoning and objected to the traffic problem which he felt would be created by the approval of this application.

Mrs. A. F. Simon, 2628 Bob White; Mr. and Mrs. Robert Shearer, 2433 Benjamin; Mrs. Dan Phelan, 2243 Cardinal Drive; and Mrs. Michael Belluomo, 2245 Bullinger Drive, also spoke in opposition to the change in zoning. Mrs. Shearer also presented petitions opposing the zone change and amendments to the CUP, said to bear 229 signatures.

Robert A. Lakin --

Robert A. Lakin, Assistant Planning Director, at the request of the Commission, pointed out on a map the undeveloped "LC" and "B" zoned property in this immediate vicinity and also along 21st Street on each side of Amidon.

Discussion.

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Mr. Scott --

In answer to inquiry by Commissioner Woodard, as to the assessed valuation of the property in subject application, it was reported by Mr. Scott that last year the valuation was \$1,500.00 under "AA" zoning.

--application requesting zoning change from "AA" to "LC" approved & Ord. placed on 1st reading

Woodard moved that the application requesting zoning change from "AA" to "LC" be approved, being Case No. Z-1037, and that the ordinance effectuating the change in zoning be placed on first reading. Motion carried 4 to 1, Enoch voting "No".

ORDINANCE

Ord. changing zoning classifications or districts of certain lands located in City of Wichita

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the first time and under the rules laid over.

Request for approval of an amendment to Marina Lake Community Unit Plan (DP-23), generally located on South side of 21st St. between Amidon & Meridian

Request for approval of an amendment to Marina Lake Community Unit Plan (DP-23), as related to property legally described as a tract beginning 75 feet west and 75 feet south of the northeast corner of the Northwest Quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M., thence south 275 feet; thence east 25 feet; thence south 1515 feet more or less thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north to the point of beginning; thence south in a southeasterly direction 90 feet more or less to a point 15 feet north to the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes Marina Lake 1st and Marina Lake 2nd Additions, and an area on the west being platted as Marina Lake 3rd Addition, generally located on the south side of 21st Street between Amidon and Meridian, presented.

Robert A. Lakin--

Robert A. Lakin, Assistant Planning Director, presented the revised Community Unit Plan and he reviewed the changes with the Commission. Mr. Lakin reviewed the staff's recommendations relative to the amendments requested by the applicant: (1) approve a gross leaseable floor area of 50% of total parcel size for each of Parcels 1 and 4; and also that the maximum height limitation of 65 feet on Parcels 1 and 4 remain, subject to limit in "LC" as provided by the City Code on Parcel 1; (2) that the requested increase in sign height from 30 to 45 feet not be approved; (3) setback be revised on the plat as noted in the report; (4) approve additional curb cut on 21st Street; (5) an additional opening on Amidon not be approved directly opposite the existing medial cut (Twin Lakes main entrance), but recommended an additional access point (an off-setting T-intersection) approximately 550 feet south of the existing medial cut with a short service road up to the property and such access be negotiated for with the City Manager upon the designation by the Board of City Commissioners, and the basis for such negotiation be the equivalent special assessments which would have been normally assessed. Also, that all costs of right-of-way needs be satisfied at the time of platting, and right-of-way requirements be limited to an outright dedication of 10 feet or more at time of platting, and that an additional 15 feet be dedicated conditionally on the basis of need by the City for building an expanded traffic facility to six traffic lanes which would re-

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quire 150-foot right-of-way, plus certain other considerations noted in the report; and (6) add a general provision that all successors and assigns to the land covered by the CUP will be subject to all conditions and limitations of the plan.

Vincent L. Bogart --

Vincent L. Bogart, Attorney representing Clear Lakes, Inc. and H.D. Bledsoe, in answer to inquiry by Mayor Anderson, stated that there was general agreement on most points enumerated by Mr. Lakin with the exception of the opening on Amidon, the 35-foot sign height limitation (which was later withdrawn), and the general provision verbage. He felt that the opening on Amidon should be directly opposite the Twin Lakes entrance and that with signalization, based on the Engineering Consultants study, that this would be feasible. Mr. Bogart inquired of Mr. Bob Kirsch, Architect for the project, of his opinion, and he felt that the entrances would be compatible and he felt this would be desirable.

Mr. Charles Harris --

Mr. Charles Harris, Attorney representing Lakeview Development, Inc., appeared and expressed objection to the increase in gross leasable area, as he felt that the traffic generation would depend upon the density of the shopping area. He pointed out that dedication of additional right-of-way by his client would be impossible on the east side of Amidon without condemnation proceedings, since Ritchie Brothers had built the service road adjacent to Amidon on the east at their own expense and there was no additional right-of-way available as they could not relocate the roadway farther east due to the lake location. With reference to the request for an opening opposite the Twin Lakes main entrances, he stated that in his opinion that would be very detrimental and would be very costly to the Twin Lakes area and also the people who helped pay for the improvement. He stated that Twin Lakes had cooperated with the City in the establishment of the existing openings and he felt that they were adequate, and he could see no reason for the City to relinquish any more control of access to either side.

Mr. Walter Williamson --
Mrs. Robert Shearer
Mrs. Michael Belluomo -- spoke
in opposition to
CUP application

Mr. Walter Williamson, Attorney representing Henry's, expressed opposition to the access point directly opposite the Twin Lakes entrance on Amidon.

Mrs. Robert Shearer, 2433 Benjamin Drive, and Mrs. Michael Belluomo, 2245 Bullinger Drive, appeared in opposition to further restriction of traffic.
Discussion.

Keeler --

Commissioner Keeler stated that he had visited the area and watched traffic movements in and out of the Twin Lakes area and he offered the following opinion and report to handle the traffic problem in this area: Amidon should definitely accommodate six lanes of moving traffic from the intersection at 21st Street to a point just north of the bridge where the ingress and egress points are opposite each other into the Clear Lakes and Twin Lakes projects, (two 12-ft. traffic lanes in both directions from 21st Street to the bridge, plus a 10-ft. lane on both sides of Amidon for right-turning traffic into both areas) and there should be no obstructions to hamper traffic movement in this 10-ft. lane all the way from 21st Street to the ingress-egress point north of the bridge on both sides of Amidon, to do otherwise with this lane would create a traffic hazard due to cars switching into the traffic-carrying lanes. The medial should extend from 21st Street to the bridge except for the left and

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right movements at the point just north of the bridge where ingress-egress has been granted; however, if necessary, the street should be widened to accommodate left-hand movement bays from both directions at this point, referring to a diagram presented by the Planning staff. The existing openings on the east side of Amidon serving the Twin Lakes area should remain permanent, including the access point to the Derby station, and no cut be allowed in the medial at this point nor at the Twin Lakes north access point which is some 350 feet south of 21st Street, nor should Clear Lakes be granted a cut in the medial at about this same point for entrance to that area by north-bound Amidon traffic. Should Clear Lakes wish a curb cut to the north of this point, there should be maintained at least 100 to 150 feet between this curb cut and the Texaco curb cut, this allowing south-bound traffic into the Texaco station and the Clear Lakes project. The one remaining curb cut on the Clear Lakes side of Amidon to equal the Twin Lakes side, would be directly opposite the main Twin Lakes entrance and for traffic reasons and hazards which would be created by cross-over traffic from one area to the other, would immediately necessitate a traffic signal. The same type of medial treatment should then occur at this location as at the south Twin Lakes-Clear Lakes opening, that is the allowance of left-turn bays for north-bound as well as south-bound Amidon traffic. In conclusion, these properties on both sides of Amidon have become valuable due to businessmen's foresight and the bridge construction as well as the continuation of McLean Boulevard to its juncture with Amidon, and he could see no wrong in allowing Wichita to grow, and he suggested that the Engineering Division draw street plans which will allow these two developments to operate competitively and peacefully, and would necessitate additional right-of-way, possibly, but it can be obtained now through platting. However, in fairness to the citizenry of our entire community these developments should bear the same costs of construction for this thoroughfare as would any other development in any other part of the City. He further suggested that the City Manager bring a report to this Commission which would re-assess the entire cost of this project from its beginning to the present time to ascertain whether the abutting property owners have paid their fair share of this improvement. He stated that he favored this street improvement to be handled immediately if we allow this CUP as presently being discussed.

Mr. Harris --

Mr. Harris again appeared and stated that since there appeared to be conflicting opinions between reports made by Burgwin and Martin and the City staff as to whether entrances directly opposite each other will work and the Commission's hesitance to accept the staff report, he suggested an alternative whereby the City Commission retain an outside expert, that Twin Lakes will pay for. He submitted the names of Ralph Clair, of VanDoren, Hazard, Stallings & Schnacke; Professor Robert Smith, Kansas State University who teaches traffic engineering; or Martin-Ashman of Chicago to make a study, or to pick anyone else they desire in the United States, that Ritchie's will pay for the study and that they will abide by the recommendations of such an expert.

Enoch --

Commissioner Enoch stated that certainly the Engineer's recommendation should be considered as there are no other streets to carry the traffic, and he felt that now having created the problem, not to take away from the Engineers the right to determine the best way of solving it, however he felt the third study was not really necessary but it was an open-minded approach on their part

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to take the third party recommendation.

Woodard -- Commissioner Woodard inquired if the CUP was passed if it would consist of six lanes as described by Commissioner Keeler in his presentation? Mr. Lakin

Mr. Lakin -- stated that presently there are two 12-ft. lanes for moving traffic with decel-acel lanes into the existing centers, and the staff would propose that this be required as a minimum on the other side also as to the accel-decel lanes. He stated that if two more moving lanes are desired that would make six, however, he did not think that had been proposed although at some point in time it would have to be considered.

Keeler -- Commissioner Keeler stated that he was not suggesting two more 12-ft. lanes.

Woodard -- Commissioner Woodard inquired what would happen if Clear Lakes was to have an access point immediately opposite Twin Lakes and there was to be a left-turn movement provided in the signalization for the cross-traffic between Clear Lakes and Twin Lakes? Paul Graves, Traffic Engineer, stated that to provide this type of signalization is extremely expensive, with signal overlay lapse and he did not believe that there was physically enough storage room south of 21st on Amidon to handle another major traffic intersection, some 500 or 600 feet to the south.

Paul Graves --

Enoch - motion failed for lack of a majority Enoch moved that in connection with the amendment to the Community Unit Plan, having to do only with the curb cut, that the staff be authorized to negotiate with the applicant on its design and location. Motion lost 3 to 2. "No" votes, Keeler, Woodard, Anderson.

Enoch -- Commissioner Enoch inquired of the City Manager how this motion could be so worded in distance requirements and locations to meet the staff recommendation, and Ralph Wulz, City Manager, furnished the information to Commissioner Enoch who provided the following motion: Enoch moved that the curb cut in question be allowed 50 feet wide to be located approximately 550 feet south of the center line of the curb cut to the east side of Amidon as a main entrance to Twin Lakes.

--substitute motion that applicant negotiate entrance with staff & return compromise in one week Anderson moved as a substitute motion that the applicant negotiate the entrance with the staff with the understanding that a majority of the Commission would desire a compromise and that it be returned in one week.

Enoch -- Commissioner Enoch stated that this placed him in an untenable position due to his previous motion and from the discussion by the Commission, it appeared that they desired the entrance to the property in question to be somewhere between the existing entrance to Twin Lakes and the entrance shown on the drawing which was approximately 550 feet south of the Twin Lakes entrance.

Keeler -- Commissioner Keeler stated there seemed to be enough opposition to the crossover from one shopping center to another and based on the fact that Clear Lakes will have to cooperate with Mr. Bledsoe in this affair, I am going to vote in favor of the entrance at some point south of the property line, wherever the staff desires it to be, somewhere between the property line and the entrance shown on the drawing.

--Comm. Keeler's remarks included in motion Anderson moved that as a part of his motion above that Commissioner Keeler's remarks on the Community Unit Plan be included as a part of his motion.

Robert Lakin -- Robert Lakin, Assistant Director of Planning, pointed out, in reply

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to a question from the Commission, that the dedication of right-of-way and the guarantees would appear at the time of platting and the medials would appear on the Community Unit Plan. Mr. Lakin further stated that he and Mr. Bogart had checked the plan and 7 should be the number of access points on 21st Street instead of 8 as shown.

During discussion between Mr. Bogart and Mayor Anderson, it was determined that Item 8, regarding a disclaimer clause on past and present tenants would be omitted from the Community Unit Plan.

Mayor Anderson's substitute motions carried unanimously.

On motion, Commission adjourned at 5:35 P.M.

William D. Anderson, Jr.
Mayor

ATTEST:
Ralph C. Eberly,
City Clerk

January 28, 1969



Wichita, Kansas, January 28, 1969
Tuesday, 9:16 A.M.

MINUTES OF THE MEETING OF THE BOARD OF CITY COMMISSIONERS

Commission met in regular session with Mayor Anderson in the chair. Commissioners Enoch, Vollmer, Woodard present. Commissioner Keeler absent.

Ralph Wulz, City Manager; Eugene Pirtle, Assistant City Attorney; Ralph C. Eberly, City Clerk, present.

Invocation by Reverend Ray Wiebe, Open Bible Mennonite Brethern Church.

Minutes of the previous meeting of January 21, 1969, presented for approval.

Commissioner Enoch stated that regarding the minutes of January 21, 1969 near the top of page 10892, Commissioner Keeler stated, "the existing openings on the east side of Amidon serving the Twin Lakes area should remain permanent, including the access point to the Derty Station", and he did not believe that Commissioner Keeler meant to make this minor street privilege permit, which is revocable, a permanent access, and he suggested that the minutes be corrected in this regard.

Woodard moved that the minutes of the previous meeting, except for so much of the minutes as pertains to the Derby access being permanent, be approved. Motion carried unanimously.

The matter of administering the Oath of Acceptance of Appointment to Mrs. Mary Kopietz who was reappointed as a member of the Board of Housing Standards and Appeals to a term to expire January 31, 1973, appeared on the Commission agenda.

Woodard moved that the City Clerk be authorized to administer the oath. Motion carried unanimously.

The City Clerk administered the oath to Mrs. Mary Kopietz, and Mayor Anderson presented her with a framed copy of her certificate of appointment.

The matter of administering the Oath of Acceptance of Appointment to Mr. Ronald J. Wilkinson who was appointed as a member of the Metropolitan Area Planning Commission to a term to expire January 31, 1973, appeared on the Commission agenda.

Vollmer moved that the City Clerk be authorized to administer the oath. Motion carried unanimously.

The City Clerk administered the oath to Mr. Ronald J. Wilkinson and Mayor Anderson presented him with a framed copy of his certificate of appointment.

Request from Dr. Richard Brazee, Jr., D.D.S., Chief of Dental Services, Wichita-Sedgwick County Department of Community Health, asking that the Commission authorize the Mayor to proclaim February 2 - 8, 1969, as "Children's Dental

Re. Minutes of meeting of Jan. 21, 1969 - near top of page 10892 concerning permanent access
--Comm. Enoch suggested that minutes be corrected in this regard

--minutes approved except portion pertaining to Derby access being permanent

Matter of administering Oath of Acceptance of Appointment to Mrs. Mary Kopietz as member of Bd. of Housing Standards & Appeals

--oath administered & framed copy of certificate presented to Mrs. Kopietz

Matter of administering Oath of Acceptance of Appointment to Mr. Ronald J. Wilkinson as member of Met. Area Planning Commission

--oath administered & framed copy of certificate of appointment presented to Mr. Wilkinson

PROCLAMATION:
Children's Dental Health Week -- February 2 - 8, 1969

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| | <p>Health Week", presented.</p> <p>Woodard moved that the Mayor be authorized to issue the proclamation. Motion carried unanimously.</p> <p>Mayor Anderson presented a signed copy of the proclamation to Dr. Brazee.</p> |
| <p>--authorized</p> | |
| <p>Appointment to Traffic Commission--</p> | <p>City Manager reported that appointment was in order to the Traffic Commission to fill one term to expire January 24, 1972. Deferred from the meeting of January 21, 1969.</p> |
| <p>deferred one week</p> <p>Minutes of Meeting of Wichita Library Board of Jan. 15, 1969</p> | <p>Mayor Anderson stated that this item would be deferred one week. Minutes of the meeting of the Wichita Library Board for January 15, 1969, presented.</p> |
| <p>--received & filed</p> | <p>Anderson moved that the minutes be received and filed. Motion carried unanimously.</p> |
| <p>Memorandum of Agreement of Cooperation and Contract for Grant-in-Aid - Neighborhood Development Program Wichita Original Town - Project No. KANS. A-5-3</p> | <p>Memorandum of Agreement of Cooperation and Contract for Grant-In-Aid - Neighborhood Development Program Wichita Original Town - Project No. Kans A-5-3, presented.</p> <p>This agreement between the City and the Urban Renewal Agency is required by the Department of Housing and Urban Development in connection with the proposed Wichita Original Town Neighborhood Development Program.</p> <p>The proposed agreement stipulates that the City of Wichita provide non-cash grants-in-aid in the total amount of \$14,539,236. The actual non-cash grants-in-aid which are enumerated in the agreement total \$15,938,832 indicating that the City of Wichita has at this time excess credits in the approximate amount of \$1,400,000.</p> <p>It will be necessary for the City Commission to adopt a resolution authorizing the execution of a cooperation agreement between the City of Wichita and the Urban Renewal Agency.</p> <p>The City Manager recommended the adoption of the resolution.</p> <p>Woodard moved that the agreement be approved and the resolution authorizing the Mayor to execute the agreement in behalf of the City be adopted. Motion carried unanimously.</p> |
| <p>--agreement approved & Resol. authorizing Mayor to execute agreement in behalf of City adopted</p> | |
| <p>Resol. authorizing execution of a Cooperation Agreement between URA & City in connection with Neighborhood Development Program known as Wichita Original Town Urban Renewal Area, Proj. No. KANSAS A-5-3 --adopted</p> | <p>RESOLUTION</p> <p>Resolution authorizing the execution of a Cooperation Agreement between the Urban Renewal Agency of the Wichita, Kansas, Metropolitan Area and the City of Wichita, Kansas, in connection with a Neighborhood Development Program known as Wichita Original Town Urban Renewal Area, Project No. Kansas A-5-3, read. Woodard moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>Agreement for Art Museum Study</p> | <p>Agreement for Art Museum Study, presented.</p> <p>The City Commission, at its meeting of January 14, 1969, adopted a resolution which authorized a feasibility study regarding a new Art Museum Building and directed the City Manager to enter into negotiations for the performance of the study at a cost not to exceed \$15,000.00.</p> <p>An agreement between the Wichita Art Museum and the Architectural Consultants (Charles F. McAfee, Architect; Platt Associates, Architects; Schaefer, Shirmmer and Eflin, Architects, Engineers and Planners; Woodman-Van Doren, Architects) has now been prepared. The agreement provides for (1) recom-</p> |

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mendations and schematic designs including plans, sketches, and cost estimates for modification and enlargement of the present Art Museum; and (2) recommendations and schematic designs including plans, sketches, and cost estimates for a new Wichita Art Museum at a site determined by the Architects.

The fee for these services will be \$12,000 with partial payment of \$6,000 on or about February 1, 1969, and final payment due on completion and delivery of the report.

Director of the Art Museum recommended approval and execution of the agreement. City Manager recommended approval of the contract subject to a maximum expenditure of \$15,000 for all services, and travel and living expenses in connection with the study.

Vollmer moved that the Mayor be authorized to execute the agreement in behalf of the City with a maximum expenditure of \$15,000 for all services, travel and living expenses in connection with the study. Motion carried unanimously.

Final Plat of Pierce Second Addition (S/D No. 66-50), located at the Southeast corner of 63rd Street South and Seneca, presented. Planning Commission recommended that this plat be approved, subject to being recorded within 30 days after approval by the City Commission. It was noted that sidewalks were not required as the plat lies outside the City limits of Wichita.

Vollmer moved that the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor authorized to sign. Motion carried unanimously.

Report from the Metropolitan Area Planning Commission (Case No. Z-1062) in regard to petition to change from "AA" to "BB" a tract beginning at a point on the west line of Woodlawn Boulevard as platted in Second Addition to Crestview Heights, Wichita, Kansas, and 1130.8 feet south of the north line of Section 12, Township 27 South, Range 1 East; thence south along the west line of said Woodlawn Boulevard 140 feet; thence west parallel with the north line of said Section 1, 267.31 feet; thence with an angle to the right of 54°00' a distance of 13.94 feet; thence east parallel with the north line of said Section 1, 352.79 feet to beginning, generally located on the west side of Woodlawn in an area south of 21st Street, presented. Planning Commission recommended that this application be approved and that the ordinance effectuating the zone change not be published until the plat has been recorded with the Register of Deeds. Associated Case: S/D 68-99 - Womers Crestview Heights Second.

Enoch moved that the recommendation of the Metropolitan Area Planning Commission be approved, the ordinance effectuating the change in zoning be placed on first reading and the City Clerk instructed to withhold publication until such time as the plat has been recorded. Motion carried unanimously.

ORDINANCE

An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the first time and under the rules laid over.

Final Plat of Womers Crestview Heights Second Addition (S/D No. 68-99), located on the southwest corner of Woodlawn and 21st Street, presented. Plan-

--Mayor authorized to execute agreement in behalf of City with maximum expenditure of \$15,000 for all services, travel & living expenses in connection with study

Final Plat of Pierce Second Addn.

--plat approved as approved by MAPC & Mayor authorized to sign

Petition to change from "AA" to "BB" tract on west side of Woodlawn in area south of 21st Street

--recommendation of MAPC approved, Ord. effectuating change in zoning placed on 1st reading & publication to be withheld until plat has been recorded

Ord. changing zoning classifications or districts of certain lands located in City of Wichita, Kansas

Final Plat of Womers Crestview Heights 2nd Addn.

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- ning Commission recommended that this plat be approved, subject to:
1. Approval of the plat is subject to the approval of the Associated Zone Case Z-1062 - "AA" to "BB".
 2. The applicant shall contact the Engineering Division of the Department of Public Works regarding the proper legal description of a utility easement which is to be granted by separate instrument, and to provide for the extension of sanitary sewer to serve subject property.
 3. Recording within 30 days after approval by the Board of City Commissioners. Associated Zone Case: Z-1062 - "AA" to "BB".

It was noted that petitions were submitted guaranteeing the installation of sanitary sewer and for the construction of a sidewalk adjacent to the west side of Woodlawn. A "certificate" was also submitted certifying the petition.

--petitions approved & necessary resolutions to be prepared; certificate & easement to be filed with Reg. of Deeds; plat approved & Mayor authorized to sign

Enoch moved that the petitions be approved and the Director of Law instructed to prepare the necessary resolutions; the City Clerk instructed to file the certificate and easement with the Register of Deeds, the publication and filing of which to be without cost to the City; and that the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor authorized to sign. Motion carried unanimously.

Easement from R.W. Womer & Joyce H. Womer

Easement from R. W. Womer and Joyce H. Womer, dated December 19, 1968, granting and conveying to the City of Wichita a perpetual right-of-way and easement for the purpose of constructing, maintaining, and repairing sewer and all other public utilities, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit: A 10 foot easement, described as commencing 1130.8 feet south of the NE corner of the NE 1/4 of Sec. 12, Twp. 27-S, R-1E; thence west parallel with the north line of said NE 1/4, 402.79 feet for a place of beginning; thence with an angle to the right of 54°00' a distance of 10 feet; thence with an angle to the left of 90°00' a distance of 213.94 feet; thence with an angle to the left of 90°00' a distance of 10 feet; thence with an angle to the left of 90°00' a distance of 213.94 feet to beginning, presented.

--substitute easement accepted & to be recorded with Register of Deeds

Enoch moved that the substitute easement be accepted and the City Clerk instructed to record with the Register of Deeds. Motion carried unanimously.

PETITION FOR SANITARY SEWER LATERAL to serve Womers Crestview Heights 2nd Addn.

Petition for sanitary sewer lateral to serve Womers Crestview Heights 2nd Addition, presented. City Manager recommended that the petition be granted. Enoch moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution, the publication of which to be without cost to the City. Motion carried unanimously.

SIDEWALK PETITION: West side of Woodlawn Blvd. from SE of Womers Crestview Heights 2nd Addn. to NL of Womers Crestview Heights 2nd Addn.

Petition for a four (4) foot sidewalk on the west side of Woodlawn Boulevard from the south line of Womers Crestview Heights 2nd Addition to the north line of Womers Crestview Heights 2nd Addition, presented. City Manager reported that this is a good petition, being signed 100% by property owners abutting the project. City Manager recommended that the petition be granted. Enoch moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution, the publication of which to be without cost to the City. Motion carried unanimously.

Report from Met. Area Planning Dept. re. failure to satisfy sidewalk requirement - S/D 65-35, McDermott Addition

Report from Metropolitan Area Planning Department regarding failure to satisfy sidewalk requirement - S/D 65-35, McDermott Addition, presented.

The report stated that this plat was approved by the City Commission

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on May 18, 1965, subject to the filing of a letter of intent guaranteeing the construction of sidewalks associated with the plat.

In April of 1967, the applicant, Mr. Jack McDermott, 3508 East Second Street was advised that the letter of intent was no longer an acceptable guarantee and should be replaced with one of the alternate means of guaranteeing the sidewalk.

Having received no response from Mr. McDermott, the MAPD recommended to the City Commission on September 19, 1967, that construction of the sidewalks be ordered. Mr. McDermott appeared before the Commission on that date and agreed to submit a petition for the necessary sidewalk.

Mr. McDermott has been sent two letters since that time requesting that an appropriate sidewalk guarantee be filed. To date no response has been received. Mr. McDermott has been advised that this matter was to be heard by the City Commission this date.

The City Manager recommended that the City Attorney be directed to prepare the necessary resolution to cause the installation of the sidewalk as required in connection with the approval of S/D 65-35.

Anderson moved that the people be notified that within two weeks if they have not complied with one of the satisfactory methods of guaranteeing a sidewalk, that the sidewalk will be ordered in. Motion carried unanimously.

Report from the Metropolitan Area Planning Department regarding failure to satisfy sidewalk requirement - S/D 65-80, Schmid Addition, presented.

The report stated that this plat was approved by the City Commission on October 25, 1966, subject to the filing of an irrevocable letter of credit guaranteeing the construction of sidewalks associated with the plat.

On August 14, 1968, the applicant, Don Schmid Motors, Inc., 5201 South Broadway, was advised that the irrevocable letter of credit was near expiration and that the Planning Department should be advised of the status of sidewalk construction. By letter dated January 13, 1968, the applicant was again requested to provide information regarding the status of the sidewalks as required as a condition of plat approval.

The applicant has not replied to the aforementioned letters and a visual inspection of the property in question revealed that new development has occurred, however, sidewalks have not been installed. The applicant has been advised that the matter would be heard by the City Commission on this date.

The City Manager recommended that the City Attorney be directed to prepare the necessary resolution to cause the installation of the sidewalks as required in connection with the approval of S/D 66-80.

Anderson moved that the people be notified that within two weeks if they have not complied with one of the satisfactory methods of guaranteeing a sidewalk, that the sidewalk will be ordered in. Motion carried unanimously.

Report from the Metropolitan Area Planning Department regarding failure to satisfy sidewalk requirement - S/D 65-3, Stackman-Gouldner Addition, presented.

The report stated that this plat was approved by the City Commission on December 21, 1965, subject to guaranteeing the construction of sidewalks associated with the plat.

On December 7, 1967, the applicant, Mr. Norman Bekemeyer, 3305 East

--people to be notified that within 2 weeks if they have not complied with method of guaranteeing sidewalk, it will be ordered in

Report from Met. Area Planning Dept. re. failure to satisfy sidewalk requirement - S/D 66-80, Schmid Addn.

--people to be notified that within 2 weeks if they have not complied with method of guaranteeing sidewalk, it will be ordered in

Report from Met. Area Planning Dept. re. failure to satisfy sidewalk requirement - S/D 65-3, Stackman-Gouldner Addition

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Douglas, was advised that the performance bond guaranteeing the sidewalk construction would expire on December 21, 1967, and that it was necessary to know the status of the sidewalk construction.

Mr. Norman Bekemeyer notified the Planning Department that he no longer had an interest in the property platted as Stackman-Gouldner Addition, and that Mr. Robert T. Feagins of Feagins and Kirsch Architects and Engineers, 6416 East Central, should be contacted regarding the sidewalk construction.

By letter dated December 12, 1967, Mr. Robert T. Feagins was informed of the sidewalk matter and was requested to expedite the fulfillment of the requirement inasmuch as Mr. Feagins was representing the developer.

On December 14, 1967, Mr. Kirsch of Feagins and Kirsch notified the Planning Department that the contract for the sidewalks had been awarded to Dondlinger and Sons Construction Company.

Recently a visual inspection of the property in question was made and it was found that the sidewalks have not been installed. Mr. Feagins has been advised that the matter would be considered by the City Commission on this date.

The City Manager recommended that the City Attorney be directed to prepare the necessary resolution to cause the installation of the sidewalk as required in connection with the approval of S/D 65-3.

Anderson moved that the people be notified that within two weeks if they have not complied with one of the satisfactory methods of guaranteeing a sidewalk, that the sidewalk will be ordered in. Motion carried unanimously.

Report from the Metropolitan Area Planning Department regarding failure to satisfy sidewalk requirement S/D 66-75, Merle Johnson Addition, presented.

The report stated that this plat was approved by the City Commission on August 9, 1966, subject to the filing of an irrevocable letter of credit guaranteeing the construction of sidewalks associated with the plat.

On July 30, 1968, the applicant, Mr. Marvin L. Niedens, 430 South Sycamore, was advised that the irrevocable letter of credit had expired and should be replaced with one of the alternate means of guaranteeing the sidewalks.

Since Mr. Niedens did not advise the Planning Department as to his intention for the construction of the sidewalks for the property in question, a letter was sent to the Southwest National Bank on October 24, 1968, informing them that the City Treasurer was to make a draft on the irrevocable letter of credit #1378, dated July 27, 1966, in the amount of \$137.00.

By letter dated January 10, 1969, the Planning Department informed Mr. Niedens that the City of Wichita was unable to make the appropriate draft on the letter of credit since an extension of time on the letter had not been received. The applicant was advised that the matter would be heard by the City Commission on this date.

The City Manager recommended that the City Attorney be directed to prepare the necessary resolution to cause the installation of the sidewalks as required in connection with the approval of S/D 66-75.

Anderson moved that the people be notified that within two weeks, if they have not complied with one of the satisfactory methods of guaranteeing a sidewalk, that the sidewalk will be ordered in. Motion carried unanimously.

Report from the Metropolitan Area Planning Department regarding

--people to be notified that within 2 weeks if they have not complied with one of methods of guaranteeing sidewalk, it will be ordered in

Report from Met. Area Planning Dept. re. failure to satisfy sidewalk requirement S/D 66-75, Merle Johnson Addn.

to be --people/notified that within 2 weeks if they have not complied with method of guaranteeing sidewalk, it will be ordered in

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Report from Met. Area Planning Dept. re. failure to satisfy sidewalk requirement S/D 66-6, Richard Dunn Addition

failure to satisfy sidewalk requirement S/D 66-6, Richard Dunn Addition, presented.

The report stated that this plat was approved by the City Commission on August 9, 1966, subject to the filing of an irrevocable letter of credit guaranteeing the construction of sidewalks associated with the plat.

On March 20, 1968, the applicant, Mr. Richard Dunn, 1345 Minisa, was advised that the irrevocable letter of credit had expired and that the letter of intent should be replaced with one of the alternate means of guaranteeing the sidewalks.

Since Mr. Dunn did not reply to the letter of March 20, 1968, a letter was sent to the Kansas State Bank on October 24, 1968, informing them that the City Treasurer was to make an appropriate draft on Mr. Dunn's Irrevocable Letter of Credit, #27-1024-2, dated May 3, 1966, in the amount of \$880.00.

By letter dated January 13, 1969, the Planning Department informed Mr. Dunn that the City of Wichita was unable to make the appropriate draft on the letter of credit since an extension of time on the letter had not been received and was again requested to file an appropriate guarantee. To date Mr. Dunn has made no response to these requests. He has been advised that this matter would be heard by the City Commission on this date.

The City Manager recommended that the City Attorney be directed to prepare the necessary resolution to cause the installation of the sidewalks as required in connection with the approval of S/D 66-6.

Anderson moved that the people be notified that within two weeks, if they have not complied with one of the satisfactory methods of guaranteeing a sidewalk, that the sidewalk will be ordered in. Motion carried unanimously.

Request from Jennings Constructors, Inc., for extension of time for completion of Fire Station No. 11, presented.

By letter dated January 7, 1969, Jennings Constructors, Inc., requested that the City Commission grant an extension without penalty from December 20, 1968, through January 20, 1969, for completion of Fire Station No. 11, which is under construction at George Washington Boulevard and Skinner Street.

The contractor cites a delay in the receipt of materials as the reason for the delay in the anticipated completion scheduled. Dwight M. Bonham, Architect, and L. D. Carney, Fire Chief, have reviewed the request and have recommended the contractor be granted the extension. City Manager concurred.

Vollmer moved that the extension of time be granted. Motion carried unanimously.

--people to be notified that within 2 weeks if they have not complied with satisfactory method of guaranteeing sidewalk, it will be ordered in

Request from Jennings Constructors, Inc., for extension of time for completion of Fire Station No. 11

--extension of time granted

DP-23 - Marina Lakes Community Unit Plan

DP-23 - Marina Lakes Community Unit Plan, generally located on the south side of 21st Street between Amidon and Meridian, again presented.

At the meeting of January 21, 1969, the City Commission considered the Marina Lakes Community Unit Plan and instructed the staff to negotiate with the applicant regarding the location and design of access on Amidon Avenue for Marina Lakes.

The Commission also requested a report regarding the possible spreading of the original Amidon construction costs as a special assessment against the abutting properties.

Ralph Wulz --

Ralph Wulz, City Manager, stated that Paul Graves, Traffic Engineer,

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would explain the location and design of the access on Amidon to Marina Lakes to the Commission, and that he had negotiated with the applicant and they were in agreement that the access to Marina Lakes could not be located any nearer the Twin Lakes entrance without placing it directly across from the Twin Lakes entrance. The applicant still desired the entrance to be located immediately across from the entrance to Twin Lakes. He further remarked that the west side of Amidon should be charged \$19,243.75 at the time access control is relinquished, which is the amount they were not charged for special assessments at the time of the negotiation for the right-of-way that granted limited access on the west side of Amidon.

Paul Graves --

Paul Graves, Traffic Engineer, displayed a map showing the entrance to Marina Lakes approximately 400 feet south of the Twin Lakes entrance and reviewed the flow of traffic, medials, left-turn bays, traffic signals and other access points to Marina Lakes and Twin Lakes with the Commission.

Ralph Wulz --

Ralph Wulz pointed out that the signals proposed by the Traffic Engineer for the access to Twin Lakes and the access to Marina Lakes would be placing a signal at an access to private property and this would be a policy matter for the City Commission as we have no installation of signals of this kind in the City of Wichita, to his knowledge. He stated that at this time, Amidon between the bridge and 21st Street is being reconstructed with the installation of medials, left turn bays and curb setbacks. This would require a change in those construction plans. Commissioner Keeler last week stated that there should not be any curved curbs in the accel-decel lane on the west side of Amidon and that he would agree as far south from 21st Street as the Marina Lakes access point but to the south of this point he would still favor that the decel-access lane be curved into the adjoining moving lane.

Vincent Bogart --

Vincent Bogart, Attorney representing Mr. Bledsoe, stated that at the time he appeared to negotiate with the City Manager on this matter, he was shown the drawing with the access as shown on the map about 400 feet south of the Twin Lakes entrance and that he agreed with Mr. Wulz that to move the access point any further to the north would create more traffic problems than if the access point to Marina Lakes was opposite the Twin Lakes access. Also, the City is desirous of additional right-of-way along the west^{side} of Amidon and his client is willing, at no cost, to furnish this additional right-of-way at the time of platting, but he still desires the access point to be across from the Twin Lakes access. He suggested that the access to Marina Lakes be signalized and placed opposite the Twin Lakes entrance and that access be given as a minor street privilege for 3 years from the time of opening of Marina Lakes. In the event that it does not work, that his client would be agreeable to moving the entrance to Marina Lakes as shown on the map and would pay the expenses necessary for the move and this, he thinks, is the only way to test the method of handling the traffic recommended by the Traffic Engineer and Burgwin and Martin. To install the access further to the south would mean it would be permanent and could never be moved due to the cost of filling the lake and other expenses made necessary by this change.

Charles Harris --

Charles Harris, Attorney representing Twin Lakes, objected to the access to Marina Lakes being across from the Twin Lakes access and stated that

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to approve this access as a minor street privilege, it would no doubt be permanent in time once it was installed, it would not be moved in all probability.

The Commission recessed at 11:10 A.M.

The Commission reconvened at 11:30 A.M.

Mr. Levitt -- Mr. Levitt, one of the owners of Henry's, stated that he went to the Twin Lakes Store about twice a week and to exit from the Twin Lakes west entrance and turn left going south onto Amidon, is very dangerous, even at this time.

Dean Ritchie -- Dean Ritchie, representing Twin Lakes, objected to the entrance to Marina Lakes being placed directly across from Twin Lakes, either on a permanent or a temporary basis.

As an accommodation to amended access needs of applicant, new proposed opening for Marina Lakes development to be positioned approx. 400' south of Twin Lakes entrance, that cost of changes in plans & construction of curb, paving & medials be assessed to applicant & that proper share of costs of original construction in amt. of \$19,243.75 be paid by applicant

Commissioner Vollmer stated that as an accommodation to the amended access needs of the applicant, he would move that the new proposed opening for the Marina Lakes development be positioned approximately 400 feet south of the Twin Lakes entrance, that the cost of changes in plans and construction of curb, paving and medials be assessed to the applicant and that the proper share of costs of the original construction in the amount of \$19,243.75 be paid by the applicant.

Commissioner Vollmer stated, in reply to a question from Mayor Anderson, that he believed the proper share of the original construction costs on the east side should be assessed at a time when they are seeking an additional access.

Commissioner Enoch stated that he felt that the additional construction cost on the east side would have to be taken care of at the time that additional access is requested and that would be his intent.

Eugene Pirtle -- Eugene Pirtle, Assistant City Attorney, stated, in reply to a question from the Commission, that there was no way for the City to pay for the installation of traffic signals accommodating a private drive and he believed that both property owners should be aware of this condition.

Ralph Wulz -- Ralph Wulz stated, in reply to a question from Commissioner Woodard, that the payment for the proper share of the original construction costs on the east side should be paid at the time of platting because the plat would indicate giving up the limited access that was previously acquired by the City.

Anderson -- Commissioner Vollmer's motion carried 3 to 1, Anderson voting "No". Mayor Anderson stated that he voted "No" because while he believed in the assessment, that it should be collected at the same time from both sides and that he really believed that the entrances should be across from each other.

Report from City Engineer re. acquisition of r/w for Lincoln Street Dam

Report from the City Engineer regarding acquisition of right-of-way for the Lincoln Street Dam, presented.

The report stated that the owner of the property located at the north-west corner of the intersection of Lincoln and Waco (1147 South Waco Avenue), Mr. Fred Stith, had agreed to the pre-appraisal price of \$12,750 for this property. The agreed possession date of the property will be April 1, 1969. The pre-appraiser was Mr. Herman Oakes.

The Director of Public Works recommended that the Department of Law be authorized to complete the negotiated purchase. City Manager concurred.

Anderson moved that the Director of Law be authorized to complete the negotiation. Motion carried unanimously.

PETITION FOR SANITARY SEWER LATERAL to serve property between Hydraulic Ave. & Pennsylvania Ave. from 10th St. to 250' North of 10th Street

Petition for sanitary sewer lateral to serve the property between Hydraulic Avenue and Pennsylvania Avenue from 10th Street to 250 feet north of 10th Street, presented. City Manager recommended that the petition be granted.

Anderson moved that the petition be granted and the Director of Law instructed to prepare the necessary resolution. Motion carried unanimously.

SIDEWALK PETITION: North side of Central Ave. from 150 ft. east of Caddy Lane to 250 ft. east of Caddy Lane

Petition for a four (4) foot sidewalk on the north side of Central Avenue from 150 feet east of Caddy Lane to 250 feet east of Caddy Lane, presented. City Manager reported that this is a good petition, being signed 100% by property owners abutting the project. City Manager recommended that the petition be granted. Anderson moved that the petition be granted and the Director of Law

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instructed to prepare the necessary resolution, the publication of which to be paid by the applicant, S/D 66-98 - Lark Lane Addition. This petition replaces the original guarantee of construction of sidewalk which has expired. Motion carried unanimously.

CITY CLERK'S AGENDA:

City Clerk's Agenda

Mayor Anderson announced that the City Clerk's agenda would be considered as a consensus agenda, and Item 20 was withdrawn.

Item 20 withdrawn

Enoch moved that Items 1 through 30 on the City Clerk's agenda, except Item 20, be approved in accordance with the recommended actions shown thereon. Motion carried unanimously.

All other items approved in accordance with recommended actions shown thereon

City Mgr. - Bids

City Manager reported that at 10:00 A.M., Monday, January 27, 1969, pursuant to advertisements published, bids were received, publicly opened, read aloud and tabulated by the Board of Bids and Contracts on the following:

Valves for Water Department

6 - 20" Butterfly Valves with mechanical joint ends
 8 - 16" Butterfly Valves with mechanical joint ends
 For Water Department - As Per Specifications
 F.O.B. Meter Shop
 1701 Sim Park Drive, Wichita, Kansas
 (Bids were received and taken under advisement on January 20, 1969.
 Deferred from January 20, 1969.)
 (Ref: Bid analysis report attached to Bd. of Bids minutes of 1/27/69)

Contract to Henry Pratt Co.

The Board of Bids and Contracts recommended that the contract be awarded to Henry Pratt Company on its net total bid of \$11,346.00, same being the lowest and best bid meeting specifications. Enoch moved that the recommendation of the Board of Bids and Contracts be approved. Motion carried unanimously.

Hose for Fire Department

5,000 Feet - 2 1/2 inch Cotton-Dacron Double Jacketed Fire Hose rubber lined with rocker lug couplings
 2,000 Feet - 1 1/2 inch Cotton-Dacron Double Jacketed Fire Hose rubber lined with rocker lug couplings
 1,000 Feet - 1 inch Booster Hose, braided construction weather resistant, smooth red cover with Bar-way chrome plated couplings
 For Fire Department - As Per Specifications
 F.O.B. Fire Station No. 2
 Lewis and Topeka, Wichita, Kansas
 (Ref: Bid analysis report attached to Bd. of Bids minutes of 1/27/69)

Contract to Kansas Fire Equipment Co.

The Board of Bids and Contracts recommended that the contract be awarded to Kansas Fire Equipment Company on its net total bid of \$6,742.40, same being the lowest and best bid meeting specifications. Enoch moved that the recommendation of the Board of Bids and Contracts be approved. Motion carried unanimously.

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| BOND AND CONTRACT: Utility Contractors Inc. | Bond and Contract of Utility Contractors, Inc., covering construction of Lateral 42, War Industries Sewer, presented. Approved as to form by the City Attorney. Enoch moved that the bond and contract be approved and filed and the Mayor authorized to sign the contract for the City of Wichita. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|----------------------|--|--|----------------|----------------|-------------------|------------|--|--|-----------------|-----------|------------------|-------------|----------------|---------------|------------------|---------------|----------------|------------------|------------------------|-----------------|------------|------------|---------------------|-----------------|----------------|----------------------|--------------------|---------------|---------------------|-------------------|-----------------|-----------------|---------------|--------------------------|-----------------|
| BONDS: Air Conditioning, Refrig., etc. Bond of Jack Hyde, d/b/a Hyde Heating & Air Conditioning Co. | Air Conditioning, Refrigeration and/or Warm Air Heating Contractor's Bond of Jack Hyde, doing business as Hyde Heating and Air Conditioning Company, written in the Fireman's Fund Insurance Company, in the amount of \$2,000.00, dated January 17, 1969, presented. Approved as to form by the City Attorney. Enoch moved that the bond be approved and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Drain Layer's Bond of Robert A. Ruud | Drain Layer's Bond of Robert A. Ruud, written in the United Pacific Insurance Company, in the amount of \$2,000.00, dated January 22, 1969, presented. Approved as to form by the City Attorney. Enoch moved that the bond be approved and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOTICES OF CANCEL- LATION: Cement Contractor's Bond of Robert L. Loveland, d/b/a Loveland Const. Co. | Notice of Cancellation of Cement Contractor's Bond of Robert L. Loveland, doing business as Loveland Construction Co., written in the Mid-Century Insurance Company, in the amount of \$2,000.00, dated October 25, 1967, presented. Enoch moved that the notice of cancellation be received and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cement Contractor's Bond of Melvin Ervin | Notice of Cancellation of Cement Contractor's Bond of Melvin Ervin, written in the Maryland Casualty Company, in the amount of \$2,000.00, dated January 31, 1968, presented. Enoch moved that the notice of cancellation be received and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CERTIFICATES OF INSURANCE: Binder for Insurance of Liability of Quality Chevrolet Co. | Binder for/ Insurance of Quality Chevrolet Company, written in the Pacific Indemnity Company, for a period to expire January 31, 1969, filed in connection with construction of and maintenance of 3" electrical conduit going under Pennsylvania Street, presented. Approved as to form by the City Attorney. Enoch moved that the certificate of insurance be received and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Frank Kluckner, d/b/ Great Plains Tree Service | Certificate of Insurance of Frank Kluckner, doing business as Great Plains Tree Service, written in the Royal Globe Insurance Companies, for a period to expire January 28, 1970, filed in connection with pest control license, presented. Approved as to form by the City Attorney. Enoch moved that the certificate of insurance be received and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES: | <p>The following applications for licenses to retail cereal malt beverages, presented:</p> <table border="1"> <thead> <tr> <th>RENEWAL, 1969:</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>J. B. Crawford</td> <td>The Honky Tonk</td> <td>3515 West Douglas</td> </tr> <tr> <td>NEW, 1969:</td> <td></td> <td></td> </tr> <tr> <td>Irene Rodriguez</td> <td>Johnnies!</td> <td>2113 N. Broadway</td> </tr> <tr> <td>L. E. Kahre</td> <td>The Bunk House</td> <td>1021 W. Harry</td> </tr> <tr> <td>Connie J. Archer</td> <td>Suburban Club</td> <td>3222 S. Seneca</td> </tr> <tr> <td>Valentine Miller</td> <td>Rosin Pot Barbeque Pit</td> <td>9609 E. Kelloug</td> </tr> <tr> <td>Irene Doll</td> <td>The Shanty</td> <td>814 East Second St.</td> </tr> <tr> <td>James W. Faxton</td> <td>Kwik Shop #767</td> <td>1050 W. 47th St. So.</td> </tr> <tr> <td>Charles W. Sanders</td> <td>Tiki Ti House</td> <td>2135 W. 21st Street</td> </tr> <tr> <td>Delbert I. Wilson</td> <td>The Draft Board</td> <td>4200 So. Seneca</td> </tr> <tr> <td>Pat E. Durkee</td> <td>Hanover House Restaurant</td> <td>8300 E. Kelloug</td> </tr> </tbody> </table> <p>Police files reflect no records to disqualify the applicants and there are no churches or schools within 300 feet of the establishments. The Police Department has approved the applications and the Legal Department has approved them as to form. Enoch moved that the applications be approved and filed and the License Collector instructed to issue the proper licenses. Motion carried unanimously.</p> | RENEWAL, 1969: | | | J. B. Crawford | The Honky Tonk | 3515 West Douglas | NEW, 1969: | | | Irene Rodriguez | Johnnies! | 2113 N. Broadway | L. E. Kahre | The Bunk House | 1021 W. Harry | Connie J. Archer | Suburban Club | 3222 S. Seneca | Valentine Miller | Rosin Pot Barbeque Pit | 9609 E. Kelloug | Irene Doll | The Shanty | 814 East Second St. | James W. Faxton | Kwik Shop #767 | 1050 W. 47th St. So. | Charles W. Sanders | Tiki Ti House | 2135 W. 21st Street | Delbert I. Wilson | The Draft Board | 4200 So. Seneca | Pat E. Durkee | Hanover House Restaurant | 8300 E. Kelloug |
| RENEWAL, 1969: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| J. B. Crawford | The Honky Tonk | 3515 West Douglas | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NEW, 1969: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Irene Rodriguez | Johnnies! | 2113 N. Broadway | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| L. E. Kahre | The Bunk House | 1021 W. Harry | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Connie J. Archer | Suburban Club | 3222 S. Seneca | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Valentine Miller | Rosin Pot Barbeque Pit | 9609 E. Kelloug | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Irene Doll | The Shanty | 814 East Second St. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| James W. Faxton | Kwik Shop #767 | 1050 W. 47th St. So. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Charles W. Sanders | Tiki Ti House | 2135 W. 21st Street | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Delbert I. Wilson | The Draft Board | 4200 So. Seneca | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pat E. Durkee | Hanover House Restaurant | 8300 E. Kelloug | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| -- approved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PLANS, SPECIFICATIONS & PRELIMINARY ESTIMATES: CONSTRUCTING: Lateral 11, Submain 4, S.S. No. 23 | Plans, specifications and preliminary estimate of the cost of constructing Lateral 11, Submain 4, Sanitary Sewer No. 23, in the amount of \$16,281.20, read. Enoch moved that the plans, specifications and preliminary estimate be approved and filed and the City Clerk instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 A.M., Monday, February 3, 1969. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lateral 69, Submain 4, S.S. No. 23 | Plans, specifications and preliminary estimate of the cost of constructing Lateral 69, Submain 4, Sanitary Sewer No. 23, in the amount of \$11,513.00, read. Enoch moved that the plans, specifications and preliminary estimate be approved and filed and the City Clerk instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 A.M., Monday, February 3, 1969. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ESTIMATES: First Partial Estimate in favor of Mid-States Const. Co. Inc. | First Partial Estimate in favor of Mid-States Construction Company, Inc. for constructing Lateral 1, Wesley Interceptor Sewer, in the amount of \$29,189.00, read. Enoch moved that the first partial estimate be approved and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Final Estimate in favor of Globe Const. Co., Inc. | Final Estimate in favor of Globe Construction Company, Inc. for improving Reca Court from the south line of Irving Avenue to and including Cul-de-sac, in the amount of \$2,901.50, read. Enoch moved that the final estimate be approved and filed. Motion carried unanimously. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

COMMISSIONERS PROCEEDINGS

10906

January 28, 1969

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| <p>Final Estimates in favor of Mid-States Const. Co., Inc.</p> | <p>Final Estimates in favor of Mid-States Construction Company, Inc., covering: Constructing Storm Water Sewer No. 80 \$10,581.68 Constructing Lateral 52, Submain 17, Sanitary Sewer No. 22 6,379.83 read. Enoch moved that the final estimates be approved and filed. Motion carried unanimously.</p> |
| <p>Final Estimates in favor of Mid-Kansas Const. Co., Inc.</p> | <p>Final Estimates in favor of Mid-Kansas Construction Company, Inc., covering: Paving Ponderosa Street from the west line of Wilbur Lane to the WL of Dunsworth Avenue \$ 1,693.61 Improving the East Half of Waddington Avenue from the SL of Block 5, Western Gardens, to the NL of Block 1, Western Gardens 4,723.22 read. Enoch moved that the final estimates be approved and filed. Motion carried unanimously.</p> |
| <p>Final Estimates in favor of Ritchie Const. Co., Inc.</p> | <p>Final Estimates in favor of Ritchie Construction Company, Inc., covering: Improving Caddy Lane from the NL of 12th St. to the SL of 13th St.; 12th St. from the WL of Lot 4, Block 3, Westlink Village 8th Addn., to the EL of Westlink Village 8th Addn.; Briarwood Ave. from the EL of Caddy Lane to the SL of Lot 4, Block 2, Westlink Village 8th Addn.; and Paterson Ave. from the NL of 12th St. to the SL of Lot 4, Block 2, Westlink Village 8th Addn. \$21,619.55 Improving Gouverneur Court - Lots 19, 20, and 21, Block 3, Eastlink Village 2nd Addn. 1,091.78 Improving Pagent Lane from the EL of Block 2, Rockwood 5th Addn., to the NL of Lot 1, Block 4, Rockwood 6th Addn.; Pagent Lane from the EL of Live Oak Lane to the WL of Rock Road; Live Oak Lane from the EL of Burr Oak Road to the SL of Pagent Lane; Burr Oak Road from the WL of Lot 11, Block 4, Rockwood 6th Addn., to the SL of Pagent Lane; Burr Oak Court, in Block 2, Rockwood 6th Addn.; and Huntington Ave. from the EL of Block 2, Rockwood 5th Addn., to the WL of Lot 11, Block 4, Rockwood 6th Addn. 16,577.23 Improving the South Side of 21st Street from the WL of Lot 2, Marina Lake, to the center line of Amidon Ave. and the West Side of Amidon Ave. from the center line of 21st Street to a point 400 feet south of the center line of 21st Street. 3,716.13 read. Enoch moved that the final estimates be approved and filed. Motion carried unanimously.</p> |
| <p>STATEMENTS: from Eby & Co., a Joint Venture for Civic Cultural Center</p> | <p>Statement from Eby and Company, a Joint Venture, Certificate No. 36, for Auditorium Complex, Civic Cultural Center, in the amount of \$34,938.90, read. Approved for payment by Director of Community Facilities and the Project Architect. Enoch moved that the statement be approved and filed. Motion carried unanimously.</p> |
| <p>from Empire Equipment Co. - Civic Cultural Center</p> | <p>Statement from Empire Equipment Company covering Furnishings and Equipment - Phase II, Auditorium Complex, Civic Cultural Center, in the amount of \$2,609.76, read. Approved for payment by Director of Community Facilities and the Project Architect. Enoch moved that the statement be approved and filed. Motion carried unanimously.</p> |
| <p>from Building Specialties & Equipment Co., Inc. - Civic Cultural Center</p> | <p>Statement from Building Specialties and Equipment Company, Inc., covering Furnishings and Equipment - Phase II Auditorium Complex, Civic Cultural Center, in the amount of \$6,272.00, read. Approved for payment by Director of Community Facilities and the Project Architect. Enoch moved that the statement be approved and filed. Motion carried unanimously.</p> |
| <p>from Bauman Business Interiors, Inc. - Civic Cultural Center</p> | <p>Statement from Bauman Business Interiors, Inc., covering Furnishings & Equipment - Phase II, Auditorium Complex, Civic Cultural Center, in the amount of \$24,481.74, read. Approved for payment by Director of Community Facilities and Project Architect. Enoch moved that the statement be approved and filed. Motion carried unanimously.</p> |
| <p>from R. A. Davenport Interiors - Civic Cultural Center</p> | <p>Statement from R. A. Davenport Interiors, covering Furnishings and Equipment - Phase II, Auditorium Complex, Civic Cultural Center, in the amount of \$5,741.50, read. Approved for payment by Director of Community Facilities and Project Architect. Enoch moved that the statement be approved and filed. Motion carried unanimously.</p> |
| <p>from School & Park Supply Co., Inc. - Civic Cultural Center</p> | <p>Statement from School and Park Supply Company, Inc., covering Furnishings and Equipment - Phase II Auditorium Complex, Civic Cultural Center, in the amount of \$9,705.19, read. Approved for payment by Director of Community Facilities and Project Architect. Enoch moved that the statement be approved and filed. Motion carried unanimously.</p> |

January 28, 1969

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| from Goldsmith's, Inc. - Civic Cultural Center | Statement from Goldsmith's, Inc., covering Furnishings and Equipment, Phase II, Auditorium Complex, Civic Cultural Center, in the amount of \$3,152.74, read. Approved for payment by Director of Community Facilities and Project Architect. Enoch moved that the statement be approved and filed. Motion carried unanimously. |
| STATEMENTS OF COST: IMPROVING: Caddy Lane from NL 12th St. to SL 13th St., etc. | Engineer's Statement of cost of improving Caddy Lane from the NL of 12th Street to the SL of 13th Street; 12th Street from the WL of Lot 4, Block 9, Westlink Village 8th Addition, to the EL of Westlink Village 8th Addition; Briarwood Avenue from the EL of Gaddy Lane to the SL of Lot 4, Block 2, Westlink Village 8th Addition; and Peterson Avenue from the NL of 12th Street to the SL of Lot 4, Block 2, Westlink Village 8th Addition, in the amount of \$66,927.33, read. Enoch moved that the statement of cost be approved and filed and the City Clerk to have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| East Half of Eastern Ave. from SL Manson-Cummings Addn. to SL Weaver-Reinold Add | Engineer's Statement of cost of improving the East Half of Eastern Avenue from the SL of Manson-Cummings Addition to the SL of Weaver-Reinold Addition, in the amount of \$7,576.50, read. Enoch moved that the statement of cost be approved and filed and the City Clerk to have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| Gouverneur Court - Lots 19, 20 & 21, Blk. 3, Eastlink Village 2nd Addn. | Engineer's Statement of cost of improving Gouverneur Court - Lots 19, 20, and 21, Block 3, Eastlink Village 2nd Addition, in the amount of \$3,714.15, read. Enoch moved that the statement of cost be approved and filed and the City Clerk to have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| Pagent Lane from EL Blk. 2, Rockwood 5th Addn. to NL Lot 1, Blk. 4, Rockwood 6th Addn., etc. | Engineer's Statement of cost of improving Pagent Lane from the east line of Block 2, Rockwood 5th Addition, to the NL of Lot 1, Block 4, Rockwood 6th Addition; Pagent Lane from the EL of Live Oak Lane to the WL of Rock Road; Live Oak Lane from the EL of Burr Oak Road to the SL of Pagent Lane; Burr Oak Road from the WL of Lot 11, Block 4, Rockwood 6th Addition, to the SL of Pagent Lane; Burr Oak Road, in Block 2, Rockwood 5th Addition; and Huntington Avenue from the EL of Block 2, Rockwood 5th Addition, to the WL of Lot 11, Block 4, Rockwood 6th Addition, in the amount of \$68,900.56, read. Enoch moved that the statement of cost be approved and filed and the City Clerk to have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| Incidental drainage in connection with improving Pagent Lane from EL Blk. 2, 2, Rockwood 5th Add. to NL Lot 1, Blk. 2 Rockwood 6th Add., etc. | Engineer's Statement of cost of constructing incidental drainage in connection with improving Pagent Lane from the EL of Block 2, Rockwood 5th Addition, to the NL of Lot 1, Block 2, Rockwood 6th Addition; Pagent Lane from the EL of Live Oak Lane to the WL of Rock Road; Live Oak Lane from the EL of Burr Oak Road to the SL of Pagent Lane; Burr Oak Road from the WL of Lot 11, Block 4, Rockwood 6th Addition, to the south line of Pagent Lane; Burr Oak Court, in Block 2, Rockwood 6th Addition, and Huntington Avenue from the EL of Block 2, Rockwood 5th Addition, to the WL of Lot 11, Block 4, Rockwood 6th Addition, in the amount of \$11,871.90, read. Enoch moved that the statement of cost be approved and filed and the City Clerk to have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| Reca Court from SL Irving Ave. to & including Cul-de-sac | Engineer's Statement of cost of improving Reca Court from the south line of Irving Avenue to and including Cul-de-sac, in the amount of \$14,571.80, read. Enoch moved that the statement of cost be approved and filed and the City Clerk to have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| East Half of Waddington Ave. from SL Blk 5, Western Gardens to NL Blk. 1, Western Gardens | Engineer's Statement of cost of improving the East Half of Waddington Avenue from the south line of Block 5, Western Gardens, to the north line of Block 1, Western Gardens, in the amount of \$13,367.95, read. Enoch moved that the statement of cost be approved and filed and the City Clerk have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| South Side of 21st St. from WL Lot 2, Marina Lake to CL Amidon Ave. & West Side of Amidon Ave. from CL of 21st St. to point 400' so. of CL of 21st St. | Engineer's Statement of cost of improving the South Side of 21st Street from the WL of Lot 2, Marina Lake, to the center line of Amidon Avenue, and the West Side of Amidon Avenue from the center line of 21st Street to a point 400 feet south of the center line of 21st Street, in the amount of \$10,392.64, read. Enoch moved that the statement of cost be approved and filed and the City Clerk to have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| Constructing Storm Water Sewer No. 80 | Engineer's Statement of cost of constructing Storm Water Sewer No. 80, in the amount of \$50,000.00, read. Enoch moved that the statement of cost be approved and filed and the City Clerk have prepared and filed a proposed assessment roll. Motion carried unanimously. |
| ENGINEER'S STATEMENT OF COST: PAVING: Alley between Emporia Ave. & St. Francis Ave. from NL Elm St. to SL Pine St. | Engineer's statement of cost of excavating and paving the Alley between Emporia Avenue and St. Francis Avenue from the north line of Elm Street to the south line of Pine Street with Concrete Pavement, in the amount of \$7,079.25, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously. |
| Alley between Mosley Ave. & Washington Ave. from NL 18th St. to SL 19th St. | Engineer's statement of cost of excavating and paving the Alley between Mosley Avenue and Washington Avenue from the north line of 18th Street to the SL of 19th Street with Concrete Pavement, in the amount of \$6,930.72, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously. |

COMMISSIONERS PROCEEDINGS

10908

January 28, 1969

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| <p>Cardinal Drive from NL Benjamin Drive to SL Redbud Lane</p> | <p>Engineer's statement of cost of excavating, constructing curb and gutter, and paving Cardinal Drive from the north line of Benjamin Drive to the south line of Redbud Lane with Asphaltic Concrete Pavement, in the amount of \$26,438.54, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Emerson Ave. from WL Wilbur Lane to WL Dunsworth Ave.</p> | <p>Engineer's statement of cost of excavating, constructing curb and gutter, and paving Emerson Avenue from the west line of Wilbur Lane to the west line of Dunsworth Avenue with Asphaltic Concrete Pavement, in the amount of \$12,967.41, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Florence Ave. from NL Harry St. to NL Monroe St.</p> | <p>Engineer's statement of cost of excavating, constructing curb and gutter, and paving Florence Avenue from the north line of Harry Street to the north line of Monroe Street, in the amount of \$21,711.66, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Gouverneur Rd. from NL Zimmerly St. to SL Bayley St.</p> | <p>Engineer's statement of cost of excavating, constructing curb and gutter, and paving Gouverneur Road from the north line of Zimmerly Street to the south line of Bayley Street with Asphaltic Concrete Pavement, in the amount of \$9,176.26, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Grand Ave. from EL Barlow St. to WL Gouverneur Rd.</p> | <p>Engineer's statement of cost of excavating, constructing curb and gutter, and paving Grand Avenue from the east line of Barlow Street to the west line of Gouverneur Road with Asphaltic Concrete Pavement, in the amount of \$11,900.07, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Jewell St. from EL Elizabeth Ave. to WL Seneca St.</p> | <p>Engineer's statement of cost of excavating, constructing curb, and paving Jewell Street from the east line of Elizabeth Avenue to the west line of Seneca Street with Concrete Pavement, in the amount of \$29,408.43, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Monroe St. from EL Florence St. to WL West St.</p> | <p>Engineer's statement of cost of excavating, constructing curb, and paving Monroe Street from the east line of Florence Street to the west line of West Street with Concrete Pavement, in the amount of \$19,594.76, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Ponderosa St. from WL Wilbur Lane to WL Dunsworth Ave.</p> | <p>Engineer's statement of cost of excavating, constructing curb and gutter, and paving Ponderosa Street from the west line of Wilbur Lane to the west line of Dunsworth Avenue with Asphaltic Concrete Pavement, in the amount of \$6,579.90, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Wilbur Lane from NL Ponderosa St. to SL Emerson Ave.</p> | <p>Engineer's statement of cost of excavating, constructing curb and gutter, and paving Wilbur Lane from the north line of Ponderosa Street to the south line of Emerson Avenue with Asphaltic Concrete Pavement, in the amount of \$17,437.39, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>20th St. from EL Old Manor Rd. to WL Parkwood Lane</p> | <p>Engineer's statement of cost of excavating, constructing curb, and paving 20th Street from the east line of Old Manor Road to the west line of Parkwood Lane with Concrete Pavement, in the amount of \$7,455.99, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>STATEMENTS OF COST (Prepared by Controller) in connection with acquisition of R/W for Lateral 18, Submain 4, S.S. No. 23 R/W for Lateral 19, Submain 4, S.S. No. 23 Opening & widening of Nevada Ave., 2nd St. to 3rd St.</p> | <p>Statement of Cost, prepared by Controller, in connection with acquisition of right-of-way for Lateral 18, Submain 4, Sanitary Sewer No. 23, in the amount of \$14,675.00, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Easement from Rockborough, Inc. granting City perpetual right to repair water lines across property of Rockborough, Inc.</p> | <p>Statement of Cost, prepared by Controller, in connection with acquisition of right-of-way for Lateral 19, Submain 4, Sanitary Sewer No. 23, in the amount of \$10,815.00, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p>Easement from Wood Plaza Addn., Inc. granting to City perpetual right to repair water line across property of Wood Plaza Addn. Inc.</p> | <p>Statement of Cost, prepared by Controller, in connection with opening and widening of Nevada Avenue, 2nd Street to 3rd Street, in the amount of \$2,485.00, read. Enoch moved that the statement of cost be approved and filed. Motion carried unanimously.</p> |
| <p></p> | <p>Easement from Rockborough, Inc. dated January 16, 1969, granting to the City of Wichita the perpetual right to construct, operate, maintain and repair water lines across property of Rockborough, Inc., which is on the east side of Rock Road and approx. 275 ft. north of Douglas Avenue, presented. Enoch moved that the easement be received and filed and the City Clerk instructed to record with the Register of Deeds. Motion carried unanimously.</p> |
| <p></p> | <p>Easement from Wood Plaza Addition, Inc., dated December 4, 1968, granting to the City of Wichita perpetual right to construct, operate, maintain and repair water lines across property of Wood Plaza Addition, Inc., which is on the south side of Harry Street and on the east side of Roosevelt Avenue, presented. Enoch moved that the easement be received and filed and the City Clerk instructed to record with the Register of Deeds. Motion carried unanimously.</p> |

January 28, 1969

Quit Claim Deed from City to Rich Smith covering transfer of property described as Lot 1, Blk. 8 Country Acres

Quit Claim Deed from the City of Wichita, Kansas, to Rich Smith, covering transfer of property described as Lot 1, Block 8, Country Acres, presented. This property was previously approved for sale by the City Commission and was sold by open bid for a total of \$130.00. Enoch moved that the deed be received and the Mayor authorized to sign the Quit Claim Deed on behalf of the City. Motion carried unanimously.

The following appraisers' reports, presented:

Appraisers Reports:

PAVING:

Alley between Woodlawn & Mission from NL Castle Drive to SL Lincoln Street
Beaumont Street from EL Farmstead to WL Siefkin
Bluff Avenue from SL Colonial Park 2nd Addition to SL 31st Street South
Castle Drive from WL Mission Road to and including Cul-de-sac
Clay Street from EL Lot 5, Block 4, Eastridge Park Addition to and including Cul-de-sac
Dougherty Avenue from NL 11th Street to SL 12th Street
Elizabeth Avenue, regardless of protest, from NL Harry Street to SL Orient Boulevard

Kansas Avenue from CL 52nd Street South to SL Idlewild Street
Kessler Avenue from SL 18th Street to SL 17th Street
Navajo Lane from EL Bluff Avenue to CL Lot 5, Block 2, McCarty 2nd Addition
Navajo Lane from CL Lot 5, Block 2, McCarty 2nd Addition to NL 31st Drive South
Siefkin from NL of 17th Street to NL of Beaumont Street
Westlawn Street from EL West Dale Drive to WL West Street
31st Street from EL Pierpoint Acres to WL Amidon Avenue

IMPROVING AND REIMPROVING AS MAJOR TRAFFIC STREETS:

Tyler Road from SL Maple Street to 700 feet north of NL Central Avenue
13th Street from WL River Boulevard to WL Bitting Avenue
21st Street from WL Meridian Ave. to WL Lot 2, Marina Lake Addition

CONSTRUCTION OF SEWERS:

Lateral 27, District T, Sanitary Sewer No. 20
Lateral 31, District T, Sanitary Sewer No. 20
Lateral 14, Submain 4, Sanitary Sewer No. 22
Lateral 157, Submain 5, Sanitary Sewer No. 22
Lateral 30, Submain 10, Sanitary Sewer No. 22
Lateral 31, Submain 10, Sanitary Sewer No. 22
Lateral 23, Submain 17, Sanitary Sewer No. 22
Lateral 46, Submain 17, Sanitary Sewer No. 22
Lateral 52, Submain 17, Sanitary Sewer No. 22
Lateral 20, Submain 4, Sanitary Sewer No. 23
Lateral 67, Submain 4, Sanitary Sewer No. 23
Lateral 26, Submain 5, Sanitary Sewer No. 23
Lateral 5, Glenville Sewer
Lateral 7, Glenville Sewer
Lateral 5, Southwest Main
Lateral 14, Southwest Main
Lateral 10, Submain 9, War Industries Sewer
Sub-Lateral 1, Lateral 12, Submain 12, War Industries Sewer
Lateral 3, Submain 16, War Industries Sewer
Lateral 45, Westlink Sewer
Lateral 47, Westlink Sewer
Lateral 9, Submain 1, Westlink Sewer
Submain 2, Westlink Sewer
Storm Water Sewer No. 82
Storm Water Sewer No. 83
Storm Water Sewer No. 84
Storm Water Sewer No. 86

Pumping Station - to serve area between Hood Avenue and Little Arkansas River from 23rd Street South to Little Arkansas River (District T, S.S. No. 20)

ACQUIRING RIGHT-OF-WAY TO CONSTRUCT:

Lateral 31, District T, Sanitary Sewer No. 20
Lateral 23, Submain 17, Sanitary Sewer No. 22
Lateral 46, Submain 17, Sanitary Sewer No. 22

--rec'd & Special Session set for Feb. 11, 1969

Report from Police & Traffic Courts for Month of Dec., 1968

Enoch moved that the reports be received and a Special Session set for 9:00 A.M., Tuesday, February 11, 1969, to hear complaints, if any, as to the valuations fixed by the appraisers. Motion carried unanimously.

Report from the Police and Traffic Courts for the Month of December, 1968, presented:

| | December, 1968 | November, 1968 |
|---------------|----------------|----------------|
| Police Court | \$ 7,020.35 | \$ 7,509.59 |
| Traffic Court | 72,381.37 | 75,493.53 |
| | \$79,401.72 | \$83,003.12 |

Enoch moved that the report be received and filed. Motion carried unanimously.

The Personnel Policy and Procedure Manual presented.

Personnel Policy & Procedure Manual - rec'd & filed.

Enoch moved that the Manual be received and filed. Motion carried unanimously.

COMMISSIONERS PROCEEDINGS

January 28, 1969

10910

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| <p>RESOLUTION TO ACQUIRE certain private property in City of Wichita for opening & widening Pawnee Ave. from W. Hillside Ave. to W. Oliver St.</p> | <p>RESOLUTION A resolution declaring it necessary to acquire certain private property in the City of Wichita, Kansas, for the purpose of opening and widening Pawnee Avenue from the west line of Hillside Avenue to the west line of Oliver Street and directing the City Engineer to cause a survey to be made of the land required for such improvement, read. Enoch moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>SIDEWALK RESOLUTIONS: West side of Grove Ave. from 200' north of CL of 21st St. to 330' no. of CL of 21st St.</p> | <p>RESOLUTION A resolution declaring it necessary and ordering the construction of a four foot sidewalk on south side of Grove Avenue from 200 feet north of center line of 21st Street to 330 feet north of center line of 21st Street in the City of Wichita, Kansas, read. Enoch moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>South side of Central Ave. from E. of Westridge Drive to 104' east of E. of Westridge Dr.</p> | <p>RESOLUTION A resolution declaring it necessary and ordering the construction of a four foot sidewalk on south side of Central Avenue from east line of Westridge Drive to 104 feet east of east line of Westridge Drive in the City of Wichita, Kansas, read. Enoch moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>East Side of Westridge Drive from S. of Central Ave. to 136.5' no. of S. of Central Ave.</p> | <p>RESOLUTION A resolution declaring it necessary and ordering the construction of a four foot sidewalk on east side of Westridge Drive from south line of Central Avenue to 136.5 feet south of south line of Central Avenue in the City of Wichita, Kansas, read. Enoch moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>East Side of Armour Drive from Kellogg Dr. to N. of Lot 2, Rockwood So. 3rd Adn.</p> | <p>RESOLUTION A resolution declaring it necessary and ordering the construction of a four foot sidewalk on east side of Armour Drive from Kellogg Drive to north line of Lot 2, Rockwood South 3rd Addition in the City of Wichita, Kansas, read. Enoch moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>North side of Kellogg Dr. from Armour Dr. to E. of Lot 2, Rockwood So. 3rd Adn.</p> | <p>RESOLUTION A resolution declaring it necessary and ordering the construction of a four foot sidewalk on north side of Kellogg Drive from Armour Drive to east line of Lot 2, Rockwood South 3rd Addition in the City of Wichita, Kansas, read. Enoch moved that the resolution be adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>Ord. authorizing & directing City of Wichita to acquire a tract of land in Sedgewick County, Ka. for Ferroloy Foundry, Inc.; authorizing & directing issuance of \$250,000.00 principal amount of Industrial Revenue Bonds, etc.</p> | <p>ORDINANCE NO. 30-368 An ordinance authorizing and directing the City of Wichita, Kansas, to acquire a tract of land in Sedgewick County, Kansas, for industrial development purposes; authorizing the payment of the cost of purchasing, constructing and equipping an industrial building thereon; authorizing and directing the issuance of \$250,000.00 principal amount of Industrial Revenue Bonds of said City for the purpose of paying the cost of purchasing, constructing and equipping such industrial facility; prescribing the form and details of said Industrial Revenue Bonds; providing for the collection, segregation and application of the revenues of such facility for the purposes authorized by law; pledging said facility and the net revenues from said facility to secure such bonds; providing for a trustee and prescribing the powers and duties of such trustee; and prescribing the form and authorizing the execution of a lease and agreement by and between said City as landlord and Ferroloy Foundry, Inc., as tenant, and the Easton Manufacturing Company, Inc., as guarantor, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| <p>ORD. CHANGING ZONING CLASSIFICATION OF LANDS IN CITY: Case No. Z-1037</p> | <p>ORDINANCE NO. 30-369 An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Anderson moved that the ordinance be placed upon its passage and adopted. and publication to be withheld until plat has been recorded. Motion carried. Yeas: Vollmer, Woodard, Anderson. Nays: Enoch. (Case # Z-1037)</p> |
| <p>Case No. Z-1055</p> | <p>ORDINANCE NO. 30-370 An ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson. (Case No. Z-1055)</p> |

January 28, 1969

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| Ord. vacating N-S alley extending from NL of 21st St. to Lot 29, Blk. DD, Audrey Matlock Heights 2nd Addn. | <p style="text-align: center;">ORDINANCE NO. 30-371</p> <p>An ordinance vacating the north-south alley extending from the north line of 21st Street to the south line of Lot 29, Block DD, Audrey Matlock Heights, Second Addition, Wichita, Sedgwick County, Kansas, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| Ord. relating to benefits obtainable by cities under program for Federal & State Aid on Highway Construction | <p style="text-align: center;">ORDINANCE NO. 30-372</p> <p>An ordinance relating to benefits obtainable by cities under the program for Federal and State Aid on Highway Construction, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| Ord. adopting a new revision & codification of ordinances of the City of Wichita | <p style="text-align: center;">ORDINANCE NO. 30-373</p> <p>An ordinance adopting a new revision and codification of ordinances of the City of Wichita, Kansas; providing specifically for the repeal of Ordinance No. 29-656; providing generally for the repeal of certain other ordinances of the City not included therein; excepting certain general and special ordinances of the City from repeal; saving certain rights, duties, forfeitures and penalties; and providing for the construction thereof, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| Ord. amending Ord. No. 30-002 providing for Imp. & Reimp. of Lincoln St. from EL of Midland Valley RR R/W to left bank of Arkansas River | <p style="text-align: center;">ORDINANCE NO. 30-374</p> <p>An ordinance amending Ordinance No. 30-002 providing for the improvement and reimpovement of Lincoln Street from the east line of the Midland Valley Railroad Right-of-way to the left bank of the Arkansas River as a main trafficway in the City of Wichita, Kansas, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| ORDINANCES AUTHORIZING CONSTRUCTION OF: Lateral 33, District 1, S.S. No. 20 | <p style="text-align: center;">ORDINANCE NO. 30-375</p> <p>An ordinance authorizing the construction of Lateral 33, District T, Sanitary Sewer No. 20, in the City of Wichita, Kansas, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| Lateral 42, War Industries Sewer | <p style="text-align: center;">ORDINANCE NO. 30-376</p> <p>An ordinance authorizing the construction of Lateral 42, War Industries Sewer, in the City of Wichita, Kansas, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| Lateral 44, War Industries Sewer | <p style="text-align: center;">ORDINANCE NO. 30-377</p> <p>An ordinance authorizing the construction of Lateral 44, War Industries Sewer in the City of Wichita, Kansas, read for the second time. Enoch moved that the ordinance be placed upon its passage and adopted. Motion carried unanimously. Yeas: Enoch, Vollmer, Woodard, Anderson.</p> |
| Ord. granting a franchise to Air Capital Cablevision, Inc. (Second Reading) | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance of the City of Wichita, Kansas, granting a franchise to Air Capital Cablevision, Inc., a Kansas Corporation, to construct, operate and maintain a Community Antenna Television System within the City of Wichita, Kansas, read for the second time and under the rules laid over.</p> |
| FIRST READING Ord. providing for acquisition by eminent domain for purpose of opening & widening Lincoln St. from Arkansas River to Emporia | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance providing for the acquisition by eminent domain of certain private property, easements and rights-of-way therein, for the purpose of opening and widening Lincoln Street from the Arkansas River to Emporia, in the City of Wichita, Sedgwick County, Kansas, designating the lands required for such purpose and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken providing for payment of the cost thereof, read for the first time and under the rules laid over.</p> |
| Ord. amending Ord. No. 30-203 (apportioning & assessing cost of construction of pumping station) | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance amending Ordinance No. 30-203, an ordinance apportioning and assessing the cost of construction of a pumping station in the City of Wichita, Kansas, and otherwise confirming said ordinance except as herein amended, read for the first time and under the rules laid over.</p> |
| Ord. amending Ord. No. 30-183 (apportioning & assessing cost of construction of Lateral 25, Submain 4, S.S. No. 23) | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance amending Ordinance No. 30-183, an ordinance apportioning and assessing the cost of construction of Lateral 25, Submain 4, Sanitary Sewer 23 in the City of Wichita, Kansas, and otherwise confirming said ordinance except as herein amended, read for the first time and under the rules laid over.</p> |
| ORDINANCES APPORTIONING & ASSESSING COST OF PAVING: alley between Emporia Ave. & St. Francis Ave. from NL Elm St. to SL of Pine St. | <p style="text-align: center;">ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating and paving the Alley between Emporia Avenue and St. Francis Avenue from the north line of Elm Street to the south line of Pine Street in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |

COMMISSIONERS PROCEEDINGS

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January 28, 1969

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| <p>Alley between Mosley Ave. & Washington Ave. from NL 18th St. to SL 19th St.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating and paving the Alley between Mosley Avenue and Washington Avenue from the north line of 18th Street to the south line of 19th Street in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Cardinal Dr. from NL Benjamin Dr. to SL Redbud Lane</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and gutter and paving Cardinal Drive from the north line of Harry Street to the south line of Redbud Lane in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Emerson Ave. from NL Wilbur Lane to WL Dunsworth Ave.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and gutter and paving Emerson Avenue from the west line of Wilbur Lane to the west line of Dunsworth Avenue in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Florence Ave. from NL Harry St. to NL Monroe St.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and gutter and paving Florence Avenue from the north line of Harry Street to the north line of Monroe Street in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Gouverneur Rd. from NL Zimmerly St. to SL Bayley St.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and gutter and paving Gouverneur Road from the north line of Zimmerly Street to the south line of Bayley Street in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Grand Ave. from EL Barlow St. to WL Gouverneur Rd.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and gutter and paving Grand Avenue from the east line of Barlow Street to the west line of Gouverneur Road in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Jewell St. from EL Elizabeth Ave. to WL Seneca St.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and paving Jewell Street from the east line of Elizabeth Avenue to the west line of Seneca Street in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Monroe St. from EL Florence St. to WL West St.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and paving Monroe Street from the east line of Florence Street to the west line of West Street in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Ponderosa St. from WL Wilbur Lane to WL of Dunsworth Ave.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and gutter and paving Ponderosa Street from the west line of Wilbur Lane to the west line of Dunsworth Avenue in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Wilbur Lane from NL Ponderosa St. to SL Emerson Ave.</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and gutter and paving Wilbur Lane from the north line of Ponderosa Street to the south line of Emerson Avenue in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>20th St. from EL Old Manor Rd. to WL Parkwood Lane</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of excavating, constructing curb and paving 20th Street from the east line of Old Manor Road to the west line of Parkwood Lane in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>SEWER: Lateral 11, S.S. No. 1</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 11, Sanitary Sewer No. 1 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| <p>Lateral 12, S.S. No. 1</p> | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 12, Sanitary Sewer No. 1 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |

January 28, 1969

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| Lateral 11, District R, S.S. No. 20 | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 11, District R, Sanitary Sewer No. 20 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 12, District R, S.S. No. 20 | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 12, District R, Sanitary Sewer No. 20 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 186, Submain 5, S.S. No. 22 | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 186, Submain 5, Sanitary Sewer No. 22 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 18, Submain 4, S.S. No. 23 | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 18, Submain 4, Sanitary Sewer No. 23 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 19, Submain 4, S.S. No. 23 | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 19, Submain 4, Sanitary Sewer No. 23 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 43, War Industries Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 43, War Industries Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 11, Submain 8, War Industries Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 11, Submain 8, War Industries Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 9, Submain 9, War Industries Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 9, Submain 9, War Industries Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 14, Submain 12, War Industries Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 14, Submain 12, War Industries Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 34, Westlink Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 34, Westlink Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 35, Westlink Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 35, Westlink Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 39, Westlink Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 39, Westlink Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Lateral 42, Westlink Sewer | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Lateral 42, Westlink Sewer in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Storm Water Sewer No. 85 | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of construction of Storm Water Sewer No. 85 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |
| Acquisition of R/W for Lateral 18, Submain 4, S.S. No. 23 | <p>ORDINANCE</p> <p>An ordinance apportioning and assessing the cost of acquisition of right-of-way for Lateral 18, Submain 4, Sanitary Sewer No. 23 in the City of Wichita, Kansas, read for the first time and under the rules laid over.</p> |

COMMISSIONERS PROCEEDINGS

10914

January 28, 1969

ORDINANCE

Acquisition of R/W for Lateral 19, Submain 4, S.S. No. 23

An ordinance apportioning and assessing the cost of acquisition of right-of-way for Lateral 19, Submain 4, Sanitary Sewer No. 23 in the City of Wichita, Kansas, read for the first time and under the rules laid over.

ORDINANCE

Opening & widening of Nevada Ave. from NL 2nd St. to SL 3rd St.

An ordinance apportioning and assessing the cost of opening and widening of Nevada Avenue from north line of 2nd Street to south line of 3rd Street in the City of Wichita, Kansas, read for the first time and under the rules laid over.

ITEM 20

ITEM 20

ORDINANCE

Ord. amending Title 6 of Code of City pertaining to animal control & protection

An ordinance amending Title 6 of the Code of the City of Wichita, Kansas, pertaining to animal control and protection and amending and repealing Sections 6.04.040, 6.04.050, 6.04.060, 6.04.070, 6.04.080, 6.04.100, 6.04.110, 6.04.120, 6.04.130, 6.04.140, 6.04.150, 6.12.101, 6.12.090, 6.12.080, 6.12.050, 6.12.070, and 6.12.080 of said Title 6 of the Code of the City of Wichita, Kansas, read for the second time.

Woodard moved that ord. be stricken from agenda. Motion carried.

Woodard moved that the ordinance be stricken from the agenda. Motion carried 3 to 1. Enoch voting "NO".

Comm. Woodard suggested that Mr. Aiken submit similar Ord. that does not contain items relating to felines

Commissioner Woodard suggested that Mr. Aiken bring back to the Commission an ordinance similar to the one proposed that does not contain those items relating to felines.

On motion, Commission adjourned at 12:22 P.M.

William D. Anderson, Jr.
Mayor

ATTEST:
Ralph C. Eberly
City Clerk

February 13, 1969

Robert Feldner, Supt. of Central Inspection
Jack H. Galbraith, Senior Planner

DP-23 - Amendment to the Marina Lake Community Unit Plan

The Board of City Commissioners at their regular meetings of January 21 and January 28, 1969, approved an amendment to the above captioned community unit plan which is known as Marina Lakes. Attached for your information and files is a copy of the approved final plan. It is still necessary that platting occur and prior to the issuance of building permits it may be advisable to check with our office due to the fact that this case is somewhat complicated. I will be happy to furnish any information that your office might need in the future to assist in the administration of this development.

JHG:js

Attachment

February 6, 1969

Mr. Vincent L. Bogart
Attorney at Law
501 One Twenty Building
Wichita, Kansas 67202

Subject: DP-23 - Marina Lake
Community Unit Plan

Dear Mr. Bogart:

I am sending, along with copies of this letter, a marked up Marina Lake Development CUP print to both Mr. Feagins and Mr. Korber for their use in revising the CUP plan and for guidance in developing the plats currently being considered. I believe all the language conforms to that contained in the various staff reports and as approved by the governing body. I have also marked on the medial construction configuration as now exists along 21st Street, and as was the configuration proposed and agreed on for Amidon.

There were two items which I discussed with Mr. Feagins and Mr. Korber concerning the plats. This includes, one, the creation and addition to the CUP of a reserve for the area south of Parcel 1 which would connect the south entrance to Parcel 1 with a specific indication that this area is to be used for access and entrance to Parcel 1. My idea on this is to make it abundantly clear to those administering this CUP that it was the intent of the governing body that there be the connection to Parcel 1 even though the area is zoned "AA". The other item which was discussed with me was the establishment of a 60 or 65 ft. setback for Parcel 4. During that discussion when I thought it possible that we would still have to send back a motion for the City Commission to approve Marina Lake, that it would be easiest to simply amend the 80 to a 60 or 65 ft. line to conform to Parcel 1 to the east. However, since the minutes have been corrected and the approval firmly given on the plan as submitted as of that time, I do not

Mr. Vincent L. Bogart
February 6, 1969
Page 2

believe this is now possible. I have discussed this with the Director, and we do not feel that an additional interpretation of 80 to 60 falls within the general intent of an interpretative matter. It would still be possible I assume, however, in your replat of this area to approach the Planning Commission and have them approve a 60 ft. platted setback line thus overriding the CUP. I believe this was done in the first instance when the 100 ft. setback was reduced to 80 under a platting procedure.

The detailing for the medials shown on the marked copies of the Community Unit Plan are subject to review and further detailing from plans on file in the Office of the City Engineer. I have also discussed with Dick Linn of the City Engineer's office, the additional right-of-way needs. As I understand Commissioner Keeler's position, that there should be two full moving lanes plus a continuous accel-decel lane, and that there should not be consideration given at this time to the theoretical six moving lanes plus accel-decel lanes. Thus only an additional ten feet of right-of-way would be needed from a point 350 feet south of the center line of 21st, south to the south line of the south access on Parcel 6.

Would you please have the appropriate corrections made on the CUP plan and provide us with five additional new copies so that we may place them in the appropriate administrative files for future reference and action. This letter is also to authorize the preparation of a preliminary plat for the re-platting of Parcels 1, 4 and, if you deem it desirable, Parcel 5. We would ask that the right-of-way for Amidon be included as a part of the plat in the same fashion as Marina Lake First Addition, or that separate dedications be provided at the time these plats are finalized out. If there are any additional items that need to be discussed either by the architect, engineer, or yourself, please call.

Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:js

Mr. Vincent L. Bogart
February 6, 1969
Page 3

cc: Robert T. Feagins
6572 E. Central
Wichita, Kansas 67206

Mr. William Korber
Baughman Company
2522 E. Kellogg
Wichita, Kansas 67211

Mr. H. D. Bledsoe
11800 West Highway 54
Wichita, Kansas 67209

January 10, 1969

Mr. Vincent L. Bogart
Attorney
501 One Twenty Building
Wichita, Kansas 67202

Dear Mr. Bogart:

Re: Case No. Z-1037 and DP-23

The Planning Commission, at its regular meeting of January 9, 1969, reconsidered the above zoning case and Community Unit Plan referred to it by the City Commission. The Planning Commission recommended denial of the zoning application and considered the Community Unit Plan, making a motion that in the event the City Commission desires to approve a light commercial zoning, as they had indicated on December 31, that the Community Unit Plan should provide for an access point approximately 550 feet south of the Twin Lakes main entrance.

This case will be forwarded to the Board of City Commissioners on January 21, 1969 for their consideration. As soon as we have the minutes available for yesterday's meeting, I will give you a call.

Sincerely,



Robert A. Lakin
Assistant Planning Director

RAL:ber

cc: List shown on
next page

Mr. H. D. Bledsoe
11800 West Highway 54
Wichita, Kansas 67209

Mr. and Mrs. Michael Belluomo
2245 Bullinger
Wichita, Kansas 67204

Mrs. Lee Sosebee
2508 Amidon
Wichita, Kansas 67204

Charles Harris, Attorney
830 First National Bank Building
Wichita, Kansas 67202

Mrs. Dan Phelan
2243 Cardinal
Wichita, Kansas 67204

Mrs. Xellis H. Wilkinson
2434 Benjamin Drive
Wichita, Kansas 67204

Mrs. Robert Shearer
2433 Benjamin Drive
Wichita, Kansas 67204

Mrs. A. F. Simon
2628 Bob White
Wichita, Kansas 67204

City Grants Zoning for Marina Area

By DOLORES QUINLIK
Eagle Staff Writer

Light commercial zoning on an additional seven acres at the proposed Marina Lakes Shopping Center, 21st and Amidon, was approved Tuesday by Wichita city commissioners in a 4-1 vote. Commissioner Donald Enoch cast the only dissenting vote.

Final approval of the zoning change came over recommendations of the planning and traffic staffs and Metropolitan Area Planning Commission (MAPC) to deny the request. It also came despite protests by residents in the area and by owners of the Twin Lakes Shopping Center.

City commissioners delayed for a week a final decision on location of an additional access road to the new shopping center on Amidon.

THEY DIRECTED the planning staff to negotiate with the applicant on location of the additional curb cut and then bring the matter back before the commission next week.

The commissioners ruled out the applicant's request to place the access road opposite the main entrance to the Twin Lakes Shopping Center.

City Approves Zoning Area in Marina Lakes

★ From Page 1

They directed the staff to negotiate for placement of the curb cut south of the applicant's southern property line.

APPLICANT IN the zoning request was H. D. Bledsoe, MAPC member, who leased the area from the owner, Clear Lakes Inc. He has light commercial zoning on eight other acres in the development.

Bledsoe had been charged with conflict of interest in the zoning case but denied there was anything unethical in a MAPC member making a zoning request. He had not voted on the application when it was before the MAPC and absented himself during discussions on the change.

The city commission approved the remainder of Bledsoe's application for amendments to the Community Unit Plan for the Marina Lakes area, with certain limitations recommended by the planning staff.

DURING THE meeting, Vincent Bogart, attorney for Bledsoe and Clear Lakes Inc., withdrew his applicants' request to increase the height of signs in the area from the usual 30 feet to 45 feet.

The commission decided not to approve one planning staff recommendation that details of medial strips and width of driveways be deleted from revised drawings of the CUP. Action also was withheld on approving a general provision to the amended CUP, binding present owners, their successors and lessees of the land to provisions of the CUP unless amended.

Although Mayor William Anderson Jr. attempted to limit discussions on the zoning request "to new information that may be available," the session lasted nearly four hours Tuesday afternoon.

BOGART ASKED to clear up previous references that MAPC and the city commission both had been opposed to zoning requests of Marina Lakes when originally proposed in February 1967.

He said at that time, the applicant was asking for 1,500 feet of light commercial — all the way along Amidon from 21st to the bridge. Original action of MAPC, he said, was to ask that the applicant amend its CUP to include less commercial area. The applicant declined to do so at that time and asked that the request be sent on to the city commission.

Bogart said the city commission sent it back to MAPC for reconsideration, saying it felt

the area was "a proper commercial area, keeping in mind the traffic." He said the application was turned down without prejudice, with the recommendation that an amended application would be heard by MAPC.

WHEN IT WENT back to the commission, three commissioners at first voted to approve the full 1,500 feet of light commercial, Bogart said. A four-fifths vote was required because of protests and the commission finally denied the request, he added.

"One of the reasons you have a lot of protest here today is because opposition has been organized," Bogart said. "This is the first zoning case that notices were sent out within 1,000 feet of the applicant's area." (The usual is 200 feet, he said.)

He contended proposed building in the development "will raise the tax base much more than any additional cost it will cause to this area."

HOWARD SCOTT, speaking for the Marina Lakes development, asked that the zoning be granted. "We have two or three national tenants very interested in locating in this property."

It really was "ladies day" at the city commission, as a succession of female residents of the area took the podium to protest the zoning change. In a good-humored manner, they took turns making piercing verbal thrusts at the commissioners.

One, Mrs. Robert Shearer, 2433 Benjamin Drive, put each commissioner on the "hot seat" by asking each in turn an individual question.

SHE ALSO presented petitions, signed by 229 persons in the neighborhood, protesting any increase of light commercial zoning at the intersection.

"We're very disappointed with the Sunset Strip development that already has gone in along 21st in the Marina Lakes area," she said. "We have our own little shacks."

DP.23
Mrs. A. F. Simon, 2628 Bob White Road, said "traffic experts have agreed" that the 21st and Amidon intersection will break down with the increasing traffic load put upon it.

"MCLEAN (AMIDON) was designed as a traffic artery," she said. "when left turns are granted, it interrupts the flow of traffic."

Residents in the area are "violently opposed to being asked to rebuild streets that were only done four years ago," she added.

Main objection to the zoning change has been the prediction that increased traffic generated by additional commercial development will create traffic problems severe enough to cripple businesses.

Charles Harris, attorney for Twin Lakes Shopping Center, said if the Marina Lakes area was allowed to put an access road in directly across Amidon from the main Twin Lakes entrance, "literally millions of dollars worth of damage will be done to Twin Lakes."

It was indicated that the only way to handle the resulting traffic snarls at the entrances would be to install traffic signals.

CITY TRAFFIC Engineer Paul Graves said signals at the location, only some 500 feet south of the 21st and Amidon intersection, would not work.

City Commissioner Walt Keeler expressed concern that the commission, having granted the zoning request, must take action to handle the traffic problem created in the area.

He asked the city staff to study the street and make immediate provisions to allow for six moving lanes of traffic, including right turn lanes all the way from the Amidon bridge north to 21st, as well as left turn bays at the access roads.

ATTACHMENT #1-C

10. Case No. DP-23 - Clear Lakes, Inc., et al. request approval of an amendment to Marina Lake CUP, as related to property legally described as follows: DP-23 - A tract beginning 75 feet west and 75 feet south of the northeast corner of the northwest quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M.; thence south 275 feet; thence east 25 feet; thence south 1515 feet more or less; thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north to the point of beginning; thence south in a southeasterly direction 90 feet more or less to a point 15 feet north to the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes Marina Lake 1st and Marian Lake 2nd Additions, and an area on the west being platted as Marina Lake 3rd Addition. Generally located on the south side of 21st Street between Amidon and Meridian.

LAKIN commented that if the City Commission does approve the zoning as requested in Case No. Z-1037, they would still want the benefit of the Planning Commission's recommendations as to CUP amendments. He pointed out the revised plan as submitted to the Department and Commissioners since the preparation of the written report, stating that some of the items have been agreed on as acceptable between the staff and the applicant's architect. The written report is as follows:

It would seem that by action of the City Commission, the question of relating the intensity of land use through zoning to public facilities (e.g., the capacity of the intersection) is moot. Therefore, the staff comments will be primarily related to the Community Unit Plan provisions. Several of the proposals for change have been discussed over the telephone with the applicant, but as of the time of writing, no revised plan has been submitted. Although we might normally wait to schedule such a case before MAPC until we had revised copies of the CUP, the applicant requested this case be considered at the earliest possible date and, thus, the regular notices to adjacent property owners were mailed for your January 9, 1969 meeting.

As requested by the applicant in his original application, the following recommendations are made:

1. Request to eliminate the requirement of a maximum height and maximum gross leaseable area for Parcels 1 and 4.

The applicant agreed, after the first MAPC hearing, to 45% maximum gross leaseable area. His attorney, at the Board of City Commissioners meeting, amended this to 50% of tract area. Although this is higher than most shopping centers are constructed, it is the range of approvals given in the past. It should be recognized that this type of condition is not wholly, or even primarily, directed to open space preservation but, rather, directed to how intensely the site may be used and, therefore, predicts some affect that it might have on adjacent areas.

Recommendation

Approve a gross leaseable floor area of .50 of total parcel size for each of Parcels 1 and 4.

The height requirement is indirectly controlled by the gross leaseable space and ground coverage requirement. However, with CUP control, height may go to 80 feet at the new setback lines, plus 2 feet higher for each additional foot of setback. If the purpose of the "LC" is for a shopping center, then a height control should be established. There has been an indication that height limitation for the main structure would be satisfactory at the height contained in the original plan (65 feet) if accessory uses, such as radio tower, could be allowed the height normally standard in "LC".

Recommendation

Add the following to Parcel 1:

"Maximum height limitation 65 feet except for structures allowed in Section 28.04.187-2, which shall be limited to the height limit in "LC"."

Add the following to Parcel 4:

"Maximum height limitation 65 feet."

2. Request that sign heights be increased from 30 to 45 feet.

As indicated in the original staff report, we see no reason to increase the height, however, increased sign heights have been common to East 54. They have, it seems, given rise to a series of exceptions, each designed to screen out the effects of signs erected previously. Signs in other shopping centers in this area, to our knowledge, do not exceed 30 feet.

Recommendation

Not approve the request, or; if the Commission desires to approve the request under the general provisions, amend to read:

- "1. Sign Control: Advertising signs shall be permitted adjacent to Amidon Street and the east 1,500 feet of 21st Street and shall not exceed 30 feet in height, except for Parcel 1, two signs on Amidon, and one sign on 21st may be erected not to exceed 45 feet; and except for Parcel 4, one sign may be erected not to exceed 45 feet."

NOTE: Board of City Commissioners approval is still required for each sign of this height under the technical sign code.

3. Request a revised setback along 21st Street between Parcel 1 and Parcels 2 and 3. and along Amidon.

Due to the type of development on 21st (smaller free-standing structures) and the existing setbacks on Amidon immediately to the east.

Recommendation

The drawing of the plan should show:

- A 60-foot setback (110 feet from center line) from 21st on Parcels 1 and 4.
- Removal of inter-parcel setbacks between Parcel 1 and Parcels 2 and 3.
- 80-foot setback (130 feet from center line) from Amidon.

NOTE: There are greater setbacks already platted as part of Marina Lake 2nd Addition and, thus, these lots will have to be replatted to reflect the above recommendations.

4. Request for one additional access to 21st Street.

The current construction of 21st Street establishes the level of control now needed with respect to left turns and medial breaks. One additional curb cut appears to be satisfactory in the area of Parcels 1 and 2.

Recommendation

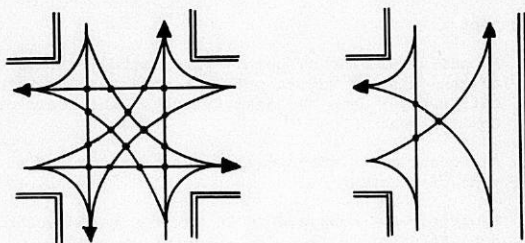
Approve one additional curb cut on 21st, making a total of 7.

NOTE: The plat of Marina Lakes 2nd Addition will have to be replatted to reflect the above recommendation. It is suggested that rather than, "Complete access control except for 2 and 1 opening respectively for Parcels 4 and 1 (Lots 2 and 1), that "Complete access control, except for 4 openings" be established on the replat for the combined frontage of Parcels 4 and 1.

5. Request for an additional opening on Amidon.

The City Traffic Engineer has recommended that an additional opening not be approved if this opening is to be directly opposite the existing medial cut (approximately 560 feet south of 21st Street). Assuming the additional "LC" is granted and an additional access point is to be granted, the most efficient layout would be an offsetting T-intersection approximately 550 feet south of the existing T-intersection. (This was described as Case II in the "Burgwin & Martin" report on the original Marina Lakes application.) Although this does not open directly on the land now requesting rezoning, a short service road could provide the same level of access to the west and allow a more efficient operation on Amidon. A sketch of such a proposal will be available at the Planning Commission meeting. An earlier proposal to have a service road connection extend to the south entrance (just off the bridge) was rejected after further analysis, as the potential loading for left turns (for the amount of "LC" being considered) will exceed the storage available at this point.

The dual opposite main entrances will, in the opinion of the City's staff, create problems which cannot be handled well, even with signalization. The basic problem is handling the potential points of conflict and stoppage of the flow of traffic to free these conflicts. A three-way, or T-intersection, has only 3 primary points of conflict.



Thus, two T-intersections will be much easier to handle than one four-way, providing sufficient spacing is allowed between them to allow for traffic progression when signalization occurs.

Since the City purchased access rights along this side of Amidon by an agreement, which provided that the construction and fencing costs which would normally be assessed to the west, would be paid for by the City at large, access so required would have to be reacquired by negotiation with the City. If access is to be granted by the Board of City Commissioners, they should authorize the City Manager to negotiate for its release. It is assumed that such negotiations will be based around the equivalent special assessment which would be \$19,243.75.

One additional policy decision remains. Should the City begin to seek the right-of-way necessary to build six moving lanes with medials, plus accel-decel lanes? If so, 150 feet of right-of-way is needed for optimum design. Only 100 feet exists south of 21st Street, except at the intersection. It is not anticipated that the other commercial areas in the vicinity will be resubmitted to MAPC or BCC for reconsideration in the near future. Thus, the additional 25 feet needed would most likely have to be condemned in all other areas.

Immediate needs for right-of-way would be for accel-decel lanes at whatever point access is given. The basic requirement would be 10 additional feet. Construction costs of any medial changes and construction of accel-decel lanes and the granting of right-of-way, together with the negotiation for rights of access, should be a condition of platting.

Recommendation

1. An additional access point approximately 550 feet south of the existing medial cut be negotiated for with the City Manager upon the designation by the Board of City Commissioners.
2. All costs and right-of-way needs be satisfied at the time of platting.
3. Right-of-way requirements be limited to an outright dedication of 10 feet (or whatever is needed for accel-decel lanes) at time of platting, and that an additional 15 feet be dedicated conditionally on the basis of need by the City for building an expanded traffic facility to six traffic lanes.

In addition to the above requests of the applicant, the following should be considered as items to adjust or amend:

1. Clearly describing or showing Parcel 1 and Parcel 4 as including the amended and additional "LC".
2. Removal of fence line at south line of existing Parcel 1; and move the south line of expanded Parcel 1.
3. Amending by moving the maximum fill line to the adjusted boundary lines of Parcels 1 and 4. As now drawn, fill could not be used in much of the "new" "LC" area.
4. Add the following language to provide for a dual level parking structure on Parcel No. 1:

"Setbacks shall be as indicated on the plan, but shall not apply to the floor or deck of any parking structure within a setback line of 85 feet from the center line of Amidon if the structure does not exceed the established grade of the southwest corner of 21st Street and Amidon;

nor shall it apply to the floor or deck of any parking structure between the 85-foot setback line from the center line of Amidon and the building setback line established on the CUP".

NOTE: The building setback line is proposed to be 85 feet from existing right-of-way of Amidon.

5. Add to Parcel 2

"Canopies may extend into and gasoline pumps may be placed in the 35-foot building setback line a distance not to exceed 20 feet".

6. If they appear on the revised drawings, remove medial detail and width of driveways from CUP as requested by the City Engineer.
7. Although not to be entered on the face of the CUP, the following should be accomplished or made a condition of platting:
- a. The existing fence on the west side of Amidon should be moved behind the right-of-way line by the applicant. Any adjustment of the fence should also be at the applicant's expense.
 - b. The existing storm water sewer on the west side of Amidon will need to be extended at the cost of the applicant. A 20-foot easement will be needed for the extension.

8. Add as a general provision:

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

In discussing the access on Amidon, LAKIN pointed out it has been stated that the applicant has no control over the property to the south where access exists, but under a CUP it is supposed to be under one single ownership and control and so access could be accomplished as suggested by the staff. As noted in the staff report and as shown on a sketch, a new access point approximately 550 feet South of Twin Lakes main entrance was proposed thus making two T-type intersections. The staff proposal would allow signalization of both access points (Marina Lakes and Twin Lakes) and permit more orderly progression of traffic through the area. LAKIN said the question was raised at the City Commission such as how can the cost be reassessed to the city at large. He felt the proper way would be if access is to be allowed is to have the applicant negotiate with the City for re-purchase of the access. LAKIN said the question was asked as to right-of-way on the zoning case, and this is a question which should be finally resolved by the City Commission, i.e., a determination will have to be made whether to plan and acquire right-of-way for 6 lanes plus accel-decel lanes, etc. As a minimum, wherever the access is established, 10 additional feet is needed in order to construct decel-accel lanes and any construction costs should be at the expense of the applicant. If the Commission determines that it is proper to seek right-of-way for 6 lanes, then an additional 15 feet (plus the 10 above) is through the entire area and will mean at some-time, should there ever be an opportunity, to require other parties Twin Lakes, Sweetbriar and Atlantic Mills, for 25 additional feet. However this is a policy determination which the City Commission will have to make. Such additional right-of-way be dedicated out-right on the plat (which is the suggestion of Public Works) and owner granted a minor street permit without fee to use the area until city needs it. Another method would be to make a conditional dedication so that the property owner may use the area until the city declares its need for it.

BOGART asked if the Commission could act on the CUP at this time, and CHAIRMAN MOONEY asked the desire of the Commissioners.

BRANSON asked what would be the procedure if the City Commission approved the way it did before - then would they go ahead and do this or would they send the CUP back for rehearing. LAKIN said it would be at their option but since it has been here twice, there would probably be no reason why it should be returned once again.

BOGART said the applicant would like to have whatever action is taken bear some relationship to other property in the area. He said that in regard to notices for zoning they were not sent out on Twin Lakes because they were not required while they were sent on subject case. He said they hoped there would be some kind of equality of relationship that could be recommended similar to across the street. BOGART said that most of the conditions were agreeable, but did ask for clarification of sign provisions as suggested in the staff report. He said their request would be that they have three on 21st and two on Amidon. LAKIN said the staff has not recommended additional sign heights because of the existing signs in the area do not exceed 30 feet in height.

BOGART said they were concerned with the access to Amidon and felt it could be permitted an opening across from Twin Lakes in accordance with the recommendation of Burgwin and Martin.

As far as removal of the showing of the medial on the drawing BOGART did not feel it should be removed because they would provide an indication of where the openings are.

With respect to item No. 8 in the staff report, BOGART said they did not feel they could bind a leasee.

CHARLES HARRIS, on behalf of Lakeview Development, Inc. suggested that the only thing before the Commission is what should be done in case the City Commission overrules the Planning Commission recommendation and grants the zoning and he assumed that if the zoning is not granted, then requested amendments would not be granted.

In respect to maximum height and gross leaseable area, it refers to the density of the zoning granted so there is a significant difference on a request for 6.9 acres if given 25 or 33 1/3 percent or 50%. This the commission should bear in mind. His clients are opposed to any increase from the original approval because of the traffic involved.

On maximum height, Harris felt there should be a clearly defined maximum height that isn't going to injure the residential area and so some damage to Twin Lakes, and he referred to the signs on East Kellogg where it appears each developer is trying outdo the last one so far as sign heights. He suggested that if an excessive height is permitted, then it is almost certain that at some future time Twin Lakes will make a similar request.

In referring to setbacks, HARRIS felt they would depend a great deal on what is going to happen to the development of the street system. If setbacks are allowed too close then there could be problems in future street construction. Because the theatres are located 35 feet from property lines, and assuming right-of-way has to be condemned, then the setbacks should be sufficient on the west to provide for that condemnation.

In discussing additional access to 21st, HARRIS noted that this relates to the overall traffic problem and said that the allowing of this would add to the overall problem of traffic in the area.

HARRIS referred to the requested access on Amidon and said that at the time the city built the bridge, additional right of way was needed for Amidon, and it was the city's plan which they had all the way from the south to keep it as a high level arterial. When the City talked to owners on both sides with respect to right of way and asked the Twin Lakes owners for the right of way, of access were agreed on with Twin Lakes paying the normal paving cost from the south end. In dealing with the owners on the west side, those owners took the position that the city would have to pay them the cost of building the fence and they demanded three instead of two entrances. The city was already in the process of construction on the bridge so they granted three entrances on Marina Lakes side and came back to Twin Lakes and granted them a third access.

HARRIS referred to the tremendous investment in Twin Lakes shopping center. He said that if a mistake is made, it is an investment which cannot be relocated. If the wrong decision is made, it tends to destroy the whole area and there is nothing that can be done about it. HARRIS said that the city requested Twin Lakes to move their south entrance opposite the Marina Lakes south entrance which they did. Twin Lakes paid for the reconstruction of their south entrance.

HARRIS explained that when the right-of-way was acquired, Ritchie dedicated theirs but there was a single lot that was owned by a different owner and it was condemned and price paid was about \$40,000 for the lot itself. The city obtained access control on both sides of the street from the bridge to the corner of 21st Street. The City has allowed as a minor street use an opening into the Derby Service Station by Harris said it was his understanding that the city still has access control. He continued that the major problem from the standpoint of Twin Lakes is the one of the main entrance. He said the City required a 40-foot wide fire lane on Twin Lakes east-west where it separates the

buildings. He said there would be traffic build ups opposite this point where there are problems in making left turns out of the center and there are problems in making left turns into the center. He pointed out that the staff has presented an analysis of the problem if another access point is permitted to the west opposite the present one into Twin Lakes.

PAUL GRAVES pointed out that with a T-intersection which presently exists into Twin Lakes there are only 3 points of traffic conflict where there would be 16 with a four way operation such as requested by the applicant. This would create more accidents, more congestion and require more signal timing to handle the job. He said that two T-intersections can handle traffic more efficiently than one regular signalized intersection as close as this would be to 21st and Amidon intersection. He referred to the intersection at Kellogg and the Airport Road which is a T-type where west bound traffic can proceed without having to stop for a turning car into the airport road.

KRATZER noted that great stress has been placed on the traffic by residents in the area. He said he had observed such conditions at various times of the day and on several occasions and it was his opinion most of the problem is created because of the school zone on Amidon north of 21st Street and the left turns into Sweetbriar. In answer to a question, LAKIN said the plan is to extend the medial construction to the north end of the Sweetbriar shopping center. KRATZER referred to the signalized intersections on East Kellogg and the fact that they are too close together and results in stacked up traffic and he asked Mr. Graves how that could be avoided.

GRAVES said that the signals on East Kellogg are being reviewed and possibly some changes made; they are not T-intersections and the results on East Kellogg is one reason he was convinced that a full type intersection would not work at subject location.

HARRIS pointed out that the staff report indicates with the two entrances opposite each other, there would be 16 primary traffic conflicts and 8 secondary while on a T-type intersection there would be 3 primary and 3 secondary.

HARRIS said that if the City Commission overrules the Planning Commission and grants the zoning request, his clients are strongly opposed to an entrance across from their main entrance point. Harris also pointed out that even though Mr. Bledsoe does not own the land to the south which does have access to Amidon, the original CUP was for the entire tract and under the provisions of Section 28.04.190 which states that the intent and purpose is to provide well planned and well organized developments of commercial areas which are held in single ownership or under single control. The plan is to establish requirements as to lot coverage, height, setback and screening which permit review of the size, shape and location of such facilities with due regard to the tract as a whole. HARRIS pointed out that this should be considered as a whole to assure development of commercial facilities with proper ingress and egress as provided for in the CUP regulations.

MRS. ROBERT SHEARER, 2433 Benjamin Drive, spoke in opposition to any more curb cuts on the west side of Amidon and also expressed opposition to any deviation of sign heights as permitted in the ordinance, and asked the Planning Commission to send back to the City Commission the same recommendation as before.

MOTION: BRANSON moved that if the City Commission does approve the zoning (Z-1037) that access be established on Amidon as recommended by the staff as set out in their report and as shown on the sketch displayed to the Commission

BRANSON commented that it is logical that if the sign height requested is permitted, there will be a similar request from other commercial centers in the area and that the sign height should be kept as it is. He did not see how any recommendation could be made on setbacks until a decision has been made as to the street width, and it was his feeling that the only thing the Planning Commission could recommend so far as the requested amendment to the CUP was to recommend that if the zoning is approved any access be established as indicated in his motion.

GOEBEL seconded the above motion.

HARRIS asked if the sense of the motion was to deny the request to have a driveway opposite Twin Lakes entrance and that it be a "T" type intersection and also recommendation for denial of the CUP. BRANSON agreed that this is the intent.

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1-9-69

BOGART said he did not think the sense of the motion was for denial of the CUP as it was dependent on the zoning, but that if the zoning is granted then the CUP be amended in the manner suggested by the above motion. BRANSON agreed.

THE ABOVE MOTION CARRIED UNANIMOUSLY.

The meeting adjourned about 5:20 p.m.

C. Bickley Foster
Secretary

State of Kansas)
Sedgwick County) ^{ss}

I, C. Bickley Foster, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, do hereby certify that the foregoing copy of the minutes of the meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on January 9, 1969, and is a true and correct copy of the minutes officially approved by such Commission.

Given under my hand and official seal, this _____ day
of _____, 19____.

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

(SEAL)

INTERSECTION CAPACITY @ SERVICE LEVEL "C"

1968 PEAK HOUR DEMAND

Various Intersections in Wichita

| INTERSECTION | DESIGN CAPACITY Vehicles per Hour | 1968 PEAK HOUR DEMAND - Veh. per Hr. | RATIO | 1968 DEMAND DESIGN CAP. |
|-----------------------------|--------------------------------------|---|-------|----------------------------|
| AMIDON & 21 ST | 3,500 VPH | 2,689 VPH | | 76% |
| WEST & CENTRAL | 2,600 | 2,803 C | | 108% |
| SENECA & PAWNEE | 2,600 | 2,603 C | | 100% |
| KELLOGG & ROCK RD | 3,500 | 2,596 | | 74% - |
| 21 ST & BROADWAY | 2,000 | 1,743 | | 87% |
| CENTRAL & BROADWAY | 2,600 | 2,274 | | 87% |
| CENTRAL & HYDRAULIC | 2,000 | 2,127 | | 106% |
| DOUGLAS & RIVER | 2,600 | 2,244 | | 86% |
| CENTRAL & HILLSIDE | 2,600 | 2,972 D | | 114% |
| KELLOGG & HILLSIDE | 2,600 | 3,724 F | | 143% |
| KELLOGG & OLIVER | 2,600 | 3,424 F | | 132% |
| DOUGLAS & HILLSIDE | 2,600 | 2,733 | | 105% |

| | |
|--------|--------|
| C 2600 | C 3500 |
| D 2960 | D 4000 |
| E 3120 | E 4200 |

STREET CAPACITY AT SERVICE LEVEL "C"
 &
 1968 DAILY TRAFFIC VOLUMES
 Various City Streets in Wichita

| STREET | LOCATION | DESIGN CAPACITY Vehicles per Day | 1968 TRAFFIC VOL. Veh. per. Day | RATIO 1968 TR. VOL. DESIGN CAP. |
|------------------|------------------|-------------------------------------|------------------------------------|---------------------------------------|
| AMIDON | 21 ST | 17,500 VPD | 13,200 VPD | B 75% |
| WEST | CENTRAL | 13,000 | 14,010 | C 108% |
| SENECA | PAWNEE | 13,000 | 16,121 | F 124% |
| KELLOGG | ROCK RD. | 17,500 | 16,833 | C 96% |
| DOUGLAS | BROADWAY | 14,000 | 20,500 | F 146% |
| 21 ST | BROADWAY | 13,000 | 17,100 | F 131% |
| CENTRAL | BROADWAY | 13,000 | 13,600 | C 100% |
| CENTRAL | HYDROLIC | 13,000 | 17,000 | F 131% |
| PAWNEE | HYDROLIC | 13,000 | 15,100 | E 116% |
| DOUGLAS | RIVER | 13,000 | 20,700 | F 159% |
| CENTRAL | HILLSIDE | 13,000 | 16,800 | F 129% |
| KELLOGG | HILLSIDE | 13,000 | 26,600 | F 204% |
| KELLOGG | OLIVER | 13,000 | 24,110 | F 185% |
| HILLSIDE | 9 TH | 13,000 | 15,500 | E 119% |
| 13 TH | BROADWAY | 13,000 | 10,000 | B 77% |
| DOUGLAS | HILLSIDE | 13,000 | 19,300 | F 148% |

E 15700 21,000
 D 14700 20,000
 C 13,000 17,500

Action by the City Commission on 1-21-69

DP-23

Approve the Community Unit Plan subject to the conditions of the staff recommendation except that the request for changes in sign control was withdrawn by the applicant, and except for the general provision listed as Item 8 of the staff report of January 9, 1969 was not required by the City Commission and except for a final decision on the additional access on Amidon was deferred until the meeting of January 28, 1969, and except that Item 4 of the staff report be amended to read a total of seven access points on 21st Street.

SUPPLEMENTAL STAFF REPORT

Case No. Z-1037 and
Case No. DP-23 (Amendment)

January 9, 1969

The Board of City Commissioners, on December 31, 1968, by a vote of 4 to 1 returned the above cases with the reason that "the highest and best use of this property is light commercial under a CUP plan".

It would then seem that by their action the question of relating the intensity of land use through zoning to public facilities (e.g., the capacity of the intersection) is moot. Therefore, the staff comments will be primarily related to the Community Unit Plan provisions. Several of the proposals for change have been discussed over the telephone with the applicant, but as of the time of writing, no revised plan has been submitted. Although we might normally wait to schedule such a case before MAPC until we had revised copies of the CUP, the applicant requested this case be considered at the earliest possible date and, thus, the regular notices to adjacent property owners were mailed for your January 9, 1969 meeting.

As requested by the applicant in his original application, the following recommendations are made:

1. Request to eliminate the requirement of a maximum height and maximum gross leaseable area for Parcels 1 and 4.

The applicant agreed, after the first MAPC hearing, to 45% maximum gross leaseable area. His attorney, at the Board of City Commissioners meeting, amended this to 50% of tract area. Although this is higher than most shopping centers are constructed, it is the range of approvals given in the past. It should be recognized that this type of condition is not wholly, or even primarily, directed to open space preservation but, rather, directed to how intensely the site may be used and, therefore, predicts some affect that it might have on adjacent areas.

Recommendation

Approve a gross leaseable floor area of .50 of total parcel size for each of Parcels 1 and 4.

The height requirement is indirectly controlled by the gross leaseable space and ground coverage requirement. However, with CUP control, height may go to 80 feet at the new setback lines, plus 2 feet higher for each additional foot of setback. If the purpose of the "LC" is for a shopping center, then a height control should be established. There has been an indication that height limitation

for the main structure would be satisfactory at the height contained in the original plan (65 feet) if accessory uses, such as radio tower, could be allowed the height normally standard in "LC".

Recommendation

Add the following to Parcel 1:

"Maximum height limitation 65 feet except for structures allowed in Section 28.04.187-2, which shall be limited to the height limit in "LC"."

Add the following to Parcel 4:

"Maximum height limitation 65 feet."

2. Request that sign heights be increased from 30 to 45 feet.

As indicated in the original staff report, we see no reason to increase the height, however, increased sign heights have been common to East 54. They have, it seems, given rise to a series of exceptions, each designed to screen out the effects of signs erected previously. Signs in other shopping centers in this area, to our knowledge, do not exceed 30 feet.

Recommendation

Not approve the request, or; if the Commission desires to approve the request under the general provisions, amend to read:

- "1. Sign Control: Advertising signs shall be permitted adjacent to Amidon Street and the east 1,500 feet of 21st Street and shall not exceed 30 feet in height, except for Parcel 1, two signs on Amidon, and one sign may be erected not to exceed 45 feet; and except for Parcel 4, one sign may be erected not to exceed 45 feet."

NOTE: Board of City Commissioners approval is still required for each sign of this height under the technical sign code.

3. Request a revised setback along 21st Street between Parcel 1 and Parcels 2 and 3, and along Amidon.

Due to the type of development on 21st (smaller free-standing structures) and the existing setbacks on Amidon immediately to the east.

Recommendation

The drawing of the plan should show:

- A 60-foot setback (110 feet from center line) from 21st on Parcels 1 and 4.
- Removal of inter-parcel setbacks between Parcel 1 and Parcels 2 and 3.
- 80-foot setback (130 feet from center line) from Amidon.

NOTE: There are greater setbacks already platted as part of Marina Lake 2nd Addition and, thus, these lots will have to be replatted to reflect the above recommendations.

4. Request for one additional access to 21st Street.

The current construction of 21st Street establishes the level of control now needed with respect to left turns and medial breaks. One additional curb cut appears to be satisfactory in the area of Parcels 1 and 2.

Recommendation

Approve one additional curb cut on 21st, making a total of 8.

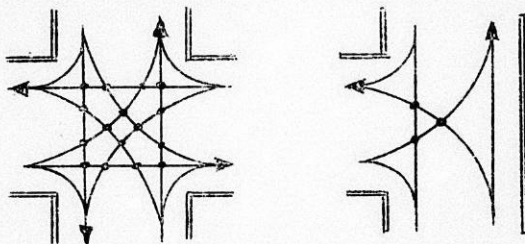
NOTE: The plat of Marina Lakes 2nd Addition will have to be replatted to reflect the above recommendation. It is suggested that rather than, "Complete access control except for 2 and 1 opening respectively for Parcels 4 and 1 (Lots 2 and 1), that "Complete access control, except for 4 openings" be established on the replat for the combined frontage of Parcels 4 and 1.

5. Request for an additional opening on Amidon.

The City Traffic Engineer has recommended that an additional opening not be approved if this opening is to be directly opposite the existing medial cut (approximately 560 feet south of 21st Street). Assuming the additional "IC" is granted and an additional access point is to be granted, the most efficient layout would be an off-setting T-intersection approximately 550 feet south of the existing T-intersection. (This was described as Case II in the "Burgwin & Martin" report on the original Marina Lakes application.) Although this does not open directly on the land now requesting rezoning, a short service road could provide the same level of access to the west and allow a more efficient operation on Amidon. A sketch of

such a proposal will be available at the Planning Commission meeting. An earlier proposal to have a service road connection extend to the south entrance (just off the bridge) was rejected after further analysis, as the potential loading for left turns (for the amount of "LC" being considered) will exceed the storage available at this point.

The dual opposite main entrances will, in the opinion of the City's staff, create problems which cannot be handled well, even with signalization. The basic problem is handling the potential points of conflict and stoppage of the flow of traffic to free these conflicts. A three-way, or T-intersection, has only 3 primary points of conflict.



Thus, two T-intersections will be much easier to handle than one four-way, providing sufficient spacing is allowed between them to allow for traffic progression when signalization occurs.

Since the City purchased access rights along this side of Amidon by an agreement, which provided that the construction and fencing costs which would normally be assessed to the west, would be paid for by the City at large, access so required would have to be reacquired by negotiation with the City. If access is to be granted by the Board of City Commissioners, they should authorize the City Manager to negotiate for its release. It is assumed that such negotiations will be based around the equivalent special assessment which would be \$19,243.75.

One additional policy decision remains. Should the City begin to seek the right-of-way necessary to build six moving lanes with medials, plus accel-decel lanes? If so, 150 feet of right-of-way is needed for optimum design. Only 100 feet exists south of 21st Street, except at the intersection. It is not anticipated that the other commercial areas in the vicinity will be resubmitted to MAFC or BCC for reconsideration in the near future. Thus, the additional 25 feet needed would most likely have to be condemned in all other areas.

Immediate needs for right-of-way would be for accel-decel lanes at whatever point access is given. The basic requirement would be 10 additional feet. Construction costs of any medial changes and construction of accel-decel lanes and the granting of right-of-way, together with the negotiation for rights of access, should be a condition of platting.

Recommendation

1. An additional access point approximately 550 feet south of the existing medial cut be negotiated for with the City Manager upon the designation by the Board of City Commissioners.
2. All costs and right-of-way needs be satisfied at the time of platting.
3. Right-of-way requirements be limited to an outright dedication of 10 feet (or whatever is needed for accel-decel lanes) at time of platting, and that an additional 15 feet be dedicated conditionally on the basis of need by the City for building an expanded traffic facility to six traffic lanes.

In addition to the above requests of the applicant, the following should be considered as items to adjust or amend:

1. Clearly describing or showing Parcel 1 and Parcel 4 as including the amended and additional "LC".
2. Removal of fence line at south line of existing Parcel 1; and move the south line of expanded Parcel 1.
3. Amending by moving the maximum fill line to the adjusted boundary lines of Parcels 1 and 4. As now drawn, fill could not be used in much of the "new" "LC" area.
4. Add the following language to provide for a dual level parking structure on Parcel No. 1:

"Setbacks shall be as indicated on the plan, but shall not apply to the floor or deck of any parking structure within a setback line of 85 feet from the center line of Amidon if the structure does not exceed the established grade of the southwest corner of 21st Street and Amidon; nor shall it apply to the floor or deck of any parking structure between the 85-foot setback line from the center line of Amidon and the building setback line established on the CUP".

NOTE: The building setback line is proposed to be 85 feet from existing right-of-way of Amidon.

5. Add to Parcel 2

"Canopies may extend into and gasoline pumps may be placed in the 35-foot building setback line a distance not to exceed 20 feet".

6. If they appear on the revised drawings, remove medial detail and width of driveways from CUP as requested by the City Engineer.
7. Although not to be entered on the face of the CUP, the following should be accomplished or made a condition of platting:
 - a. The existing fence on the west side of Amidon should be moved behind the right-of-way line by the applicant. Any adjustment of the fence should also be at the applicant's expense.
 - b. The existing storm water sewer on the west side of Amidon will need to be extended at the cost of the applicant. A 20-foot easement will be needed for the extension.

8. Add as a general provision:

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

Dear Mr. Mooney,

The residents in the area near 21st and Amidon are vitally interested in Mr. Bledsoe's request for commercial zoning. You know this is only the first step in zoning commercially all the vacant land in the area! Two years ago the residents spent so much effort and time trying to protect our neighborhood from overcommercialization. At that time the City Commissioners limited the present L. C. in the

Marina Lakes area to
exclude to Bledsoe's land.

The planning department,
traffic department, local
newspaper, residents and
former City Commissioners
endorsed the rejection of
Mr. Bledsoe's request.

What is in the public
interest? To help Mr.
Bledsoe get in on some
commercial profits? To
overload Mr. Graves
traffic plans? To inconvenience
our residents by attracting
all Wichita and out of

county shoppers to come
to 21st & Amidon to shop
rather than dispersing
this business around
town and especially in
downtown Wichita.

21st & Amidon will
put Greater Downtown
Wichita out of the picture
if you as a Commissioner
let this situation get out
of hand and create a
Greater Uptown Wichita
through rezoning!

Mrs. A.F. Simon
2628 Bobwhite Rd.
City 67204
Dec. 10, 1968

Sincerely,
Betty Simon

to the MAPC and the Wichita City Commissioners:

The residents in the area adjacent to the proposed zoning changes for the Marina Lakes Development leased by H.D. Eledsoe have openly opposed the zoning changes from the beginning. Many have not been contacted to sign formal petitions, but they have voiced their feelings to their friends and neighbors. Those who attended the MAPC meeting on November 7, 1968, indicated the reasons why they opposed the zoning changes. Since we are not to be allowed to speak at the December 12 meeting, we are preparing this letter and attachments for each commissioner to present the points we wish considered by the two bodies of commissioners.

First, we request that Mr. Eledsoe leave the room so that under no circumstances is he allowed to speak. We have heard that he has exerted pressure on members of the planning staff and employees and the traffic department. We feel that his presence in the room will tend to exert pressure on his fellow MAPC members. This matter should be considered in an impartial and unbiased manner without pressure from one of its own members who stands to gain financially by the zoning change at the expense of ALL THE TAXPAYERS IN THE CITY.

Mr. Eledsoe, who was appointed to the MAPC during the term of Vincent Bogart and William Anderson on the City Commission, attended his first MAPC meeting at the time when the original request for zoning change of Marina Lakes was considered. At that time, Mr. Eledsoe moved that the request be granted, the motion lost. The MAPC voted to deny the request without prejudice and it then went to the City Commission where Bill Anderson and Vince Bogart did everything they could to get it passed. They were not successful and a compromise was worked out whereby the Marina Lakes Development received the LC zoning that they presently have.

It is obvious that there should be a clear-cut policy in regard to "someone" coming before the MAPC to request something that has already been denied. We don't hesitate to state to you gentlemen that we have no doubt that if this request for zoning change is granted, that either Eledsoe or Clear Lakes, will be back to try to get more zoning changes along 21st and then will have a continuation of the strip zoning all along the south side of 21st Street across from a fine residential area. Why have they not gone ahead with the construction of the apartment buildings that were planned? They no doubt have "other" plans for the land.

One of our residents tried to talk to Bill Anderson about the problem and about our concern and he was very rude to her...he said that the people in the area might as well drop the matter because "it is going through." We want to know HOW he knows "it is going through"?

Second, you will all have to admit (even tho' you won't like to) that too much zoning has been granted in the 21st and Arden area already...This seems to be the case all over town...the commissioners seem to like to approve anything that will bring in more tax money without regard to the citizens who live in the area and who also pay taxes.

Third, we still need to consider taxes and road construction. The congested condition of the traffic is one of the main concerns of the area residents. Various people say we cannot project what the traffic will be in the future and we residents agree, but we maintain that the extra burden should not be placed on these streets and this intersection because:

1. The access is already owned by taxpayers to control traffic on McLean and 21st, so why defeat the planning department attempts to plan smooth flowing traffic?

2. 21st and Amidon is one of the best designed intersections in Wichita, but it will have to be "remodeled" at great expense and condemnation of property of present businesses if this additional zoning is granted. This intersection has already been rebuilt twice and it is only four years old!

3. 21st is being reconstructed to handle traffic as a result of commercial development approved two years ago. What will the Wichita taxpayers think of spending so much money repeatedly when there are so many streets in need of improvements in other parts of Wichita.

4. Planning Commissioner Goebel suggests constructing another north-south thoroughway in the northwest part of town to relieve McLean-Amidon if more commercial development is zoned. This would involve another expensive bridge across the Big Arkansas. Where would it go? St. Paul and Meridian are not platted as streets north of 21st...it is all residential. Remember when Meridian north of 29th was closed off as a throughfare and Amidon improved to carry that traffic?

5. How can the professional planners plan anything if the commissioners keep changing their minds and reversing their previous zoning to confuse the traffic situation. We are beginning to wonder WHY WE HAVE A METROPOLITAN AREA PLANNING COMMISSION!

6. Planning Commissioner Branson pointed out the situation in a nutshell when he said, "When someone makes a buck, everybody wants to jump in on the deal, and they all end up making a dime." If all the other merchants at 21st and Amidon are making money, are you going to create a "Greater Uptown Wichita" and zone every parcel of vacant land commercial so every Tom, Dick and Harry can split the profit and make two cents each? Where will you stop if you zone for Eledsoe? You think you have to be fair and grant every request EQUALLY regardless of advice from the planning department staff members who are professionally trained and experienced in the field.

7. The five planning commissioners agreed they could not vote FOR rezoning. They decided to defer a decision until they could determine how to avoid aggravating the traffic problems and how much an adequate traffic control plan would cost the taxpayers. But--what price tag is it worth to accommodate Mr. Eledsoe?

This area is unique in all of Wichita.. Where else can you find an enormous section of Wichita all dependent on one east-west street and one north-south street and each leading to a bridge (three of which are new)--all designed to handle the traffic as the areas are ALREADY zoned.

9. Two years ago the city commissioners limited commercial expansion in the Edina Lakes Development to the present area along 21st Street. Mr. Eledsoe's sandpit lake was zoned AA with a purpose: There was more than adequate commercial zoning for one particular spot in Wichita. What makes this proposal for LC different than the one rejected by our City Commissioners two years ago? At that time Mr. Bogart was in a position to influence as a City Commissioner to persuade his fellow commissioners to approve the request. Only Mr. Anderson at that time acquiesced.

10. Now that David's is open in Sweetbriar and Sears will be enlarged soon, we will see a large increase in traffic and parking generated by that type store.

This boils down to more than a question of traffic or road construction or taxes. It seems to be a matter of ethics and proper function of a MAPC and elected and appointed officials. Even more important is a philosophy we must all recognize: The price here is more than dollars and cents--A city has to have taxes to maintain a beautiful, healthful place to live, but let's not sacrifice a beautiful, healthful place to live just to have more commercial property on the tax rolls. Why should the area residents have to be INCONVENIENCED by congested traffic, loss of beauty and outsiders to attract out-of-county dollars to the city. Already the Board of Education has made McLean Elementary School an optional area, whereby the students could go to Pleasant Valley Junior High instead of John Marshall because of the hazardous conditions of the 21st and Amidon ~~area~~ area in students walking or riding bicycles to school. Mr. Bogart stated that the tax money would make better education available for our children, and we say it would create mor traffic to eliminate them!

WHY SHOULD A ZONING CHANGE EVER BE CONSIDERED WHEN IT BENEFITS ONLY ONE MAN AND HIS ASSOCIATES AT THE EXPENSE OF THE ENTIRE CITY OF WICHITA?

Where and when can we put a stop to the worship of the almighty dollar? Let's start by denying this request. The sign over the MAPC conference table says, "IS THIS REQUEST IN THE PUBLIC INTEREST?"

IS IT?

Concerned Area Residents who feel it is time big business and big city government realize that there is a family in every home in every neighborhood. WE WANT TO BE REMEMBERED.

Do YOU care?

Attached is a list of names we have on petitions opposing zoning changes.

Wayne and Helen Hartman, 3045 River Park Ct.
Marjorie McClellan, 2231 Hyacinth
Doris Bowles, 2219 Hyacinth
Jack and Jarine Highley, 2220 Hyacinth
Elaine Patterson, 2627 Benjamin
Norvell & James McKee, 2701 Benjamin
Betty & A.F. Simon, 2628 Bob White
Gloria J. Lewis, 2420 Benjamin
Dorothy V. Turner, 2625 Manhattan
Martha V. Hartwell, 2611 Manhattan
Irene L. Polson, 2332 Redbud and Hugh Polson, 2332 Redbud
Yvonne M. Allen, 2929 Oriole
Daniel W. Lies, 4113 Westport
Virginia W. Johnson, 1512 W. 20th
Frankie Reyer, 759 N. Doris
J.M. Williams, 1402 W. 20th
Mr. and Mrs. Larry Armfield, 2229 Marigold ✓
X.H. & Lucille Wilkinson, 2434 Benjamin Dr.
Anita Wilson, 2442 Benjamin
Mrs. Leonard R. Wright, 2304 N. Richmond
Mrs. Edward I. Blincoe, 2397 Richmond
Benita Goss, 2335 Richmond
Bonnie Speer, 2228 N. Richmond
Bernice Small, 2220 N. Richmond
Harry Jesse, 2261 N. Richmond
Barbara H. Somers, 2506 N. Benjamin Dr.
Elizabeth Heinshon, 2305 N. Richmond
Evelyn Wells, 2542 Benjamin
Mary & Dan Phelan, 2243 Cardinal
Patricia Hill, 2242 Cardinal
Norma & Wayne McKay, 2231 Cardinal
Larry Gibbons, 2727 Columbine
Ben & Virginia Spencer, 2534 Benjamin
Everest & Gladys Wible, 2520 Benjamin
Joan & Bob Shearer, 2433 Benjamin
Dr. Dean & Norma Eabb, 2534 Bob White
Susan L. House, 2231 Bullinger
Mrs. L. W. Schroeder, 2677 Bob White and L.W. Schroeder
Elia & Agnes Ferris, 2615 Bob White
Mrs. John Youngmeyer, 2542 Bob White & John Youngmeyer
Fred & Virginia Soper, 2541 Bob White
Mary & Michael Belluono, 2245 Bullinger
Thomas K. Connolly, 2207 Hyacinth
Marjorie & Oliver Anderson, 2219 Bullinger
Frank & Harriet Moffett, 2319 Bullinger
Mr. and Mrs. Jack Ditmore, 2626 Columbine
Mr. and Mrs. Robert E. Perry, 2627 Columbine
Mr. Robert W. Samples, 2619 Columbine
Mrs. Don Dirksen, 2618 Columbine
Mrs. Jack R. and Dr. Oeill, 2602 Columbine
Mr. and Mrs. Edw. G. Masters, 2611 Columbine
Mr. and Mrs. H.B. Hill, Jr., 2533 Columbine
R. L. Thiry Jr., 2532 Columbine
JoAnn & R.C. Hurst, 2527 Columbine
Mary Ann & H.D. Chitwood, 2500 Columbine
Vernon & Julia Sroufe, 2513 Columbine
Helen & Jack Ferrin, 2703 Columbine
Mrs. Don Swanson, 2349 Bullinger

Donald Marcellus, 3015 River Park Dr.

Virginia & Raymona Linnen, 3001 River Park Dr.

E.R. Callison, 3021 River Park Dr.

James Kastens, 3027 River Park Dr.

Betty O'Hara, 3002 River Park Dr.

W.F. Schenckhorn, 3050 River Park Dr.

J.W. & Betty Killian, 3009 River Park Dr.

Richard & Carolyn Duncan, 2810 River Park Dr.

Ronald & Kathryn Moore, 2818 River Park Dr.

Otha Carol Day, 2823 River Park Dr.

Mrs. Clifton Sch pf, 2902 River Park Dr.

John T. Davis, 2929 River Park Dr.

G.R. Monroe, 2909 River Park Dr.

Phyllis & Stan Patton, 3033 River Park Ct.

R.E. Friend, 3069 River Park Ct.

Reg. Randall, 3039 River Park Ct.

Thomas & Catherine McNally, 2930 Cornelison

Howard & Shawver, 2920 Cornelison

Albert & Josephine Wait, 2817 Cornelison

Jeannett Brabham, 2919 Cornelison

Robert & Joyce Berry, 3019 Cornelison

Mrs. Robert C. Allas, 3029 Cornelison

Mrs. R.E. Goetschuis, 2939 River Park Dr.

James & Esther E. Cinatto, 2425 Amidon

Floyd R. Lucas, 2458 Amidon

J. Mark & Esther Richardson, 2436 Marigold

Mr. & Mrs. Ray Shropshire, 2410 Amidon

David & Margaret Adams, 2402 Amidon

Mr. and Mrs. A. David Steven, 2416 Amidon

John & Lola Hanson, 2424 Amidon

Mr. and Mrs. D. W. Montgomery, 2434 Amidon

Alfonso & Lillian Alvarez, 2434 Amidon

Dorothy E. Crane, 2470 Amidon

Honita & M.E. Maninger, 2443 Marigold

Raymond & Kathleen Goble, Benjamin Dr.

Margaret McPeak, 2428 West 24th

BCC 12-31

Bogart -

GLA now 50% instead of 45%

Det. trail
after period
BCC action

* Reason ~~for~~ for GLA is a density control.
not open space.

GLA = 150, M²

Height to 85'

* Height changes have been largely on 54 not on
local arterial.

100' setback ~~from~~ to 80'.
Twin Lakes @ 35'

7-2-64 zoning should not be used to thwart competition

~~Condition~~
Conditions of change -

- Value increase

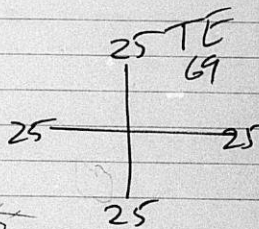
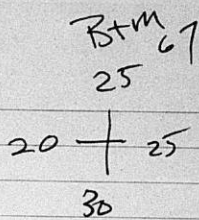
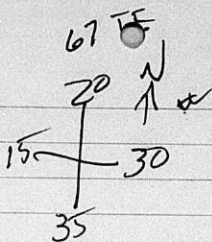
- Traffic

- BB + LC on Twin Lakes

not since Marina Lake I

On charts

Armstrong



State Nelson

67 3,230 ~~is~~ entering into
w/ 2 PKs together
1985 4,460 → F

67 ADT BSM \nearrow
11,900

Present figure 67 ADT figure was
short & table explanation to staff report.

Enoch - Does BSM agree w/ Staff?

Armstrong - Yes as to actual construction + Marina Lake II.

Report

1. Curb cut

2. 15' addn R/W willing to dedicate

Submits charts

| | | |
|---------------------|---------|---------|
| | Janice | 68 |
| West Differential - | 13MADT | 14,110 |
| Int. | 2600/yr | 2803/yr |

XX

←
Per West Street zoning

| | | |
|-----------------|--------|--------|
| Seneca + Pawnee | 13,000 | 16,300 |
| | 2600 | 2603 |

XX

Killopp + Rock Rd
42% of zoning at R.R.

| | | |
|--|--------|--------|
| | 17,500 | 16,823 |
|--|--------|--------|

add zoning approved 15M

Report - makes the case that we ought to start relating land use to public facilities. We should not be building ourselves into a hole. We ought not perpetuate past errors.

Hanna

Entrance ?

Application for validity

Mike Calogolomo

Robert Strano

Keller

Q1 - How to/w Budget to 21st, City to obtain
access control
C.D. pay for paving

Boquet

1. Date of Brevard-Twin Lakes
2. Aug 1962 - Twin Lakes, M'Lean approval
granted Twin Lakes w/o C.U.P.
3. Marina Lakes - I / B.C. stated if appropriate
& should be recorded = treatment.
4. Oct 19, 1968 pictures.
5. Twin Lakes - Senior J.G.
5400 7 Re approval

C.
Keeler - comments on basis of what is fair
just another bl venture
based on Wulby value of property
due to Clay's investment
abutting properties should have
paid cost
just another actual & secret
assume cost function Wulby
thought street would be.

Enoch

Nothing illegal

Woodward move -

Return to MAPL for reconnection
as highest & best use.

~~2nd~~ 2nd - ? Valmer /

4-1

1 - Svc Rd from S

2 - (w/1) Serve from N only

3. LT w/T, L L.T.

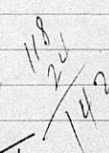
Surbi

1. 10' w/exit St Servicing,
+ 15' if we provide R/W for
blame



2. Access Release = $\frac{1}{2}$ of $\$$ nominal
orig SA \times construction cost. ($\frac{1}{2}$ of $\frac{1}{2}$ to
wait.) = $\frac{1}{4}$
\$19,243.75 $\frac{84}{30}$ (19)

3. Cost of New 114
Access/Drivl 41
+ Drive Contact 120
 20



4. Signal at
cost to both
TL + ML.

(Parallel Turn
Cherry ~~to~~ Proceeding)

SW Paper
w/other Paper

142

121

4

Bogart -

Cost running 1000/ft thereby showing
value

[Economic

- * Reply not indicated to per se on this case but as the
basis for ~~substantiated~~ ~~for~~ ~~evaluation~~ ~~of~~ ~~establishing~~ ~~floating~~
these floating zones for shopping centers.

Difference between 3/4 and 3 million development
on whether the zoning is granted or not.

(Arguments on increased sales not valid - Ref
the ULI Statement).

Streets built.
Market there.
Financing available
Willing developer.

- * Requirements for one developer

GLA - 45% not magic.

[30-49%] general range

(Twin Lakes - 70% orig)

Limited by (1) G.C. = 30% = 5
(2) Height = 65' = 150%

Curb cut on 21st not important

Cost on condemnation more than made up by tax base -

* ~~to~~ Pt 1 - Is logical at any cost.

Pt 2. If logical, then refund cost of framing assessment paid by the City of Waukegan

Pt 3. Dealy break not a medical cut.

Pt 4. Opposite to require

* ^{Traffic} Twin Lakes - Search in ^{amended} ~~any~~ approval prior to traffic studies.

* [Re: Streets over 15M -
Intersection K. Mart. - K Mart -
1/4 million at Duane + Seneca. GO
Bl + Seneca GO
Hillside + Central - ↔ GO + Waukegan
+ B.D.]

Harvard

Scott

- in favor -

Anna McLean - in favor

C. Harris, Laneview Development Co. Inc.
(Twin Lakes)

History of McLean Blvd.
" " Amidon (Dakota)

Change in conditions -

trafficking volume ^{top} over projection.

Investments made by Twin Lakes on basis that
they would be able to use fault lines which they
paid for.

Entrance location on S on Amidon - moved.

*

Bridge on B. River not Ditch + I-35W

Several people at request of Harris
stood in protest

III

Expansion on Amidon being only N-S
arterial N.W.

Compare ^{retail}
1/2 R Area to Downtown.

Interaction to all of downtown interests.

Hemin Δ est. $\frac{1}{2}$ million to meet staff requirements
speculator owners will be back asking that
costs be reduced.

Reason that this is a good maintenance:

1. City has spent most money bill of London.
2. ?

Object to direct opposite

Trout / Pauli:

What happens when 6 lanes merge
to 4-

segmentation.

Kratzer / Craven.

Compare 4 lane/medial - Kellogg \rightarrow
w/ 4 " " @ 21st + Amick

Jackson - Craven.

Dale Kidwell - Orange
Robert Shear - represents 119 signatures of residents
in area.
Complain about traffic -
from Rindawn + Sweetbrier area.

Mrs. A. S. Simmonds ? on Bledsoe -
F.?

C. Robert Bell.

*

Which Station or Station might be needed is not known
at this time.

Access to Amidon comments

Mike ? 2245 Bullinger
Comments on 21st St
Renkings

Bledsoe -

Access -
6 Lane Sts



Re Rock road -
6

400

$$\begin{array}{r} 43560 \\ 9.13 \\ \hline 130.680 \\ 43560 \\ \hline 392040 \\ 397702.80 \\ \hline 119,310.60 \\ \hline 715,860 \end{array}$$

30%

14

gross female area.

$$\begin{array}{r} 43 \\ 6 \\ \hline 258,000 \\ 60 \\ \hline 300,000 \\ 100,000 \\ \times 6 \\ \hline 600,000 \end{array}$$

60,

500 / Reg Natl 600,000
 250 / km 2 * R = 5000
 250 $\frac{m}{m}$ = 5000 $\frac{m}{m}$

195M @ 45

$$\begin{array}{r} 301,900 \\ \times 3 \\ \hline 90,000 \\ 135 \\ \hline 60,200 \end{array}$$

Setbacks shall be as indicated on the Plan, but shall not refer to any floor of the parking structure. In no event shall any floor of the parking structure exceed a maximum of 8 feet above the grade of Amidon and any such floor of the parking structure above the grade of Amidon shall maintain a minimum 100-foot setback.

4. For Parcel 4:
 - a. Adjust fill line to coincide with action taken in Parcel 1.
5. Delete medial drawings from CUP and delete detail of access opening construction. Locate by distance.
6. Add to general provisions:

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 and residential development and be binding upon the present owners, their successors and assigns, unless amended.
7. Add to Parcel 2.

Canopies may extend into, and gasoline pumps may be placed in the 35-foot building setback a distance not to exceed twenty (20) feet.
8. If heights are to be raised for signs, add a provision that all signs above 30 feet are to be approved by the Board of City Commissioners after recommendation by the Director of Public Works has been submitted.

Harris / 8th St

1. Signs that broke the camera back.
2. ^{lost} benefit ratio above average from B+M
3. Appoint entrance problems.

Branson

1. Refer Staff - ask for costs to be estimated.

Kratzer

need traffic control plan that seems feasible.

Trout

To what degree - affect on traffic generation rates.

7 trips / 1000

||

within 6/10 yrs @ 4-10% / yr, traffic will peak out on existing construction of intersection

STREET CAPACITY AT SERVICE LEVEL "C"

‡

1968 DAILY TRAFFIC VOLUMES

Various City Streets in Wichita

| STREET | LOCATION | DESIGN CAPACITY Vehicles per Day | 1968 TRAFFIC VOL. Veh. per Day | RATIO 1968 TR. VOL. DESIGN CAP. |
|------------------|------------------|-------------------------------------|-----------------------------------|---------------------------------------|
| AMIDON | 21 ST | 17,500 VPD | 13,200 VPD | B 75% |
| WEST | CENTRAL | 13,000 | 14,010 | C 108% |
| SENECA | PAWNEE | 13,000 | 16,121 | F 124% |
| KELLOGG | ROCK RD. | 17,500 | 16,833 | C 96% |
| DOUGLAS | BROADWAY | 14,000 | 20,500 | F 146% |
| 21 ST | BROADWAY | 13,000 | 17,100 | F 131% |
| CENTRAL | BROADWAY | 13,000 | 13,600 | C 100% |
| CENTRAL | HYDROLIC | 13,000 | 17,000 | F 131% |
| PAWNEE | HYDROLIC | 13,000 | 15,100 | E 116% |
| DOUGLAS | RIVER | 13,000 | 20,700 | F 159% |
| CENTRAL | HILLSIDE | 13,000 | 16,800 | F 129% |
| KELLOGG | HILLSIDE | 13,000 | 26,600 | F 204% |
| KELLOGG | OLIVER | 13,000 | 24,110 | F 185% |
| HILLSIDE | 9 TH | 13,000 | 15,500 | E 119% |
| 13 TH | BROADWAY | 13,000 | 10,000 | B 77% |
| DOUGLAS | HILLSIDE | 13,000 | 19,300 | F 148% |

INTERSECTION CAPACITY AT SERVICE LEVEL "C"

1968 PEAK HOUR DEMAND

Various Intersections in Wichita

| INTERSECTION | DESIGN CAPACITY Vehicles per Hour | 1968 PEAK HOUR DEMAND - Veh. per Hr. | RATIO $\frac{1968 \text{ DEMAND}}{\text{DESIGN CAP.}}$ |
|---------------------|--------------------------------------|---|---|
| AMIDON & 21ST | 3,500 VPH | 2,689 VPH | 76% |
| WEST & CENTRAL | 2,600 | 2,803 | 108% |
| SENECA & PAWNEE | 2,600 | 2,603 | 100% |
| KELLOGG & ROCK RD | 3,500 | 2,596 | 74% |
| 21ST & BROADWAY | 2,000 | 1,743 | 87% |
| CENTRAL & BROADWAY | 2,600 | 2,274 | 87% |
| CENTRAL & HYDRAULIC | 2,000 | 2,127 | 106% |
| DOUGLAS & RIVER | 2,600 | 2,244 | 86% |
| CENTRAL & HILLSIDE | 2,600 | 2,972 | 114% |
| KELLOGG & HILLSIDE | 2,600 | 3,724 | 143% |
| KELLOGG & OLIVER | 2,600 | 3,424 | 132% |
| DOUGLAS & HILLSIDE | 2,600 | 2,733 | 105% |

STREETS WITH 13,000 V.P.D. CAPACITY

E = 15,700

D = 14,700

C = 13,000

STREETS WITH 17,500 V.P.D. CAPACITY

E = 21,000

D = 20,000

C = 17,500

DP-23 - 173 NOTICES TO ADJOINING PROPERTY OWNERS MAILED 1-2-69 for re-hearing by
MAPC on 1-9-69.

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

Mailbox 173
1-2-69

January 3, 1969

NOTICE TO ADJOINING PROPERTY OWNERS:

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 1:45 p.m. on January 9, 1969, at which time you may appear either in person or by agent or attorney, if you so desire. This case has been referred by the City Commission to the MAPC for rehearing in connection with case Z-1037 (zone change from "AA" to "LC") which the City Commission felt "LC" to be the best and highest use.

DP-23 - A tract beginning 75 feet west and 75 feet south of the northeast corner of the northwest quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M.; thence south 275 feet; thence east 25 feet; thence south 1515 feet more or less; thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north to the point of beginning; thence south in a south-easterly direction 90 feet more or less to a point 15 feet north to the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes Marina Lake 1st and Marina Lake 2nd Additions, and an area on the west being platted as Marina Lake 3rd Addition. Generally located on the south side of 21st Street between Amidon and Meridian.

The Development Plan of this area, originally approved in April, 1967, 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, Room 402, City Building Annex, 104 South Main, Wichita, Kansas and is available for public information and review.

The revised Development Plan now on file proposes the following general amendments:

Increasing the amount of Light Commercial zoning approximately 6.5 acres.

Increasing the number of access points on Amidon from 3 to 4 and on 21st Street from 6 to 7.

Increasing the permitted sign height from 30 feet to 45 feet.

Elimination of the statements of the maximum building height and the establishment of 50% as the maximum gross leasable area for both Parcels #1 and #4.

C. BICKLEY FOSTER, Secretary

Zoning Case Figure Urged to Stay Silent

Beacon 12-11-68

By TOM McVEY
Beacon Staff Writer

City Atty. John Dekker said today Planning Commissioner H.D. (Hap) Bledsoe should not speak for rezoning on land he leases when planning commissioners consider the case Thursday.

In most instances, members of city advisory boards and commissions abstain from presenting cases "that directly affect them to avoid public suspicion and criticism," Dekker said.

Dekker's remarks were in response to a protest petition signed by 119 persons residing near 21st and Amidon. Bledsoe is seeking light commercial zoning on about seven acres of land he leases at that intersection for construction of a shopping center in the Marina Lakes development.

ADDRESSED to the Metropolitan Area Planning Commission (MAPC) and City Commission, the petition was prepared because Marina Lakes protestors probably will not be allowed to speak at the MAPC meeting Thursday. Last month, commissioners unanimously approved a motion to curtail discussion

because that public hearing lasted nearly three hours.

Bledsoe's rezoning request represents "a matter of ethics and proper functions" of a planning commission and elected or appointed officials, the petitioners claim.

BLED SOE HAS denied charges that his interest in Marina Lakes is a conflict of interest. The city has no ordinance to prohibit him from seeking rezoning, while a member of the MAPC, Dekker said.

"But he should not participate in the deliberations and cannot vote" on Marina Lakes, Dekker said. "It's not a question of ethics. It's a question of good taste."

The petitioners are requesting that Bledsoe be made to leave the planning commission room "so that under no circumstances is he allowed to speak . . . his presence in the room will tend to exert pressure" on the other planning commissioners.

"I don't intend to say anything Thursday, if they (staff members) have everything clear," Bledsoe said today. "I

also don't know that it makes any difference if I leave the room."

BLED SOE SAID he believed the commissioners will "vote their own convictions" even if he remains in the room. "Either the case is right, or it's not right."

The planning commissioner said he hadn't intended to speak in his own behalf when the MAPC first considered the application last month. However, the planning staff "misread the traffic engineer's report," Bledsoe claimed.

The entire case was "not presented in proper perspective," Bledsoe charged. "I wanted to be sure that everything was up and above board."

The planning commissioners have sole authority to bar Bledsoe from the room when his case is discussed, C. Bickley Foster, planning department director, said today.

A planning commissioner since 1967, Bledsoe leases property for which the change from residential to light commercial zoning is being sought from Clear Lakes Inc., developer of the project.

BLED SOE IS ASKING the MAPC to recommend approval of three changes on property at the southwest corner of the 21st-Amidon intersection:

- An increase in light commercial zoning from 6.74 to 13.67 acres.
- An increase in allowable sign height from 30 to 45 feet.
- An increase in the number of access points to the proposed development from both 21st and Amidon.

THE PLANNING and traffic engineering departments have recommended that Bledsoe's request be denied.

The Marina Lakes issue was first brought before the MAPC in February, 1967 — three days after Bledsoe was appointed to the planning commission — by Clear Lakes. However, Bledsoe said he did not purchase an interest in the development until later that year.

Bledsoe said he holds a 99-year lease on the property and is presently paying \$1,000 per month for maintenance.

A combined planning and traffic engineering staff report released this week is "misleading and probably inaccurate," Bledsoe charged.

The report claims the 21st-Amidon intersection will break down — be unable to carry traffic without causing undue delay or inconvenience to motorists — if Bledsoe's zoning request is approved.

THE STAFF REPORT was based on several acknowledged assumptions, one being that 7.06 acres of land south of Bledsoe's leased property "may also be considered as potential commercial" because Bledsoe claims the land is of no value under existing residential zoning.

Even a reconstructed six-lane intersection would break down by 1972 if Bledsoe's property is rezoned, according to staff projections.

Bledsoe said a traffic study conducted in 1967 by Burgwin and Martin, consulting engineers, reveals that widening of the intersection from four to six lanes won't be necessary before 1985. The study was authorized and paid for in 1967 by the original Marina Lakes developers, he said.

ABOUT 15,000 vehicles are now using the Amidon 21st intersection per day, Bledsoe said. If Marina Lakes is approved, about 24,000 vehicles will use the intersection per day by 1985, according to Burgwin and Martin projections. The intersection was built to handle 27,000 cars per day before reconstruction becomes necessary, Bledsoe said.

The Burgwin and Martin study also contradicts planning department reports by recommending that a "key access" to Marina Lakes be located on Amidon "directly across from Twin Lakes Shopping Center," Bledsoe said. Such an access "will still allow Amidon to retain its arterial characteristics," he said.

Area protestors "have a false impression that their neighborhoods will be ruined" if Marina Lakes is constructed, Bledsoe said.

Joyce

DP-23

EDITORIALS

The Wichita Beacon

Page 10A Monday, December 16, 1968

Marcellus M. Murdock, Chairman of the Board and President
Britt Brown, Vice President and Secretary
John H. Colburn, Editor and Publisher

Not Just Pique

Metropolitan Planning Commissioner H. D. (Hap) Bledsoe took a grumpy attitude toward all the news media last Thursday just before he left a Planning Commission meeting where one of his own projects was to be discussed.

"By popular demand of the news media, I'll leave the room and even leave the building," were his parting words.

This popular demand didn't just come by a fit of pique. It came because newsmen took a dim view of the proceedings at the last meeting when Mr. Bledsoe's project was discussed. Then he stayed in the room, and acted as spokesman in behalf of the requested zoning change.

A protest petition about the proposed shopping center at Marina Lakes, signed by 119 persons, was presented last week to the Planning Commission. It stated the fervent desire of the signees that:

"Mr. Bledsoe leave the room so that under no circumstances is he allowed to speak . . . We feel that his presence in the room will tend to exert pressure on his fellow MAPC members. This matter should be considered in an impartial and unbiased manner without pressure from one of its own members who stands to gain financially by the zoning change at the expense of all the taxpayers in the city."

City Attorney John Dekker, while not stating that Bledsoe should leave the room, did indicate he believed a planning commissioner should not speak in behalf of any case in which he has an interest.

Moreover, the American Society of Planning Officials believes that officials such as Bledsoe should make it a point to leave the room when one of their own projects is under discussion.

The ASPO's suggested guidelines for conduct of planning officials includes a section on conflict of interest. If any planning official has an interest in a zoning or planning case, the society suggests:

- That he declare his interest publicly.
- That he abstain from voting on the matter.
- That he keep out of any deliberation on the particular case, and that he leave the room during such discussions.
- That he not discuss the matter privately with any other official who has or will have the case under consideration.

The society believes it unrealistic to bar entire categories of citizens (such as shopping center promoters) from sitting on planning boards. But it also believes that the public should be protected, when conflicts of interest arise, by following the proposed ethical guidelines fairly closely.

So it is clear that the popular demand was far more popular than Mr. Bledsoe may have thought. To prevent any future bewilderment as to the proper behavior in such a delicate situation, may one of the news media make a suggestion in the public interest that MAPC adopt some guidelines similar to those proposed by ASPO?

1037 ^{Jorge}
DP-23

| LOCATION | ADT 1964 | ADT 1966 | % INCREASE | ADT 1966 | ADT 1968 | % INCREASE |
|---------------------------|-------------|-------------|---------------|-------------|-------------|---------------|
| Amidon Street, N. of 21st | 6,829 | 11,854 | 73.5 | 11,854 | 15,530 | 31.1 |
| Amidon Street, S. of 21st | 7,840 | 11,474 | 46.4 | 11,474 | 13,231 | 15.3 |
| 21st Street, E. of Amidon | 9,112 | 10,833 | 18.9 | 10,833 | 13,200 | 21.8 |
| 21st Street, W. of Amidon | 5,824 | 7,616 | 30.8 | 7,616 | 8,260 | 8.5 |
| AVERAGE % 2 YEAR INCREASE | | | 42.4 | | | 19.2 |
| AVERAGE % ANNUAL INCREASE | | | 21.2 | | | 9.6 |

December 19, 1968

Mr. Vincent L. Bogart
Attorney at Law
One Twenty Building
Wichita, Kansas 67202

Subject: Z-1037 and DF-30 - Zone change
and development plan for area south of
21st Street and west of Amidon.

Dear Mr. Bogart:

The Planning Commission at their meeting of December 12, 1968, considered the above captioned cases. The action of the Planning Commission was to recommend that these applications not be approved. Consideration of these applications will be forwarded to the Board of City Commissioners for their consideration at their regular meeting of December 31, 1968, at 9:00 a.m., Room 201, City Building, 204 South Main, Wichita, Kansas.

If you have any questions concerning these cases, please contact our office.

Very truly yours,

Robert A. Lakin
Assistant Planning Director

PAL:JHG:vjp

✓ cc: H. D. Bledsoe
11800 West Highway 54
Wichita, Kansas 67209

✓ Charles W. Harris
1st National Bank Bldg.
Wichita, Kansas 67202

Page 2

Mr. Vincent L. Bogart
December 19, 1968

Howard Scott
Consolidated Realty, Inc.
2311-A Amidon
Wichita, Kansas 67204

Anna McLean
2359 McLean Blvd.
Wichita, Kansas 67204

✓ Dale Kidwell
Central Building
Wichita, Kansas 67202

✓ C. Robert Bell
123 South Market
Wichita, Kansas 67202

✓ Mrs. A. F. Simon
2628 Bob White
Wichita, Kansas 67204

✓ Robert M. Shearer
2433 Benjamin
Wichita, Kansas 67204

✓ Michael A. Belluomo
2245 Bullinger
Wichita, Kansas 67204

✓ Paul Graves
Traffic Engineer
City of Wichita

ATTACHMENT

Page
12-12-68

1-8

- 22a. Case No. Z-1037 - Clear Lakes, Inc., et al. request change from "AA" to "LC" for a tract beginning at a point 50 feet west and 400.15 feet south of the northeast corner of Government Lot one in the Northwest Quarter of Section 7, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence south parallel to the West easement line of Amidon Avenue 330 feet; thence west 675 feet to a point 730 feet south of the center line of 21st Street; thence north at right angles, 250 feet; thence west at right angles, 460 feet to a point 480 feet south of the center line of 21st Street; thence north at right angles 130 feet; thence east at right angles 460 feet; thence south at right angles 50 feet; thence east 675 feet at right angles to the point of beginning. Generally located on the south side of 21st Street between Amidon and Meridian.
- 22b. Case No. DP-23 - Clear Lakes, Inc., et al. request approval of an amendment to Marina Lake CUP, as related to property legally described as follows: DP-23 - A tract beginning 75 feet west and 75 feet south of the northeast corner of the northwest quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M.; thence south 275 feet; thence east 25 feet; thence south 1515 feet more or less; thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north to the point of beginning; thence south in a southeasterly direction 90 feet more or less to a point 15 feet north to the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes Marian Lake 1st and Marina Lake 2nd Additions, and an area on the west being platted as Marina Lake 3rd Addition. Generally located on the south side of 21st Street between Amidon and Meridian.

The above two cases were continued from the public hearing of November 14, 1968.

BLEDSON said he would abstain from consideration of the above cases and by popular demand of the news media would leave the room.

The Chairman asked the Commissioners if they wanted to hear any more testimony on subject cases. TROUT said that the primary reason for deferral from a previous meeting was for a report concerning traffic and that that report has been submitted to the Commissioners. The Chairman asked if the Commissioners wished to hear any more from the applicants or from the opposition.

VINCENT BOGART, attorney for the applicant, said that while the principal factor for consideration is traffic, discussion should not be limited to the City Traffic Engineer. A traffic engineer is present to speak for the the applicant, and he considered it only fair that the Commission hear what he has to say as well as the City's professional staff.

The Chairman stated that any items on which the Commission requests information, the traffic expert for the applicants would be heard. He again asked if the Commission wanted to hear any more from the applicant or the opposition.

KRATZER suggested that the report requested from the staff be presented, but that if there is anything that was not stated before, it should be presented now.

MOTION: KRATZER moved, GOEBEL seconded and it carried unanimously that the Commission hear the report on traffic requested at the previous meeting and anything else that was not submitted at the previous meeting on the above two applications.

The Chairman asked if the applicant had anything more to add that the Commissioners have not heard.

VINCENT BOGART, attorney for the applicant, introduced Wm. J. Armstrong, a traffic engineer with the consulting firm of Burgwin and Martin, of Topeka, Kansas. He reviewed Mr. Armstrong's qualifications and the fact that Burgwin and Martin has done many studies for various cities and public bodies throughout Kansas as well as other states, including work for the Kansas State Highway Department, the Turnpike Authority, etc.

WM. J. ARMSTRONG recalled that they were involved in doing a study of this same area two years ago and doubted that the Commission would want to delve into the total ramifications of the study, but did proceed to point out their approach to the problem used at that time. He pointed out that two years ago the main concern was

the intersection of 21st and Amidon as related to another shopping center which was developing and how much capacity was available at the intersection. He said their approach at the time was to determine the amount of traffic the center would generate, based on 450,000 square feet, utilizing an accepted generation factor of 20 trips into the center per 1,000 square feet of floor area, and also considering the office space used and apartment usage. He said they projected the traffic that would occur at the opening of the center and studied three different situations where the points of access to the shopping centers would be varied: one was to leave the access points as they were at that time and under this situation found traffic was concentrated at the specific entrance and continued to cause a capacity problem commencing at the entrance. Another situation studied was on Amidon where the main entrance of Marina would be south of the existing entrance to Twin Lakes on the east, creating off-set entrances where anybody traveling between the two centers would have to jog. The third case looked at was to establish opposite entrances on Amidon. The latter was their recommended location for the entrance, in that the entrance to Twin Lakes proper within a few years will require signalization control and it seemed logical to them to make the entrances opposite each other and utilize the one signalization and eliminate any jog of traffic between the two centers.

MR. ARMSTRONG continued that it was their analysis that upon the opening of the Center, the intersection of Amidon and 21st Street would function at a level C., which is considered a desirable level. ARMSTRONG said that their report indicated that upon opening of the Center, there would be nearly 3400 vehicles entering the intersection. He said this was for a time prior to the opening of the 25th Street bridge which he felt would tend to provide some relief so far as traffic build-up at this intersection is concerned. He pointed out that 21st Street is now undergoing improvements that were talked about two years ago, and that improvements do come with progress of a community. ARMSTRONG said that their report two years ago indicated that this intersection could function 20 years hence, but that some special techniques were indicated in the way of improved traffic movements, such as dual left turns at the intersection, etc.

KRATZER asked Mr. Armstrong in which year he predicted the intersection would breakdown to a level F service at the present rate of growth.

ARMSTRONG said they did not make a year-by-year analysis, but that their study indicated that by 1985 the intersection would be operating at capacity, in that there would be a continual backlog of traffic and people waiting to get through even at level E, which is just a shade better than level F, although there are many factors to be considered. He stated that they predicted that by 1985 the service would be at level E generally speaking as the intersection is today, but with some improvements which they felt could be accomplished within the existing right-of-way.

JACKSON asked Armstrong if their study included any possibility of six lanes rather than four and if so, when it was felt six lanes would be required.

ARMSTRONG said that their approach to the study was whether the intersection would handle the traffic at level C upon opening of (the then proposed) Marina Lakes with four lanes as it exists now. Their analysis indicated that it could, and then they tried to determine what might happen by 1985 considering the many variables. He said their original study and conclusions were based on the original proposal of 450,000 square feet (a regional center). ARMSTRONG noted that studies of shopping center traffic indicate that evening shopping peaks for regional centers are from 8 to 9 o'clock if stores are open, where as street traffic peaks between 5 and 6 o'clock, which helps the traffic situation. He pointed out also that on some smaller centers, studies have indicated that this is not true, thus it is another variable.

In response to a question by one of the Commissioners, it was pointed out that Burgwin and Martin study used 20 trip ends to the center and 20 trips away, which corresponds to the 40 vehicles on the street utilized by the city in its analysis.

LAKIN passed out a sheet showing typical traffic generation rates and the rates used in the study for this area. Another sheet was presented showing the percent of increase of traffic on McLean-Amidon during the last four years. He also presented to the Commissioners an information sheet defining the meaning of the A, B, C, D, E and F level of traffic efficiency as related to traffic movement at intersections.

LAKIN reviewed the following staff report:

SUPPLEMENTARY INFORMATION
REQUESTED BY MAPC FOR
CASES DP-23 & Z-1037

Amount of Commercial

The existing constructed commercial development in the area (Twin Lakes, Sweetbriar, Atlantic Mills, River Bend and Marina Lakes) is 513,289 square feet of floor area. Assuming 85% of floor area to equal "gross leasable area", this is 447,242 square feet GIA.

The existing approved commercial zoning (as opposed to actual construction) for the same area would allow an additional 415,768 square feet of floor area, or 342,458 square feet gross leasable area.

The applicant has orally revised his application to limit the amount of commercial development to an additional 135,855 square feet of gross leasable area (45% of ground area). This will be referred to as Marina Lakes - Condition II or Marina Lakes II.

Assuming the proposition stated by the applicant to be valid, e.g., conditions have changed by virtue of the increased value of land, then the area south of the applicant's proposal may also be considered as potential commercial (at least to a point south equal to the "LC" at Twin Lakes and to a depth equal to the applicant's). This, if it should occur, would produce 7.06 acres of commercial ground area; and 137,000 square feet of gross leasable area. This area will be referred to as Marina Lakes III.

Traffic Projections

A re-analysis of traffic conditions has been completed to try to answer the following questions:

- 1) When will the traffic, based on: a) existing development; b) authorized development; and c) proposed development, cause the intersection of 21st and Amidon to breakdown?
- 2) Will reconstruction of the street system (including the intersection) provide sufficient capacity for the: a) existing; b) authorized; and c) proposed development?

To do the traffic study, certain assumptions which are variables must be established. These are:

1. Amount of contributing high traffic generators - light commercial. (See preceding for amounts used in computations).
2. Traffic generation rates for light commercial. The same rates, 5 trip ends per thousand square feet of commercial floor area per peak hour off-season traffic, were used as used by both Burgwin & Martin and the Traffic Engineer in the 1967 studies; derived from traffic counts at Twin Lakes and divided by square footage existing at that time.

One may expect, based on national experience, to have a rising rate as the size of the center decreases up to the point that smaller centers generate twice the traffic per 1,000 square feet of floor area as the larger ones. However, for the current computation, the low figure was used and no penalty was assigned to Sweetbriar, Atlantic Mills (discount houses have higher rates), and Marian Lakes.

3. Growth of traffic from existing conditions was computed the same as Burgwin & Martin (1967) at 1% each year. Because growth rates seem higher, a 2% growth line was also computed. Actual growth may be much higher, but should level or flatten out to an overall lower average as the area matures and developable land is used up.
4. Level C of operating efficiency is an appropriate design level and should be public policy. It is recognized that most of the heavily traveled arterial intersections do not operate at this efficiency level.
5. There is a maximum limit on street (and intersection) capacity for at grade street intersections with channelization and still maintaining the ability to serve adjacent property. The next grade of street construction (and capacity) for grade separated intersections. These usually severely limit access to adjacent commercial properties.

6. Street capacity should be, and was, measured and projected on the basis of non-peak season rates and figures, i.e., they were not figured on the ultimate load.
7. Neither signalization of the main Twin Lakes west entrance nor a provision for Marina Lakes II having an opposite entrance was figured in the traffic computations or projections. If signalization is introduced this close to 21st, the capacity of that intersection will be reduced.

The Traffic Engineer does not feel that he can support either an opposite entrance or signalization at this point. However, the Planning Department feels to provide for safety and convenience and irrespective of the effect on traffic capacity, it will be necessary to formulate policies for the signalization of private drives, such as the Twin Lakes main west entrance. This will remain true whether Marina Lakes II will or will not be granted an entrance opposite the west entrance of Twin Lakes.

8. Any reconstruction necessitated to maintain C level operation should be done in such a manner as to require the minimum rather than the standard or desired rights-of-way for such reconstruction. This is to keep the costs to a minimum. The intersection of 21st and Amidon, based on the foregoing assumptions, would not function at the C level at approximately the following years, based on the variables below.

| | 4 Lane Existing Structure | | 6 lane with 1 left turn 21st west bound | |
|--|-----------------------------|-----------------------------|---|------------------|
| | 1% | 2% | 1% | 2% |
| Existing Constructed Development | After 1988 | 1977 | After 1988 | After 1988 |
| Approved For Development | Above C 1968 At F, 1988 | Above C, 1968 At F, 1977 | After 1988 | 1978 |
| Approved Development PLUS Marina Lakes II | Above E, 1968 At F, 1969 | Above E, 1968 At F, 1969 | 1972 | 1970 |
| Approved Development PLUS Marina Lakes II AND Marina Lakes III | Above F, in 1969 | Above F, in 1969 | Above E, in 1969 | Above E, in 1969 |

Area Involved

Construction Costs

If it is determined that reconstruction is needed at any point in time, the following figures are gross estimates to repave Amidon from the Arkansas River north to approximately Marigold Street, and to repave 21st Street from the Little Arkansas River, west to approximately Meridian Street. Most costs would be for new lanes, i.e., expansion from four to six moving lanes. No construction costs have been estimated for new or relocated sidewalks nor for relocating medials.

Right-of-way costs are also quite gross at until specific construction plans are prepared, what right-of-way is needed is unknown. Minimum right-of-way needed would range from 100 feet where there is little channelization to a standard 132 feet at the intersection. This can be reduced to 112 feet by reducing the area between the curb line and property line (parking) from a standard 15 feet to 5 feet. However, if condemnation were required for the 5 feet, it is probable that the 15 feet would be taken. Existing right-of-way ranges from 80 to 110 feet in the area.

Assuming a rule of thumb price at current dollar values of \$15 per lan per foot, construction would run \$350,000. Assuming the right-of-way would be taken off the north side of 21st Street on both sides of Amidon and assuming severence tantamount to a total taking, the right-of-way might range from \$175,000 to \$225,000 for the two service stations alone.

In recent years, the City at large has paid (without cost of interest) \$1,174,000 to improve McLean-Amidon from 13th to 25th (including the bridge) and for 21st from the Little River to Meridian. Property owners have paid \$179,300 for the paving in the same area.

In the past, the City's general position in regard to improving arterials has been to build them 4 lanes in width with some channelization. Costs have been allocated so that all property pays for what might be considered as a normal residential street. When additional width, channelization or other treatment is required, the City has attempted to place these costs on the land that would benefit from such additional work. The apportionment of additional costs, especially if dependent on the commercial as generating the traffic, should be spread back on all the commercial zoning in the area.

LAKIN stated that two items mentioned by Armstrong are not concurred in by the staff. There are the timing of peak hours traffic on the streets and at the center. Studies at this particular area show these two peaks to arrive at the same time; thus complicating traffic. Secondly an analysis of the 1967 Burgwin and Martin report indicates that for a 4 lane street, 700 or more cars per peak hour per lane would have to pass thru the intersection. An F level service would be near the 600 vehicles per peak hour per lane, indicating an error in their computation.

LAKIN referred to a graph prepared by the staff which illustrated the four different basic conditions on which the report was based (the existing constructed commercial development; the total amount of commercial development presently approved; that approved commercial development plus the proposed application referred to as Marina Lake II, and the approved development plus Marina Lakes II and plus an area to the south of the present application equal in depth the present application and extending as far south as the LC in Twin Lakes (known as Marina Lakes III); and as related to two rates of growth (1% and 2%); and related to two types of traffic facilities (4-lane and 6-lane). He pointed out that the Burgwin and Martin report assumed a 1% growth but it is apparent that the area is growing much faster, so a 2% growth factor has been projected although

for a very short period of time growth in the city in this area has been from 4% to 19%. LAKIN stated that it is recognized that many streets in the city do not operate at Level C, but that it is an appropriate level to attempt to achieve.

LAKIN referred to the illustration (chart) which showed the projections of traffic with the existing designed 4 lane roadway and based on existing constructed development, pointing out that the line at the top shows at what year the level of service would exceed C level (beyond 1985 at 1% growth and 1977 at 2%).

The next set of lines was based on the assumption that everything now approved was built. Traffic never is within the C level and based on the 2% growth, it breaks down completely (F level) about 1977. He pointed out that the third pair of lines (based on approved development plus Marina Lakes II) would indicate operations would begin in F and would completely breakdown by 1972 or 1970 depending on the rate of growth.

LAKIN then referred to the chart displaying the same type of information related to a 6-lane street system at this intersection. This chart indicated that with a 6-lane facility on limited to existing construction the street would be capable of maintaining a "C" level of service for either rate of growth for 20 years, with approved commercial, in 1978 at a 2% growth rate, C level service would be exceeded although the street would not completely breakdown. By adding Marina Lakes II, C level would be exceeded in 1972 (at 1% growth) and in 1970 (at 2% growth). At a 2% growth the road would breakdown (at F) in 1983. LAKIN explained that given various conditions (roadway design and growth rates) the time when the intersection would breakdown ranges from immediate to beyond the planning period.

LAKIN next referred to construction costs and said that the figures shown in the staff report are most gross; that until the design of a roadway is determined and appraisal is made, it is very difficult to estimate costs. He continued that it was estimated that portions of the two service stations on the north side of 21st Street would be required (if not completely taken there would be severance damages) and he said it was projected that costs (right-of-way and construction) would be near 1/2 million dollars.

KRATZER asked LAKIN if he felt that the intersection as of today will last to 1985 before a breakdown as Mr. Armstrong thinks. LAKIN said that a 4-lane facility, without any additional development and at a slow rate of growth could maintain a level C service during the planning period.

TROUT complimented the staff for the preparation of the report and illustration, as it contains the exact information he asked for at the previous meeting and he agreed that there was plenty of room of disagreements in view of the numerous variables to be considered.

A question was raised as to a comparison of traffic volumes now and as projected by Burgwin and Martin when their report was prepared about two years ago for the original Marina Lakes CUP. PAUL GRAVES, Traffic Engineer, said that Burgwin and Martin report states 27,000 ADT on each leg of the intersection, but that was apparently an error and was meant to state 27,000 vehicles per street or 54,000 vehicles. GRAVES said there was a further difference of opinion where the report assumes that 1500 vehicles could approach per peak hour (2 moving plus twin lanes) on each leg (4) of the intersection. He felt this was the big difference in the analysis. GRAVES said he is of the opinion that at level C service the intersection capacity is approximately 450 vehicles per lane per hour.

ARMSTRONG said their recommendation was based on the 5 to 5.5 trip ends per 1000 square feet per peak hour traffic generation rate. He thought that Mr. Graves was talking about maximum level C that could get through the intersection 450 per hour. He stated that the maximum volume on a street is 2,000 per hour per lane (freeway standards with on side interference). This is reduced rapidly when considering only half the time is green time and when you add side interference. If traffic is 1135 vehicles per peak hour maximum as it approaches the intersection then through traffic was 578, the two through lanes are down to 340 per lane per hour. He felt that on a per lane basis, their report did not reflect anything really high. The statement towards the end of 1500 vehicles was based on four lanes and divided by four it doesn't come up too far from what Mr. Graves is talking about. He stated that he did not consider that he and Mr. Graves were too far apart. Their opinion with 4 lane facility indicated would have about 3400 vehicles entering the intersection at C level which is what everyone is striving for and 1985 projection was based on 1%. He pointed out again that there are many variables involved.

He said their projection of 1% growth might be more appropriate for downtown traffic but for a growing area such as this maybe they are a little low.

BOGART expressed concern because of the use of such a chart as presented by the staff and pointed out that such a study was not utilized when the Commission considered Rock Road CUP because if it had the zoning would never have been permitted. Also, if this kind of projection was made as related to Kellogg, such street would breakdown next year. BOGART further pointed out that the chart does not show existing development only plus this application which only involves an additional 136,000 square feet of leasable floor space which represents only 6800 cars per day, and if 2/3 of that traffic is related to Amidon and 1/3 to 21st and 18th Streets, the same picture as presented does not occur. He felt that if this kind of study had been applied to Twin Lakes, a breakdown in the traffic would have been shown to occur in a short time. He took exception to the fact that such a presentation is used at this time when it has not been utilized previously and it paints a rather dismal picture when taking all into consideration. He stated that most of the figures that have been given were established on the basis of 450,000 square feet of leasable area but that this application is only concerned with 136,000 square feet. He felt this property owner deserves the same treatment extended Twin Lakes and Rock Road developments and he doubted if there were many streets in the City now operating at C level under similar conditions as at this intersection. He did not think what had been presented was a true picture of the situation.

TROUT said he was responsible for the chart because of his request to the staff at the last meeting in view of the confusion in figures at the previous meeting. He said it answered his question as to at what point would the facility breakdown under various conditions and that it is exactly what he asked for.

For the record, LAKIN said that the third set of lines (Marina Lakes II) shown on the chart was based on 135,000 square feet of floor added (not 450,000 square feet) added to the existing approved commercial.

CHARLES HARRIS, attorney for Twin Lakes, questioned whether the Burgwin and Martin report made in 1967 was valid when one considers the fact that they projected a 1% growth while actual increase has been 18% per year.

LAKIN said that figures on traffic increases developed just this morning by the Traffic Engineer shows increase from 1966 to 1968 of 19% or an average of 9 1/2% per year.

HARRIS questioned the validity of a report based on 1% or even the 2% projected by the staff when some averages related to other shopping centers in the City have shown 4%. HARRIS continued that if the more logical percent of growth is utilized rather than 1% or 2%, there is no possible way this intersection could work within the planning period.

HARRIS pointed out that it would appear, when one considers the actual rate of growth in this area, that traffic would reach the F level by 1970, which he felt would be about the date that the proposed center would open. He continued that regardless of projections, everyone recognizes the fact that there is a history in this community of underestimating projections. He recalled that the projected figures relating to Kellogg for 1975 were reached the second year after it was opened, and he urged the Commission to not make the same mistake as made on East Kellogg. HARRIS agreed that if the zoning is granted as requested, a street could be built but as pointed out by the staff, the cost thereof would be prohibitive.

HARRIS reviewed the fact that this case was originally heard at great length by the Planning Commission on January 12, 1967, January 26, 1967, and February 9, 1967; by the City Commission March 23; by the Planning Commission on March 28, 1967 and again by the City Commission on April 4. At the hearing on February 9, 1967, the Burgin and Martin report was presented and at the same hearing the city staff also presented its report. At that time, Mr. Wulz, then Director of Public Works, Paul Graves, City Traffic Engineer, and Robert Lakin of the Planning Department appeared and presented the case. At that time the Planning Commission (many members were the same as now on the Commission) heard basically the same questions as raised now. At that time, it was the unanimous vote of the Commission to recommend denial without prejudice to the submission of a revised application for a lesser amount of zoning. This was done, the revised area was advertised and resulted in the granting of the light commercial as presently exists in the Marina Lake CUP. At that time, the Burgin and Martin report projected the same facts as today -- that it isn't going to be too much of a problem, although at that time, Mr. Wulz, Mr. Graves, and Mr. Lakin said that if growth continued to increase, it would compound the problem. The issues with respect to traffic

heard today were heard at the previous hearings, one of which lasted five hours. HARRIS maintained that the only thing different about the situation is the fact that the traffic is considerably higher than projected by the Burgwin and Martin report, and the new study prepared by the planning staff for subject case, indicates their own study of 1967 was too low and the problem is worse now than they thought it was going to be.

HARRIS referred to the suggestion by Mr. Armstrong that opening of other streets would help solve the problem, but it was his opinion that the shopping centers themselves generate their own traffic, and it was his thought that the improvement of one or more streets in the surrounding area will not appreciably solve the problem in that the area itself generates the problem.

HARRIS commented that with the addition of 136,000 square feet of floor area in development and assuming that which is already approved will be developed, and a reasonable traffic generation rate, the breakdown of the existing street would occur within the next two or three years.

HARRIS referred to the staff projection of costs involved in the improvement of the streets. He felt the figures were low because at the time the original zoning was made there was a dedication of right-of-way by Twin Lakes and most of the other property owners involved, the only exception being the Marina Lakes area where the owner did not make such a dedication. He pointed out that the projected costs do not include the actual construction cost of medials or right-of-way beyond the intersection or for sidewalks, so the figures have been presented by the staff on a very conservative basis.

HARRIS reminded the Commissioners that this is about the ninth hearing of this same matter, and reminded the Commission that at the previous hearing on the original Marina Lakes CUP a formal protest petition was submitted but subject area (which is a portion of the original) does not involve adjacent owners because it is under the same ownership and, therefore, there is no way in which a legal protest petition could be filed. He felt, however, that the Commissioners must know the massive protest in the neighborhood from residents and must realize the existing traffic problem. HARRIS submitted aerial photographs showing the traffic situation at this intersection at various times and called attention to one taken recently showing traffic lined up to enter the Twin Lakes area from Amidon and commented that the situation would only be more aggravated by permitting an entrance to Marina Lakes directly opposite the one into Twin Lakes.

HARRIS pointed out that the Twin Lakes center was the first commercial development in the area and that they offered no objection to the zoning for Sweetbriar, Atlantic Mills, and the only reason they are opposed now is because the then Director of Public Works, now City Manager, the Traffic Engineer, and other city staff people say that if it is allowed there will be a breakdown in traffic that would seriously damage the existing investment of many millions of dollars.

For the record, HARRIS said it was his position that the application is not fairly brought before the Commission because it is only a portion of an original CUP project; he maintained that this is a single CUP and as a compromise the previous zoning was granted in respect to the same traffic problem. He doubted that the situation should be considered piecemeal and suggested that if the CUP is to be changed in any way, it should be overall consideration of the entire CUP upon application signed by the people who own it and not just the leasee. Unless that is done, a CUP could be cut into tracts and sold off individually and not result in the goals of the original plan. HARRIS said that one of the Commissioners alluded to this possibility at the last meeting.

HARRIS repeated that there is an existing problem and he asked the Commission not to compound the situation to the detriment of the people already there and he felt that if this is permitted, it would lead to other requests along Amidon, and especially so if this case is approved on the argument that the "land" is too valuable to develop otherwise. He continued that the compromise was made in 1967 when the Commission unanimously voted to deny the entire application at that time and approved only a portion thereof and denied what is being requested at this time.

GOEBEL commented that there has been zoning granted in the area which will increase traffic since the original Marina Lakes zoning was granted. HARRIS noted that the "BB" zoning granted on the Twin Lakes area was felt would tend to reduce traffic inasmuch as the plan for a highrise office structure (permitted under "B" Multiple Family Zoning) was changed to provide for garden type offices and, therefore, with less density and less traffic generated.

FOSTER expressed concern that even the estimates presented by the staff may be too low as has always been the experience in the past and said that in the staff study every opportunity had been given to the benefit of the doubt to this applicant. If a figure was rounded off, it was always to the minimum standard applicable.

BOGART referred to a former policy of the Commission which required the applicant to furnish a traffic study on a CUP request, and said that just before Rock Road CUP was submitted the policy was changed and the decision to grant the zoning was based on land use only. BOGART continued that at one time there was a policy that CUP's could be approved within 3 miles of each other. BOGART referred to the chart presented by the staff and discussed several questions concerning traffic with Mr. Lakin. He maintained that actually it is projected that only 5,000 more cars per day related to the requested 136,000 square feet more area. He felt that if zoning is to be granted based on this type of chart, then there would be no more granted on major streets.

KRATZER said he has viewed this area several times in the last month and at various times -- before 8 a.m., from noon to 1 p.m., and from 4:30 p.m. to 6 p.m. and between 7 p.m. and 8 p.m. on several occasions. He noted that many of the residents in the area are opposed because of the wait to get onto Amidon and he noted that the shopping centers are not open when they are going to work and he felt the street construction was probably responsible for the wait. KRATZER continued to review the fact that light commercial was established at this intersection on the basis that Amidon replaces Meridian as a section line, and in keeping with their policy, the light commercial was established at 21st and Amidon. He noted that the original purpose was to provide people in the area with commercial establishments and to provide some equity to land owners involved. He noted that the Commission does have the authority to rezone this intersection back to the original 6 acres on each corner to control traffic. He referred to the fact that it seems apparent the intersection will have to be rebuilt at some time in the future. He asked LAKIN if the staff felt it would have to be rebuilt within 16 years on the basis of its report. LAKIN said that reconstruction of the intersection could occur anytime within 16 years, depending on what conditions prevail, i.e., how much more commercial is built, and at what rate of growth for those commercial area and the overall traffic. KRATZER continued that apparently it boils down to when it will be rebuilt. He felt that a bridge on Meridian over the River would provide another artery for traffic and also the possibility of extending Waco on a curve into Arkansas north of 21st Street.

BRANSON stated that another point to consider is the fact that within the last two years the Commission had made a decision on this area and pointed out that too much of the Commission's time is devoted to hearing zoning cases rather than actually doing any planning. He continued that he resented this application being submitted when there has been no change in the last two years except for the name of the applicant and he stated that he did not say that against the applicant. He pointed out that the Commission has studied the traffic situation; that it will be more square feet than downtown, and that consideration should be given to residents in the area and he did not think the Commission should change its mind after only two years.

TROUT felt that there probably have been changes in the area and that there would be more; it is a good location for centers and seems to be a growing area. He said he was not so concerned about the submission of the case so soon after the other one, but felt the job of the Commission was to consider it on the basis of whether or not it is good and proper zoning. He expressed concern for stripping a street, noting that nothing slows down the movement of traffic more than numerous access points thereof. He referred to the fact that there were residents opposing zoning along Kellogg as residents are opposing subject case. He felt it wrong for the Commission to apply traffic as the only determinant for approving zoning, but stated that it is a matter of degree.

The Chairman pointed out that petitions containing 120 signatures in opposition had been submitted.

KRATZER said he thought people who live in the area had been misled as to what they can expect to alleviate traffic congestion. He pointed out that there will always be traffic and that no one can expect to live in a metropolitan area without traffic congestion. KRATZER again asked LAKIN if it was the staff's feeling that the street would have to be rebuilt in 16 years. LAKIN stated that on a 4 lane facility anytime the traffic hits F level it would have to be rebuilt. Whether it would be 1970 or 1985 would depend on the circumstances during the future period - development, etc.

GOEBEL felt that people in the area were a little more concerned than they needed to be. He felt that if and when other means of traffic circulation are provided the congestion at this intersection will be relieved. He pointed out also that so far as taxes, a commercial development pays much more taxes than residential property and so it would not be likely the residential taxes would be increased because of development on subject property.

He referred to the difference in what is paid on the Twin Lakes property now as compared to when it was undeveloped several years ago.

MOTION: BRANSON moved, TROUT seconded that the Planning Commission recommend to the City Commission that Case No. DP-23 (amendment) and Z-1037 be denied. Motion carried by a vote of 5 in favor (Branson, Trout, Souders, Goebel and Mooney) and two opposed (Kratzer and Jackson).

The Chairman declared the meeting recessed until Thursday, December 19, 1968, at 10:00 a.m. in the same meeting room. Meeting recessed at 5:30 p.m.

C. Bickley Foster
Secretary

State of Kansas) ss
Sedgwick County)

I, C. Bickley Foster, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, do hereby certify that the foregoing copy of the minutes of the meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on December 12, 1968, and is a true and correct copy of the minutes officially approved by such Commission.

Given under my hand and official sea, this ____ day
of _____, 19 ____.

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

(SEAL)

SHOPPING CENTER FLOOR AREA COVERAGE

| Shopping Center | Existing Sq. Ft. Gross Floor Area | Existing Gross Leaseable Floor Area 85 % GFA* | Possible Sq. Ft. GFA | Possible Sq. Ft. GLA |
|------------------|--|---|----------------------------|----------------------------|
| Twin Lakes | 245,398 | 219,534** | 330,000 | 280,500 |
| River Bend | 16,647 | 14,173 | 88,707 | 75,401 |
| Sweetbrier | 146,626 | 124,632 | 250,750 | 213,138 |
| Atlantic Mills | 88,550 | 75,268 | 113,550 | 96,518 |
| Marina Lakes | <u>16,041</u> | <u>13,635</u> | <u>145,050</u> | <u>124,143</u> |
| Total | 513,289 | 447,242 | 929,057 | 789,700 |
| Marina Lakes II | - | - | <u>159,829</u> | <u>135,855</u> |
| Total | 513,289 | 447,242 | 1,088,886 | 825,555 |
| Marina Lakes III | - | - | <u>161,176</u> | <u>137,000</u> |
| Grand Total | 513,289 | 447,242 | 1,250,062 | 1,062,555 |

*Derived at from comparison of actual GLA at Twin Lakes and the actual figures of 645,000 sq. ft. GLA and 787,000 sq. ft. GFA obtained for Westland Shopping Center; Detroit, Michigan

**Actual

SHOPPING CENTER TRAFFIC GENERATION RATE DESIGN GUIDELINES

Weekday Off-Season Time

| Type of Shopping Center | Vehicles generated per 1000 square feet of Gross Leasable Area | | | | | |
|--|---|----------|---|---|----------|--|
| | Daily Volume of Traffic | | | Peak Hour Volume of Traffic (10% Daily) | | |
| | INBOUND | OUTBOUND | TOTAL | INBOUND | OUTBOUND | TOTAL |
| Regional | 20 | 20 | 40 | 2.0 | 2.0 | 4.0 |
| Community | 40 | 40 | 80 | 4.0 | 4.0 | 8.0 |
| Twin Lakes Area (Figure used in Computations) | 25 | 25 | 50 | 2.5 | 2.5 | 5.0 |
| | <u>Figures commonly referred to as Traffic Generation Rates</u> | | <u>Actual Amount of Traffic which must be handled on the adjacent street system</u> | <u>Figures commonly referred to as Peak Hour Traffic Generation Rates</u> | | <u>Actual Amount of Peak Hour Traffic which must be handled on the adjacent system</u> |

MAPD 12/11/68

is no appreciable added expense involved in this sales increment. This rough analysis admittedly omits added costs for the 6:1 ratio such as paving, lighting, drainage, maintenance, etc. However, the margin of profit over land cost can then be compared to reasonably accurate estimates of grading, paving, etc., for the site and a better decision made as to the peak hour to be designed for.

In a typical community shopping center, where convenience goods are predominant, there is a marked difference between regional centers in the daily trips generated, accumulation characteristics, duration of stay, etc. Our studies have found trip generation rates in convenience goods centers are roughly double those found in regional centers. Rates of 40-45 daily trips per 1000 square feet are common in community shopping centers compared to an average of 20-28 daily trips per 1000 square feet for regional centers. The effect of higher generation rates, greater turnover and flatter accumulation curves results in a higher weekly peak hour demand for parking spaces for a community center. Ratios of seven spaces per 1000 square feet GLA are not uncommon in convenience centers during the 30th to 50th highest hours of the year. Increasing the 7:1 ratio by ten percent will generally accommodate all but the highest hours of peak sales. Conversely, average weekly peaks in a regional center are less than half the annual peak hours.

Despite the shortcomings of providing a single standard ratio of parking spaces per 1000 square feet of gross leasable area, this method is more realistic and accurate than the Annual Sales per Space Method or the Area Ratio Method. Additional research is necessary to determine more precise parking ratios for centers in the convenience goods class and the extremely large regional centers containing three or more major tenants.

Parking Areas

There are three basic types of parking areas in most regional shopping centers: (1) prime parking area, (2) overflow parking area and, (3) employee parking area. Different design standards can be applied to each.

- (1) The prime parking area (satisfying peak parking demand on an average day) should be designed to the highest possible standard in order to achieve maximum parking use in terms of vehicles parked per space per day. The circulation road adjacent to the stores should never be used for this prime parking. If possible, the prime parking areas should be

REGIONAL SHOPPING CENTER DESIGN GUIDELINES

OF GENERATION FACTORS

Design Day: Weekday during which the Center is open during the evening.

| | <u>Vehicles per 1000 Sq. Ft. of Gross Leasable Area</u> | |
|--------------------------------------|---|-----------------|
| | <u>Inbound</u> | <u>Outbound</u> |
| Daily Volume | 20.0 | 20.0 |
| <u>Traffic Peak Hour 5-6 p. m. *</u> | <u>2.0</u> | <u>2.0</u> |
| <u>Arrival Peak Hour 7-8 p. m.</u> | <u>2.5-3.0</u> | <u>2.0</u> |
| Leaving Peak Hour ** | 1.5 | 3.0 |

Parking Requirement

5.0-5.5 spaces per 1000 sq. ft. of gross leasable area.

* Typical commuting peak period

** Hour prior to closing

APPENDIX "B"

Explanation of Level of Traffic Service

To understand level of service when speaking of at-grade intersections, the following terminology must be comprehended. The term "load factor" is defined as follows:

A green phase on an approach may be considered to be "loaded" when the following conditions apply:

1. There are vehicles ready to enter the intersection in all lanes when the signal turns green, and,
2. They continue to be available to enter in all lanes during the entire phase with no unused time for long spacings between vehicles.

The "load factor" serves as a measure of the level of service on the approach. The "load factor" for a normal intersection may range from a value of 0.0 to a value of 1.0. A "load factor" of 0.0 represents any situation in which no cycle during the hour is loaded, and, hence, very good to excellent operating conditions exist. The load factor of 0.2 (20 per cent of the cycle is loaded) indicates a good operating condition for most cases.

The following is a brief description of the different levels of service. The explanation is better understood by referring to the attached graph showing the general concepts of relationship of Level of Service to operating speed and volume to capacity ratio.

At Level of Service "A" there are no loaded cycles (i.e., the load factor is 0.0) and few are even close to loaded. No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. Typically the approach appears quite open. Turning movements are easily made and nearly all drivers find freedom of operation, their only concern being the chance that the

light will be red or turn red when they approach.

Level of Service "B" represents stable operation with a load factor of not over 0.1: An occasional approach phase is fully utilized and a substantial number are approaching full use.

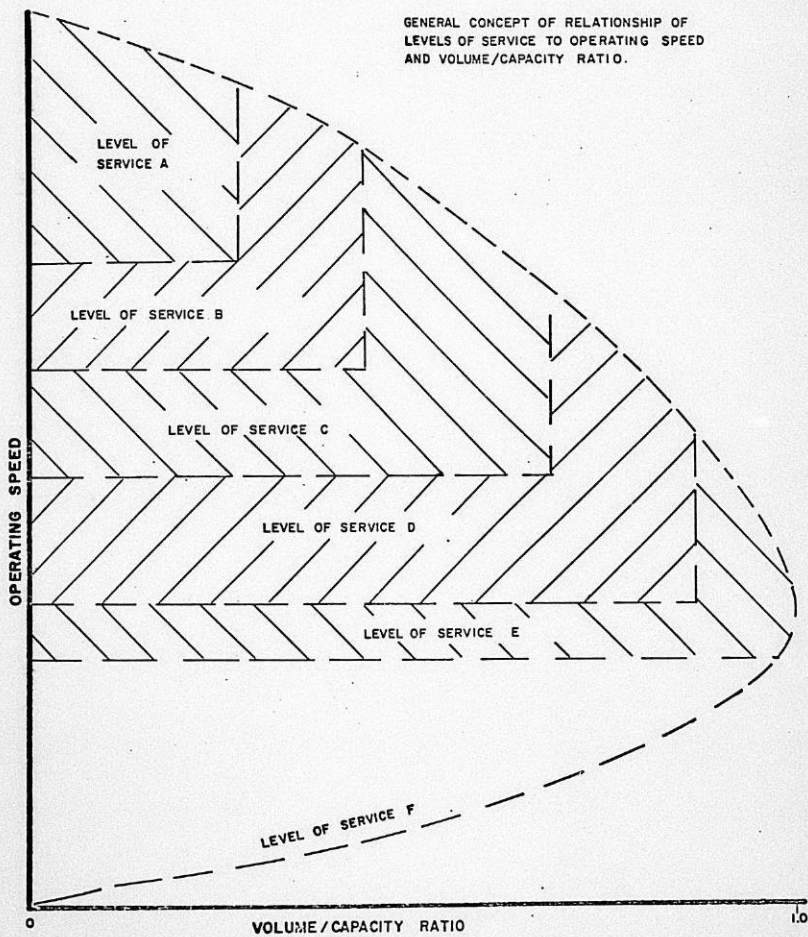
In Level of Service "C" stable operation continues. Loading is still intermittent but more frequent with the load factor ranging from 0.1 to 0.3. Occasionally drivers may have to wait through more than one red signal indication and backups may develop behind turning vehicles. Most drivers feel somewhat restricted, but not objectionably so. In the absence of local conditions dictating otherwise, this is the level typically associated with urban design practice.

Level of Service "D" encompasses a zone of increasing restriction approaching instability in the limit when the load factor reaches 0.70. Delays to approaching vehicles may be substantial during short peaks within the peak period, but enough cycles with low demand occur to permit periodic clearance of developing queues, thus preventing excessive backups.

Capacity occurs at Level of Service "E". It represents the most vehicles that any particular intersection approach can accommodate. Although theoretically a load factor of 1 would represent capacity, in practice full utilization of every cycle is seldom attained no matter how great the demand unless the street is highly friction free. A load factor range of 0.85 is more realistic.

Level of Service "F" represents jammed conditions. Backups from locations downstream or on the cross street may restrict or prevent movement of vehicles out of the approach under consideration; hence, volumes carried are not predictable. No load factor can be established because full utilization of the approach is prevented by outside conditions.

GENERAL CONCEPT OF RELATIONSHIP OF
LEVELS OF SERVICE TO OPERATING SPEED
AND VOLUME/CAPACITY RATIO.



December 9, 1968

SUPPLEMENTARY INFORMATION
REQUESTED BY MAPC FOR
CASES DP-23 & Z-1037

Amount of Commercial

The existing constructed commercial development in the area (Twin Lakes, Sweetbriar, Atlantic Mills, River Bend and Marina Lakes) is 513,289 square feet of floor area. Assuming 85% of floor area to equal "gross leasable area", this is 447,242 square feet GLA.

The existing approved commercial zoning (as opposed to actual construction) for the same area would allow an additional 415,768 square feet of floor area, or 342,458 square feet gross leasable area.

The applicant has orally revised his application to limit the amount of commercial development to an additional 135,855 square feet of gross leasable area (45% of ground area). This will be referred to as Marina Lakes - Condition II or Marina Lakes II.

Assuming the proposition stated by the applicant to be valid, e.g., conditions have changed by virtue of the increased value of land, then the area south of the applicant's proposal may also be considered as potential commercial (at least to a point south equal to the "LC" at Twin Lakes and to a depth equal to the applicant's. This, if it should occur, would produce 7.06 acres of commercial ground area; and 137,000 square feet of gross leasable area. This area will be referred to as Marina Lakes III.

Traffic Projections

A re-analysis of traffic conditions has been completed to try to answer the following questions:

- 1) When will the traffic, based on: a) existing development; b) authorized development; and c) proposed development, cause the intersection of 21st and Amidon to breakdown?
- 2) Will reconstruction of the street system (including the intersection) provide sufficient capacity for the: a) existing; b) authorized; and c) proposed development?

To do the traffic study, certain assumptions which are variables must be established. These are:

1. Amount of contributing high traffic generators - light commercial. (See preceding for amounts used in computations).

2. Traffic generation rates for light commercial. The same rates, 5 trip ends per thousand square feet of commercial floor area per peak hour off-season traffic, were used as used by both Burgwin & Martin and the Traffic Engineer in the 1967 studies; derived from traffic counts at Twin Lakes and divided by square footage existing at that time.

One may expect, based on national experience, to have a rising rate as the size of the center decreases up to the point that smaller centers generate twice the traffic per 1,000 square feet of floor area as the larger ones. However, for the current computation, the low figure was used and no penalty was assigned to Sweetbriar, Atlantia Mills (discount houses have higher rates), and Marina Lakes.

3. Growth of traffic from existing conditions was computed the same as Burgwin & Martin (1967) at 1% each year. Because growth rates seem higher, a 2% growth line was also computed. Actual growth may be much higher, but should level or flatten out to an overall lower average as the area matures and developable land is used up.
4. Level C of operating efficiency is an appropriate design level and should be public policy. It is recognized that most of the heavily traveled arterial intersections do not operate at this efficiency level.
5. There is a maximum limit on street (and intersection) capacity for at grade street intersections with channelization and still maintaining the ability to serve adjacent property. The next grade of street construction (and capacity) for grade separated intersections. These usually severely limit access to adjacent commercial properties.
6. Street capacity should be, and was, measured and projected on the basis of non-peak season rates and figures, i.e., they were not figured on the ultimate load.
7. Neither signalization of the main Twin Lakes west entrance nor a provision for Marina Lakes II having an opposite entrance was figured in the traffic computations or projections. If signalization is introduced this close to 21st, the capacity of that intersection will be reduced.

The Traffic Engineer does not feel that he can support either an opposite entrance or signalization at this point. However, the Planning Department feels to provide for safety and convenience and irrespective of the effect on traffic capacity, it will be necessary to formulate policies for the signalization of private drives, such as the Twin Lakes

main west entrance. This will remain true whether Marina Lakes II will or will not be granted an entrance opposite the west entrance of Twin Lakes.

8. Any reconstruction necessitated to maintain C level operation should be done in such a manner as to require the minimum rather than the standard or desired rights-of-way for such reconstruction. This is to keep the costs to a minimum. The intersection of 21st and Amidon, based on the foregoing assumptions, would not function at the C level at approximately the following years, based on the variables below.

| | 4 Lane Existing Structure | | 6 lane with 1 left turn 21st west bound | |
|--|-----------------------------|-----------------------------|---|------------------|
| | 1% | 2% | 1% | 2% |
| Growth factors | 1% | 2% | 1% | 2% |
| Existing Constructed Development | After 1988 | 1977 | After 1988 | After 1988 |
| Approved For Development | Above C, 1968 At F, 1988 | Above C, 1968 At F, 1977 | After 1988 | 1978 |
| Approved Development PLUS Marina Lakes II | Above E, 1968 At F, 1969 | Above E, 1968 At F, 1969 | 1972 | 1970 |
| Approved Development PLUS Marina Lakes II AND Marina Lakes III | Above F, in 1969 | Above F, in 1969 | Above E, in 1969 | Above E, in 1969 |

Construction Costs

If it is determined that reconstruction is needed at any point in time, the following figures are gross estimates to repave Amidon from the Arkansas River north to approximately Marigold Street, and to repave 21st Street from the Little Arkansas River, west to approximately Meridian Street. Most costs would be for new lanes i.e., expansion from four to six moving lanes. No construction costs have been estimated for new or relocated sidewalks nor for relocating medials.

Right-of-way costs are also quite gross as until specific construction plans are prepared, what right-of-way is needed is unknown. Minimum right-of-way needed would range from 100 feet where there is little channelization to a standard 132 feet at the intersection. This can be reduced to 112 feet by reducing the area between the curb line and property line (parking) from a standard 15 feet to 5 feet. However, if condemnation were required for the 5 feet, it is probable that the 15 feet would be taken. Existing right-of-way ranges from 80 to 110 feet in the area.

Assuming a rule of thumb price at current dollar values of \$15 per lane per foot, construction would run \$350,000. Assuming the right-of-way would be taken off the north side of 21st Street on both sides of Amidon and assuming severance tantamount to a total taking, the right-of-way might range from \$175,000 to \$225,000 for the two service stations alone.

In recent years, the City at large has paid (without cost of interest) \$1,174,000 to improve McLean-Amidon from 13th to 25th (including the bridge) and for 21st from the Little River to Meridian. Property owners have paid \$179,300 for the paving in the same area.

In the past, the City's general position in regard to improving arterials has been to build them 4 lanes in width with some channelization. Costs have been allocated so that all property pays for what might be considered as a normal residential street. When additional width, channelization or other treatment is required, the City has attempted to place these costs on the land that would benefit from such additional work. The apportionment of additional costs, especially if dependent on the commercial as generating the traffic, should be spread back on all the commercial zoning in the area.

Attachment

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#1-A

16. S/O 68-111 - Final plat of JABARA ADDITION, generally located on the northwest corner of Murdock and West Street.

MOTION: TROUT moved, KRATZER seconded and it carried unanimously that the Planning Commission recommend to the Board of City Commissioners that this plat be approved, subject to:

1. Approval of the plat is subject to approval of the associated zone case Z-1032.
2. The 8-foot utility easement adjacent to the west line of the plat shall be increased to 10 feet in width.
3. Indicating a 5-foot utility easement adjacent to the north line of the plat.
4. The applicant shall install or guarantee the installation of a sidewalk adjacent to West Street; the total estimated construction cost to be in the amount of \$660.
5. The applicant and/or his engineer shall submit to M. S. Mitchell of the Maintenance Division of the Department of Public Works, a lot grading and drainage plan for subject property. A letter shall be obtained from M. S. Mitchell stating that satisfactory plans have been approved, and a copy of said letter shall be submitted to the Planning Department.
6. Recording within 30 days after approval by the Board of City Commissioners.

ZONING

New Cases

- 17a. Case No. Z-1037 - Clear Lakes, Inc., et al. request change from "AA" to "IC" for a tract beginning at a point 50 feet west and 400.15 feet south of the northeast corner of Government Lot one in the Northwest Quarter of Section 7, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence south parallel to the West easement line of Amidon Avenue 330 feet; thence west 675 feet to a point 730 feet south of the center line of 21st Street; thence north at right angles,

250 feet; thence west at right angles, 460 feet to a point 480 feet south of the center line of 21st Street; thence north at right angles 130 feet; thence east at right angles 460 feet; thence south at right angles 50 feet; thence east 675 feet at right angles to the point of beginning.
Generally located on the south side of 21st Street between Amidon and Meridian.

- 17b. Case No. DP-23 - Clear Lakes, Inc., et al. request approval of an amendment to Marina Lake CUP, as related to property legally described as follows: DP-23 - A tract beginning 75 feet west and 75 feet south of the northeast corner of the northwest quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M.; thence south 275 feet; thence east 25 feet; thence south 1515 feet more or less; thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north to the point of beginning; thence south in a southeasterly direction 90 feet more or less to a point 15 feet north to the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes Marina Lake 1st and Marian Lake 2nd Additions, and an area on the west being platted as Marina Lake 3rd Addition. Generally located on the south side of 21st Street between Amidon and Meridian.

BLEDSON said he would abstain from voting and excused himself from the Commission table.

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

History

DP-23 and Z-0824 were two zone and Community Unit Plan applications for the entire area of the former Dolese sandpit area of approximately 60 acres. Approximately 37 acres were requested for "LC" and "C" and 24.5 acres were requested for "B". A Community unit plan was submitted for both the commercial and residential parts. The Planning Commission recommended denial, without prejudice; however, after the City Commission heard the case, nearly 8 acres of "LC" and 22 acres of "B" was approved. The situation at that time hinged on the impact of traffic on the arterial system.

1. Existing land use

Application area and adjoining Marina Lake CUP - vacant, restaurants, service station and ATB (auto supply, tire and battery) store. Adjacent: North - Sweetbriar CUP, service station, medical offices; West - vacant, lake and proposed apartments; South - vacant, river, single-family dwellings; East - Twin Lakes Shopping Center and Atlantic Mills.

2. Requested Changes - Basic issues involved are:

1. Increasing Parcel #1 (at the northeast corner of the tract, from 3.57 acres to 9.13 acres of light commercial zoning.
2. Eliminating basic controls (maximum gross leasable area and maximum building height) on Parcels 1 and 4.
3. Increasing allowable sign heights from 30 feet to 45 feet.
4. Increasing the number of access points to the development from both 21st Street and Amidon.

As noted in the history above, the general question of shopping center location has been investigated in depth, including traffic analysis. The following has occurred in the area:

1. Twenty-fifth Street bridge over the Little Arkansas River now open - no perceptible difference in 21st Street or Amidon traffic volumes noted or expected.
2. Twenty-first Street west of Amidon now is designated as an arterial in the Transportation Plan. Part is now being constructed. The balance, including a new bridge over the Big Arkansas River scheduled for 1970. Full effect is unknown but increased traffic volumes on 21st Street and through the 21st Street-Amidon intersection are anticipated.
3. Amidon being reconstructed with additional channelization both north (not started) and south of 21st Street (almost complete).
4. Traffic projections by Burgwin and Martin, the applicant's previous consultant for 1967 (ADT) being substantially surpassed in 1968.
1968

| | Burgwin & Martin 1967 Projected <u>ADT</u> | Actual ADT <u>1968</u> |
|-----------------------|--|------------------------------|
| Amidon, north of 21st | 11,970 | 15,530 |
| Amidon, south of 21st | 11,580 | 11,474* (1966) |
| 21st, east of Amidon | 10,940 | 13,200 |
| 21st, west of Amidon | 7,700 | 8,260 |

*1966 - Only available figure

5. Partial strip type development has occurred on 21st (Parcel 4), additional facilities in Sweetbriar, Twin Lakes and River Bend, in accordance with CUP's approved prior to original consideration of Marina Lakes.
 6. Granting of "BB" Office zoning on south of Twin Lakes complex. Note: This replaces "B" Multiple-family which also allows offices (medical and dental).
3. General Statement on Zoning and Shopping Centers

1. Similar tracts of land should be treated similarly. However, this does not necessarily mean equal amounts. All authorities, including the Urban Land Institute, will state that shopping centers and zoning therefor is different and unique from other zoning districts and uses. A regional center on one corner does not per se create a demand for three additional regional centers. Shopping centers are located on the basis of markets. We cannot, and will not, say the center proposed is or is not economically feasible. However, the former policy (now abandoned) of the Planning Commission that market studies be made as the basis for requesting shopping center approval was, and still appears to be valid. The Urban Land Institute, whose membership is business men in the shopping center and development business, has this to say:

"A shopping center does not in itself generate new business; it distributes existing business and provides for growth. As each new center opens, its business volume comes in part from the central business district and in part from other suburban shopping areas. Until the increases in population and the re-adjustments in shopping habits catch up, additional

retail facilities are justified only by actual increments in population and purchasing power.

"Each new center should be justified on the basis of purchasing power available to it and by gauging the nature of its competition. Without fully taking into consideration the competition both existing and potential, a new center may find itself in competition with all existing retail facilities now serving the population, as well as with any new shopping center that might be built later to serve the same trade area. As Roy Drachman says, "Make a market study before talking seriously about building a shopping center."

"This last observation raises the issue of competition between shopping centers. It also raises a danger signal for competing centers which seemingly are justified, but are basing their supporting purchasing power on duplicate statistics.

"The fact remains that there is just so much spendable income in any municipality or locality. Whether there are too many shopping centers or whether over-development of retail facilities is taking place depends on how thinly the total available spendable income of the community may be divided. Conditions and circumstances indicate that no arbitrary answer can be offered for the arithmetic number of shopping centers that are justified. This conclusion is reached because commercial development follows purchasing power. The growth of the suburbs and the redistribution of commercial areas in urban renewal, plus the changing methods of merchandising and the great convenience of shopping by car, lie behind the phenomenon of the planned shopping center.

"Yet shopping centers can be overdone. The concept has caught on to the extent that nearly every entrepreneur wants to develop a shopping center. In some cities of the country, construction has gone ahead so fast that shopping centers represent a highly competitive business. In such places, the competition is between centers themselves, not between the centers and the established neighborhood or downtown retailers. This competition, combined with high capital costs, means that the developer is allowed to make few mistakes if he

hopes to survive. The philosophy that "if a little is good then a lot is better" does not apply when it comes to putting too many stores or shopping centers too close to each other in one area.

"In the rulebook of the Community Builders Council, caution is the first principle of procedure.

"As Paul Ambrose, Council member from Denver, observes: The economic justification for a shopping center whether it be large or small can only be reached by market analysis. This is a process of expert evaluation of the market to be served, taking into consideration existing retail facilities, future competition and the proposed center, all as related to the purchasing power of the community. It should include detailed knowledge of existing retail businesses and their volumes, estimates of the impact of future competition, the impact of the proposed center and whether or not the community can support all these facilities. It should not contemplate running the other fellow out of business. Overdevelopment of retail facilities often leads to very marginal operations for all. The new center is only justified when existing retail facilities are not adequately serving the market."

2. Compatibility and effect on adjacent uses of land. The proposed changes do not significantly affect any adjacent land uses. Commercial exists north and east. South and southwest is residential (proposed) separated by a lake. Such a buffer would appear satisfactory.
3. Zoning once established needs some overriding reason to justify a change once the governing body makes its legislative determination. In other words, are there sufficient changes in fact or conditions to consider a change. If not, the previous decision should stand.
4. Maximum gross floor areas (GFA) and a maximum height are valid controls and should be retained. All recent CUP's have had such controls. GFA has ranged, however, from .30 to .50 of parcel area. Height should be retained to control shopping centers and their appearance when located near or in residential areas. The GFA is a control on maximum development which can be accommodated (e.g., sewer, water, streets) in a given area.

If no control is to be used, then the market is the only control (cost of parking structure and business vs. returns), irrespective of effect on the community. These controls at least for planning purposes are absolutely necessary.

5. Sign control based on actions of the City Commission upon recommendation of Public Works, is not too critical. Nearly all controls established on East Kellogg to date have been waived or modified. This gives rise to an exercise of whose sign is higher than the next sign. The Planning Department believes that discretion should be used and that sign control is basic to the appearance of the community. It should be noted that all signs in this area have been able to comply with current regulations and CUP's and are 30 feet or less.

Traffic

Comments from both the City Engineer and Traffic Engineer have been received. Other than relatively minor adjustments and guarantees on drives and fencing, the following appear significant:

1. The access on Amidon was acquired from the original owners, the Dolese Co., by the City for the price of paying the cost of paving which would normally be assessed to the west, plus installing fencing. The release of access and provision of additional medial breaks should be on the basis of compensating the City for the cost of paving and interest on the bonds and the cost of any additional reconstruction necessitated thereby. This is in line with action taken by the Planning Commission on Sweetbriar and Twin Lakes (reconstruction costs).
2. The critical and major problem is the 21st Street and Amidon intersection. Because "LC" generates traffic far and above other uses, even offices and apartments, the ability to move traffic through the intersection without creating congestion and a poor level of service is the key as to whether more "LC" should be approved.

The Traffic Engineer advises that although not desirable, the intersection can be made to work - but at a price. For additional "LC", Amidon will have to be widened from 4 to 6 moving lanes, plus channelization at the intersection and all entrances. Double left turn lanes will

be needed on 21st east of Amidon. The extent of the Amidon treatment would need to extend from north of Sweetbriar (between there and 25th Street North) to the bridge across the Big Arkansas River. This will necessitate right-of-way of 120 feet to 132 feet, depending on location of entrances and turning lanes. Existing right-of-way is 80 feet and 125 feet.

If the zoning is approved and satisfactory arrangements or compensation for existing rights and for reconstruction, the main entrance off of Amidon to Marina Lakes should be designed around the suggestions made for Case II Treatment in the Burgwin & Martin Report, e.g., off setting (not opposite) main entrances to Twin Lakes and Marina Lakes without signalization. The proposal for direct opposite entrances to both Marina Lakes and Twin Lakes even with signalization is unsatisfactory due to the proximity to 21st and the heavy demand of south bound traffic from the east.

In discussions with City staff, funds to accomplish such an improvement (no estimate of costs have been made) are not available unless other CIP projects are set aside.

The City cannot afford to make an error with this intersection. Amidon, due to the two rivers and flood control, is the only north-south street available. It is like no other area in town. No alternates are available. The downtown has many more streets, hence more capacity with twice as much retail space where this area with half the downtown retail area must rely on only two streets. The margin for error is getting thin and if it is misjudged then not only does the City lose, but so will all the commercial ventures in the area when the street system breaks down.

Conclusion

Conditions have not changed significantly from known previous proposals. Those that have changed will tend to further load the intersection of 21st and Amidon. The governing body has already made the decision on the issue of additional light commercial vs. increased cost to the public for reconstruction of the 21st Street and Amidon intersection. It is recognized that the City has an obligation to provide basic arterial construction as a function of implementing the Comprehensive Plan. However, unless the applicant, as others in this area have done and have been required to do, underwrites the basic costs (land and reconstruction) of

those facilities above and beyond the normal arterial construction standards required to service additional development, it is recommended that the application not be approved.

However, in the event the Planning Commission and the governing body have in the last two years, changed their position on the public policy; and thus wish to approve the application or part thereof, then it is requested that action on the CUP be deferred two weeks and the applicant, his architect or attorney, resubmit the CUP drawings with the following adjustments:

1. Provide a maximum gross floor area figure for Parcels 1 and 4 not to exceed 40% (parking deck may be excluded).
2. Provide a maximum building height for Parcels 1 and 4.
3. For Parcel 1:
 - a. Adjust setback line between Parcels 1 and 3 on the 21st Street side. Additional stripping of 21st Street is now irrelevant due to the form development is now taking.
 - b. Extend the Amidon setback across the face of Parcel 1.
 - c. Resolve whether the maximum fill line is to remain or move to the parcel line.
 - d. Provide a service road connection from the offset entrance (which would be south of the Twin Lake entrance) to the south portion of Parcel 1.
 - e. Provide additional right-of-way and guarantee for construction of roadways and relocated drainage facilities. Grant a storm sewer easement as needed.
 - f. Move the fencing on Amidon as indicated by the City Engineer.
 - g. Add the following language to provide for a parking structure on Parcel 1:

Setbacks shall be as indicated on the plan, but shall not refer to any floor of the parking structure. In no event shall any floor of the parking structure exceed a maximum of 8 feet above the grade of Amidon and any such

floor of the parking structure above the grade of Amidon shall maintain a minimum 100-foot setback.

4. For Parcel 4:
 - a. Adjust fill line to coincide with action taken in Parcel 1.
5. Delete medial drawings from CUP and delete detail of access opening construction. Locate by distance.
6. Add to general provisions:

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 and residential development and be binding upon the present owners, their successors and assigns, unless amended.
7. Add to Parcel 2:

Canopies may extend into, and gasoline pumps may be placed in the 35-foot building setback a distance not to exceed twenty (20) feet.
8. If heights are to be raised for signs, add a provision that all signs above 30 feet are to be approved by the Board of City Commissioners after recommendation by the Director of Public Works has been submitted.

VINCENT BOGART, attorney for the applicants, pointed out principally for those to whom notices were sent within 1000 feet of the original CUP, that the requested zoning and amendment to the original CUP, affects only a portion of the entire CUP area, but that under the regulations, all of those within 1000 feet of the original CUP were notified by mail current applications. He pointed out that at the intersection of 21st Street and Amidon, Sweetbriar was the first CUP, Twin Lakes (1964) and Marina Lakes (subject property) in 1967, and that all have requested several amendments to their originally approved CUP. One change on the Twin Lakes CUP represented an increase of "LC" zoning of about the same area as now being requested in Z-1037. He commented that in the original Marina Lakes CUP more "LC" was requested than was subsequently granted. His client now has the financing as well as proposed uses for development of subject area

including the amendment being proposed.

BOGART referred to the staff suggestion that a market analysis was desirable and reminded the Commission that any such requirement was determined to be unnecessary and of no value so far as whether additional "LC" was logical in an area; this policy being determined several years ago when a CUP for Rock Road Improvement Company was considered. Reference was made by BOGART to the fact that development at subject intersection has developed about as indicated in a private market analysis made in 1964. BOGART continued that the City has gone to great length to encourage new industrial development by granting industrial revenue bonds, but that his clients are prepared to develop subject property and have such construction go on the tax rolls immediately. He noted that it has been estimated that 20% of Boeing's payroll is to out-of-County employees and that one out of every 6 cars at Twin Lakes is out-of County. He considered the development as proposed would add to the non-residents shopping at the subject area in general. BOGART referred to the talk about a City sales tax and the fact that if such is passed a center such as proposed would increase the amount of revenue to be derived from such a source.

BOGART noted that if "LC" is to be granted anywhere, what better place is there than where streets are constructed with such in mind, where the demand has already been established, where financing is available, and where the developer desires to build one of the finest centers in the State. In respect to the staff's comment that there must be some overriding reason to justify a change once zoning takes place, BOGART felt that such might be true in the initial establishment of zoning but is not applicable in this case where light commercial development has already occurred. BOGART felt that shopping centers should receive equal treatment, and in this area the original Twin Lakes CUP has been amended to allow 6 acres more of light commercial zoning.

BOGART referred to the maximum gross leasable area involved, and said that this is 30% regardless of the net area, e.g., that is the most that can be used for building; then another figure represents the maximum amount of floor area that may be utilized in such a building. He said that he had examined most of the CUP's and they contain various wording in this respect -- some say maximum gross area, and Twin Lakes CUP indicates approximate gross floor area, but the figure of 45% has not been utilized until this application was made -- it has always been in square

feet. BOGART continued that the first plan of Twin Lakes called for 438,467 square feet and their actual gross floor area was 300,000 or approximately 70% could be utilized in floor area. He stated that he understands from the Planning Department that this is a figure submitted by the developer and it is a matter of judgment as to whether that figure should be approved. He pointed out that the floor area is going to already be limited because only 30% of the area can be covered by buildings and the limitation as to height of a structure. He felt that there should not be further limitation as to useable floor area, and he recommended that it be 50% in this case of the gross leasable area.

In regard to height construction, the CUP plan limits it to 65 feet in the Ordinance and has been submitted; however the ordinance limits the height to something over 80 feet in Light Commercial and they have asked for an increase of 15% in height from the original CUP. It was his feeling that this would permit better utilization of the open space and recreational area.

BOGART pointed out that they have asked approval of a sign 45 feet in height and while the staff has not necessarily accepted such a height, it has indicated that if anything above 30 feet should be approved by the City Commission upon such recommendation from the Public Works Department.

BOGART next referred to the matter of curb cuts, and pointed out that the one suggested by the staff at the southern portion of the Clear Lakes CUP area, would not be located on his client's property. It is their request that the curb cut be allowed directly across from the one into Twin Lakes since there is a break in the medial there. He referred to the fact that access was condemned at one time along the west side of Amidon and it was his opinion that the cost of condemning was a great deal less than it would be today with the present type of uses in the area, and that the development presently on the west side of Amidon and that proposed by this application would more than reimburse the City through taxes for the cost of condemnation of access and right-of-way. BOGART considered this transaction between the then owner of the property and the City a mistake on the part of the past owner who did not realize the potential for development at this location. He did consider the curb cut requested on Amidon as absolutely necessary for the full utilization of the proposed extension of Light Commercial and he considered it a logical place for such a break to occur.

BOGART pointed out that since the original curb cuts were installed and right-of-way and access was condemned that the Derby service station on the SE corner of the intersection has been given an access to Amidon and the barrier between the Twin Lakes parking lot and the Derby station has been removed so that, in affect, Twin Lakes now has another access to Amidon which is much closer to the intersection of 21st and Amidon than the one his client is requesting.

BOGART continued that if access is given on Amidon as they have requested they prefer it be 550 feet south of 21st Street and that if traffic movement at this point required a signalized intersection, then such could be installed. He pointed out that the City did establish two access points across from one another farther to the south in this area and he reasoned that if such was consistent then the same treatment would be consistent at the curb cut they are requesting. He repeated the fact that the curb cut recommended would not relate to property owned by his client and thus, would be of no value to him.

BOGART referred to the traffic factor, nothing that traffic si created by people and development in this area is drawing people to it, and the City, by reason of promoting the Civic Center and cultural facilities of the City, has attempted to bring people into the city, and if traffic did not increase then the City will not have succeeded in its venture. He pointed out that surely if Boeing increased its facilities and as a result generated additional traffic, surely the Commission would not recommend against expansion of Boeing facilities. He commented that he has heard that this is the finest planned intersection in the City and if that is true then what better place is there to put a development such as proposed. In discussing the traffic problem, BOGART asked the Commissioners to remember that despite that problem, Twin Lakes was allowed additional light commercial zoning, and that Sears Roebuck is expected to expand its facility in Twin Lakes by 70,000 square feet.

BOGART maintained that it is not merely the amount of traffic, be it 12,000 or 15,000, that determines whether or not a commercial area should be established; but it is the market area and to some degree where people want to live. He noted that the 25th Street bridge will tend to increase traffic. He pointed out that this intersection was planned based on the traffic study of 1964, which indicated that traffic would increase as it has. He suggested that what is proposed would be something the northwest area and the entire City would be proud of and would attract people from 75 to 100 miles away. He noted also that it would provide

increased revenue for the City. He admitted that there are traffic problems but considered such is caused by increased growth. He said that no one is more interested in good traffic movement than businessmen in the area and compared the present condition of this area with it 15 years ago when there was no development.

The meeting was recessed for 5 minutes, after which it reconvened in the same Room with the same Planning Commission members present.

HOWARD SCOTT, Consolidated Realty, Inc., agreed that there are traffic problems at times, but commented that there is certain to be such related to a shopping center and he did not think the Commission should consider the traffic at this time as a deterrent to granting of zoning. He continued that as pointed out previously, the land is valueless as long as it is undeveloped, and said that at this time there are tenants, both national and local, ready, willing and able to spend money to build and improve the property.

ANNA McLEAN, owner of the land at Sweetbriar Shopping Center, spoke in support of the request. She felt that it would be of benefit to all merchants in the shopping centers at this location. She inquired what would happen in New York City if development was discouraged because of traffic congestion. She noted also that Houston, Texas has no channelization of traffic or medial strips and yet it is one of the most progressive cities in the country.

CHARLES HARRIS, attorney representing Twin Lakes Shopping Center, spoke in opposition. For the benefit of Commissioners who might not be familiar with the background of subject area, he reviewed some of the previous events. He recalled that 10 or 12 years ago there was not any adequate street facility of any kind serving northwest Wichita, but through continuing efforts on the part of various City officials and departments, McLean Boulevard was extended and over the years to a relatively high standard. During that time there were numerous requests for zoning and access, but access was denied in order to maintain the road for movement of traffic. During the planning of the Boulevard, the City decided not to extend it along the river (northwest of 15th and McLean) but instead to build the bridge over the River at Amidon and north to 21st Street. At that time, subject property was owned by Dolese Brothers and the City made an arrangement with Dolese whereby the City purchased the right-of-way for Amidon and assessed no costs of paving of the street

to Dolese Brothers. As opposed to this arrangement, Twin Lakes on the east side of Amidon, not only dedicated the needed right-of-way for Amidon but were required to pay both the normal and extra assessment for wider paving, and in addition voluntarily limited access to the twin Lakes area.

HARRIS maintained that starting from the beginning there has been a difference between the two areas. He pointed out that this Commission considered the matter of zoning on the Marina Lake area two years ago at which time there was much argument and discussion, and many of the same arguments have been made at this time as were made two years ago.

HARRIS agreed with the staff that after a matter has been thoroughly aired before the Planning Commission and City Commission there could be some change in circumstances to justify a different decision, especially so where the ownership has changed as in this case.

HARRIS pointed out that as indicated in a report made by Burgwin and Martin two years ago, traffic has increased, even beyond their projections, and since that time there has been a further investment by people in the area and increased facilities provided. In the Twin Lakes area there has been the new theater, additional apartments, and he continued that as reported by the staff, this has been a planned intersection, based on certain assumptions and certain background which did not include an allowance for additional light commercial as requested. Reference was made also by HARRIS of the fact that reconstruction of the channelization is in process at this time and that Twin Lakes has agreed to move their southern entrance point slightly to the north at the request of the City. Construction is also taking place on 21st Street to result in a 4-lane divided roadway. Thus, at the expense of both the adjoining business and other adjoining property owners, there has been the expense of reconstruction of this planned intersection. Two years ago when the Burgwin and Martin report was submitted, 21st Street was not mentioned as a major arterial west of Amidon; since that time it is planned to construct a bridge on 21st over the Big River and to extend it across the Big Ditch and interstate I-235, which means there will be more traffic at subject intersection. HARRIS noted that the intersection was originally planned and reconstructed to accommodate that which is there now or that has already been granted.

HARRIS pointed out also that the original request on Marina Lake was not turned down completely, but the applicant was granted 8 acres of light commercial and other area for "B" zoning, yet at this time there is very little development on that area,

so there is still plenty of light commercial zoning at Marina Lake to permit additional retail development.

HARRIS said that while he is representing Twin Lakes in opposition, there are merchants and residents in the area who are also opposed, and it was his belief that all opposition focuses around the problem of traffic movement. HARRIS continued that this area is different from any other intersection in the City because it is "trapped" between the Big and Little Rivers and I-235 and there are only limited ways for ingress and access. He reviewed the fact that there is the Amidon Street bridge and from the west there is 21st Street or I-235 to 25th Street and then to Amidon.

HARRIS felt there would only be two possibilities for relieving this intersection -- a bridge on St. Paul or a new bridge on Garland. He pointed out that the staff report has pointed out that this general area has almost half the retail floor space as the downtown area and all traffic must pass through this one intersection whereas downtown has numerous streets in all directions serving it.

HARRIS continued that the staff has indicated that to handle traffic (if additional access is granted on 21st and Amidon and a 3/4 to 3 million dollar center is constructed as proposed by the applicant) it would necessitate 6 lanes for moving traffic on both 21st and Amidon and will require a double left turn bay. HARRIS stated that not only will there be the cost of construction and right-of-way, but also the area will be torn up and unuseable for an extended period of time. He continued that the staff suggestion that the applicant pay the cost of such improvement appears equitable, be doubted if it would ever come to pass. HARRIS quickly considered the additional right-of-way needed and cost for construction and the serious damage which would occur to both the shopping center and the service station, roughly estimated it would involve at least 1/2 million dollars. It was his suggestion that once the applicant submits detailed plans, the claim will be made that such a requirement should not be made when only a mere 6 acres of additional zoning is involved. HARRIS noted that the staff report indicates the City has no money available for such improvement -- it would mean taking something else out of the present Capital Improvement Program to do this improvement. He questioned, too, whether the City at large should be required to pay even the City's usual share to build an intersection to serve what can be called speculative ventures three times in a 5 to 6 year period.

HARRIS said he agreed with Mr. Bogart's statement that this is a good market area, and it has developed as such because the City has expended substantial sums of money to bring traffic to the area through the construction of McLean Boulevard, the Amidon Street bridge, 25th Street bridge, etcl, and further, the development of Twin Lakes has created a special "draw" to this area. He agreed that there is probably plenty of market in the area but it appeared to him and his client that to permit what is requested would tend to destroy what presently exists.

HARRIS submitted photos showing the traffic congestion at various times at this intersection and noted that certain traffic movements, particularly left turn movements, are already in excess as much as 100% of their efficiency. A brochure of the Twin Lakes area was submitted showing the development originally and later development and it was pointed out that the developers plan a garden type office building on the property recently approved for "BB" rather than a high rise building as previously planned, and that it is expected that there would be less traffic from the garden type offices than from high rise office buildings.

HARRIS referred to the fact that the applicant desires access opposite that of Twin Lakes on Amidon. He stated that this is the main entrance to Twin Lakes from Amidon and that there is a terrific traffic build up there now and to grant entrance to subject property at the same point would result in an intolerable situation. He asked that (if additional zoning is granted), the access to Amidon be in an area farther to the south, and it was his further suggestion that if access is granted to the south, then the applicant construct a service road on their own property the same as is being done on the Twin Lakes area at present.

HARRIS closed his remarks by saying that is is a very special problem area and that various factors have been threshed out in great detail before; there is no justification, no change in circumstances that would justify granting additional light commercial; it was denied previously and it is not any more feasible now than when it was previously turned down.

PAUL GRAVES, Traffic Engineer, showed aerial photographs of the area and reviewed the present street improvements under construction in the area, and referred to more improvements planned for 21st Street to the east of Amidon (Coolidge, Woodrow, etc.).

He then referred to the requested access to Amidon and it was his suggestion that it be located (if granted) about 550 feet south of the present main Twin Lakes entrance. He said that a T intersection has much less vehicular conflict points than a regular intersection such as at 21st and Amidon, and that if and when a signal becomes necessary, traffic moving north or south on Amidon can be more easily accomplished with an off-set intersection than with regular intersection. He maintained that this area is unique and that it is not comparable to Rock Road and Kellogg as someone had inferred and he surmised that there is not any street in Wichita which could handle the traffic volume at this intersection efficiently. GRAVES said it was his suggestion that Amidon be widened to 6 lanes from some point south of 25th Street through the intersection and narrowed down as it goes to the south and that 21st Street west of Amidon be 6 lanes to approximately Meridian and to the east that 21st be reconstructed to 6 lanes beginning at the Little River bridge. He said that his recommendation is based on studies conducted by his Division and the Planning Department staff.

TROUT asked what happened to traffic in going from 6 lanes down to 4, and GRAVES said the key is in the intersection signalization -- where 50% time for east-west and north-south, so need more lanes to store cars and provide more lanes for turns but farther away from the intersection 4 lanes can handle the traffic. TROUT asked if it wouldn't be reasonable to expect less traffic count on Amidon at 21st since the opening of the bridge on 25th Street and GRAVES indicated it would be somewhat higher because of the traffic from the south.

KRATZER referred to traffic on East Kellogg where there are 4 lanes and a medial and asked how it compared with the traffic at the area under discussion.

A recess was declared for changing of tape.

GRAVES stated that 4 lanes with a medial will carry more traffic than 6 lanes without a medial and he pointed out that traffic accidents have practically been eliminated in the section of Kellogg referred to because there are less traffic conflicts and traffic does move more efficiently.

JACKSON referred to the Burwin & Martin report and in the discussion of that report, GRAVES said that what is being contemplated now in number of square feet has approximately the same effect as was discussed before. JACKSON also questioned the feasibility of a T-intersection over a regular intersection.

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GRAVES reviewed the number of conflicts associated with the present access from Twin Lakes to Amidon (2 lanes from the south, 2 lanes from the north and a left turn movement from the north) and pointed out that the number of possible traffic conflicts would be increased to possibly 16 when one considers the traffic movement into and out of an area on the west side of Amidon with an entranceway directly opposite the one at Twin Lakes.

GRAVES pointed out that at present a motorist leaving Twin Lakes has difficulty gaining access to Amidon to go south. He continued that if signals can be placed as much as 550 feet apart, the entire system functions much more efficiently. He felt that to have both access points opposite would necessitate a signalized intersection which he thought would be a deterrant to movement of traffic on Amidon. He stated that if the access points are separated and they both have to be signalized it would also reduce the movement of traffic on Amidon considerably. Graves referred to the access on the west side of Amidon just north of the Little River bridge and the fact that it was placed directly opposite the one to Twin Lakes on the east. He said that it was not expected that there would be the volume of traffic at this point that could not be handled by non-signalized left turn bays.

GOEBEL referred to the need for more through north-south streets and asked if the City had any plans to develop such. He felt that the principal reason the northwest area had been slow to develop was because of the lack of streets, and now the need has developed but still no adequate street system has been provided.

GRAVES noted that 25th Street will handle some traffic to the I-235 bypass, and said there has been some thought of possibly extending Waco in a realignment to tie into Arkansas curving from north of 21st Street. GOEBEL considered it foolish not to plan on opening up other streets, particularly if a bridge should be destroyed there would be less means of ingress and egress to the northwest area. He thought that very likely some people who use 21st or Amidon now would just as soon stay away from them if there was another method of getting to their destination. He felt the Commission should recommend that serious consideration be given to providing more north-south streets as traffic carriers.

DALE KIDWELL, attorney representing Henry's Clothing Company, spoke in opposition. He said their store is directly in front of the access from Amidon and that they are much concerned with the present situation so far as approach from Amidon, and felt that if another access is permitted from the west at this same location they would suffer tremendously in the volume because of the curtailment of the flow of traffic off of Amidon to their store.

ROBERT SCHEER, representing himself and, unofficially, some of the other residents in the area, spoke in opposition. He said they were quite concerned and that he has obtained the signatures of 119 people on a protest petition. He stressed the fact that the traffic in this area is fantastic and felt that the Commissioners probably do not understand just how bad it is or how hard it is to get out

to Amidon or 21st Street from the residential area to the northwest. He said that within the last year when shopping center facilities were increased in the area, the traffic has become unbelievably worse. Mr. SCHEER pointed out that with the construction of medials on the major streets, the residents are required to drive by a grade school in order to gain access to a major street which makes a bad situation so far as safety of children is concerned. He referred to the difficulty now in attempting to get onto Amidon and then to I-235, when one has to make a left turn across four lanes of traffic. He pointed out that their residential area is hemmed in by three busy streets and the River and that their position is almost untenable. Mr. SCHEER commented that this request is by a small group of people with business interest and, while he is in favor of private enterprise, in this particular case it would be stepping on the toes of the residents, not only of those in this area but through increased taxes for everybody in Wichita because of road improvements required. He questioned whether the City should do anything which would increase taxes for the city as a whole so that a small group of people can increase their monetary gains. It was his suggestion that if the developers have money to invest it be done at some other location to provide shopping facilities in an area where needed rather than here.

GOEBEL noted that there was much opposition two years ago when Marina Lake request was first heard and asked why the opposers were not present when Twin Lakes increased their light commercial zoning. It was pointed out that they were not within the official distance to have received notices. Mr. SCHEER said they were opposed to any increase of commercial zoning in the area in general. He commented that when he moved to his home 14 years ago there was no shopping center at all and they were happy when one was built, but they do not need four.

GOEBEL said he wished one would be built in his area since they are taxed far heavier than a residential area, and thus would contribute to the tax revenue and possibly lower the mill levy for all. He continued that a city without commercial or industry is nothing, and he suggested the people in subject area might also consider that with commercial uses, their own taxes might be less.

Mr. SCHEER agreed that Mr. Goebel's statements were probably right, but he did not feel it would make any difference in his taxes whether light commercial was developed in the neighborhood or not. He continued that the number of children in the school in the area has decreased and if the subject area could be developed as apartments or private residences, the school could accept the children. He asked the Commissioners to take into account the people in the neighborhood and to carefully consider this matter from their standpoint in making a decision.

Mrs. A. F. SIMON, a resident in the area, asked how one of the Planning Commissioners (Bledsoe - one of the applicants) could make this application after it was objected to by the residents and was denied two years ago. She asked "Why does he feel that he personally can get this approved?"

TROUT said that Mr. Bledsoe has a right to present an application for rezoning the same as any other citizen. He commented that the Commission frequently has cases on the same area when ownership has changed and that this is not a matter of who is involved so far as he is concerned.

Mrs. SIMON pointed out that Mr. Bledsoe became involved with this property after he became a member of the Commission. TROUT replied that unless one kept his rights to hold property and even seek rezoning, there might be some difficulty in finding people to serve on the Commission. Mrs. SIMON said she hoped the Commission would vote fairly and for the people and not on the basis of friendship.

GOEBEL pointed out that when Marina Lake case was considered before one of the then owners was the Chairman of the Planning Commission at that time. GOEBEL did not see that the Commission could discriminate against one property owner any more than another. GOEBEL said he did not believe Bledsoe bought the property just because he was on the Commission. GOEBEL said that he doesn't pay any attention to whether a man is on the Commission or not.

C. ROBERT BELL, representing Derby Refining Company, said they were concerned because of the possibility of requiring more right-of-way for improvement of the streets and that to require any more from their service station would practically eliminate their use altogether. He said the station has been there a long time and after Amidon was opened it has developed along with the area, it has a high gallonage and it would require a "bunch" of money to acquire it if it came to condemnation or a negotiated sale to the City.

With respect to access to Amidon from this station, Mr. BELL said that the Station was on the east 2/3 of an acre and when Amidon was opened up the City condemned the west 1/3 by ordinary condemnation proceedings (which did not include access) so that the oil company has always maintained that they had access, and through an agreement with the City Commission they do have access but have tried to operate in such a fashion not to add to the problems of the intersection. He said they are always ready to work with the City in resolving any problem that might arise related to this location. He noted that along 21st Street the right-of-way is right up against the station, and to condemn their land would be a real expensive project.

MICHAEL BOLLOMORA, 2245 Bullinger, spoke in opposition. His concern was principally because of the difficulty experienced by residents of the area north of 21st and west of Amidon in gaining access to one of the major streets. He said that they were required to drive through much of the residential area via a zigzag route in order to reach a major street. Also, he was concerned with the fact that much of this traffic must pass by the elementary school and thus is a hazard to the safety of school children.

Mr. BOLLOMORA also indicated that there were already adequate shopping and service type facilities in this area, and asked what could be developed on subject application area that could not be done on light commercial zoning already in the Marina Lakes area.

H. D. BLEDSOE, owner and applicant, spoke in support of his request. He repeated that he does not own the property where the staff has suggested access should be on the west side of Amidon and, therefore, has asked that such access be opposite the one to Twin Lakes on the east side of Amidon. He noted that the consultant's report has indicated the intersection is capable of carrying projected traffic through 1985 which is 16 years hence, and it was his opinion that within 16 years there would probably be many 6-lane major streets in the city. He pointed out that if light commercial is to be denied because of traffic, then there would be no more granted on Broadway, Seneca, Hillside, Kellogg, and other major streets or adjoining shopping centers. He pointed out also that on Rock Road 160 acres of light commercial was granted immediately across the street from a center already established and that it represents more total area than the entire 4 corners of Amidon and 21st Street.

BLEDSOE pointed out that the Burgwin & Martin report was based on a regional center whereas subject application represents only an additional six acres and when such is developed to the fullest, the most they could possibly have would be an additional 400 parking spaces. He stated that at Kellogg and Oliver the traffic count is around 23,000 and that people in that area he felt sure did not like the change. He commented that people in Westlink and Rolling Hills did not like the change when that area was annexed, but that if the City is to grow and prosper we must have changes. BLEDSOE said that at one time West Highway 54 was only two lanes of traffic but that since that time plans have been made for eventually eight lanes of divided traffic. He said that he was at Disneyland recently and that they have 160 acres of parking and about 115,000 people visiting there every day, but when that community built a civic center, it was constructed right across the street from Disneyland. Another example pointed out was the fact that in the Beech traffic analysis report prepared by the

Planning Department, the traffic problem was pointed out but no one would tell Beech they couldn't expand their facilities because of the traffic problem.

Next Mr. BLEDSOE referred to the land values in subject area which he indicated to be from \$750 to \$1,000 per front foot which is a change in values over a few years ago as it was his understanding the sandpit area originally sold for \$48,000. He pointed out that Texaco Company has paid \$80,000 for a service station site at 21st and Amidon which is the most expensive site they have purchased in the State of Kansas and yet only 175 feet away from that there is "AA" zoning. He maintained that as the zoning now exists in the Marina Lake area it is strip zoning in reverse. He maintained that subject property has too much value to remain "AA" zoning or left vacant, and while traffic is a problem it represents people and if the city continues to grow there will be more people. He felt that the traffic problem could be solved but when the day comes that there are no people in the area, then Wichita will be in bad shape.

Referring again to access, BLEDSOE stated that the consultant's suggestion that access points be split on Amidon was based on development of a regional center which is no longer the case -- talking now about only 10 acres on the west side of Amidon. He commented that the zoning had been approved for Marina Lake as originally requested, then a service road could have been built on the private property from the access to the south near the bridge, similar to the service road now being built by Ritchie to serve the Twin Lakes center. He continued that if the entire area is ever so zoned, such a road could then be developed. BLEDSOE felt that if a negative attitude is to be taken then this area or any other area will never grow, and he did not feel that it was reasonable to base approval or disapproval on the traffic situation. He pointed out that downtown traffic did not retard the construction of Wichita Plaza Building, the Garvey Building, etc., and repeated that traffic problems can be solved but if the time ever comes when we don't have people then the City is hurt badly.

CHARLES HARRIS said the fear of Twin Lakes has nothing to do with competition, but when faced with the possibility of condemnation for more street right-of-way they are concerned; it means condemnation costs and raises the question of who is going to pay for it, and it does affect the existing facilities because of right-of-way which might be required from them, (Twin Lakes), but Sweetbriar, Atlantic Mills and the Derby service station. HARRIS said that Twin Lakes does not oppose the establishment of Sweetbriar or Atlantic Mills but that they do believe the staff when they say that to approve this request would make the traffic problem untenable.

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As to alternate streets, HARRIS agreed there should be some developed but asked that subject area not be garbled up until the City does build those alternate trafficways, and asked that the ability of the present facilities not be destroyed so that it cannot serve the residential and businesses in the area. HARRIS continued that the merchants of Twin Lakes agree that an entrance across from the present one to Twin Lakes will not work, just as the Traffic Engineer has indicated, and even when signalized, it would not operate efficiently.

A five minute recess as declared at 4:20 p.m.

Meeting reconvened with the same members present.

BRANSON reminded the Commission that they went through this same sort of presentation a short time ago and he failed to see what changes have occurred that would justify the Commission taking time to go through it again. He commented that the Commission has stated many times that they spend too much time in zoning and not enough on planning, and he considered subject case a good example of such.

He continued that it appeared to him the only reason the Commission is rehearing this case is because it is claimed land values have increased and he inferred that often when one man makes a dollar others become involved hoping they can make a dollar, and sometimes everybody ends up with a dime, and he suggested the possibility that the whole area could "hang itself". He commented that if this application is approved, after being denied "LC" in the original request of Marina Lakes, then property directly south will be submitted for rezoning and the Commission will have to listen to the entire presentation again. He felt that when a decision is made by the Planning Commission it should be considered binding unless changes in the area have occurred, and he considered it inconsistent of the Commission to reverse its action many times.

BRANSON referred to the staff report and wondered if Mr. Bledsoe feels that he could live with the requirements suggested. He doubted that enough thought had been given to the cost which would be involved and as to who would pay for a 6-lane road. He said he was not ready to come to a decision at this time and suggested the feasibility of this case being deferred to give time for Mr. Bledsoe to consider the matter of the staff requirements, and perhaps a cost estimate could be developed of what it will cost to change the roads, and he referred to the fact that the roads have been improved several times and businesses and residents in the area are already paying for such improvements. He said that as far as he was concerned he needed more information before he would make a decision, particularly as to cost of changing the roads, who is going to pay for it, and other details.

KRATZER pointed out that children are walking to school all over town mid traffic so he did not consider that factor anything related solely to the area being discussed. He noted that most of the objection does relate to traffic conditions and he stated that at this point he is not ready to the request without some adequate traffic control plan being developed. He doubted that medials were the answer and said he was not sure that the medial strip on Kellogg with four lanes carries more traffic than six would without a medial.

He agreed with BRANSON that perhaps it should be deferred for consideration of costs involved and who is to pay for road improvements. He agreed with the possibility of developing more north-south through streets.

GOEBEL noted that two of the Planning Commissioners are not present at this meeting and he considered it would be unfair to hear just the applicant at a later meeting unless the opposition is given an opportunity for presentation also.

TROUT said two things bother him. In talking about equity of people around the area and their problems, what we are discussing is whether it is going to aggravate the problems or not. He said the question not answered is to what degree the problem of traffic would be affected. He was not sure that this really is a total answer as suggested. Another point brought out by TROUT was whether or not the Commission had ever considered an amendment to only a portion of a previous CUP, which is the case here. He noted that some of the items and facts brought out in this discussion relate to property in the original CUP and not to this amendment related to a portion of the original CUP.

LAKIN said there have been instances where ownerships have changed but never where there was not a working relationship between the various owners involved. He said that it has been the impression of the staff that it was the intention of the Planning Commission and City Commission that there will be single control over the total CUP as approved, irrespective of ownerships or long term leases. He noted that work is being done on the CUP regulations, trying to correct some deficiencies which were brought out in the Mt. Carmel case.

TROUT noted that since a CUP is not a matter of record so far as being recorded at the County Courthouse, he wondered if the applicant was aware of the situation when he purchased subject property. TROUT said it concerned him that this might be the first of something that could occur over and over as related to CUP's.

In discussing the traffic generation with Mr. Graves, it was stated by Mr. Graves that there isn't a great deal of difference between traffic generation of the original proposed regional shopping center and a regular center now being proposed. TROUT said he was attempting to establish the degree of increased traffic if this case is approved, noting that his experience with traffic has been that in spite of every projected figure, it has always been three times as much when the projected date is reached. He commented that it is already a problem at this intersection. He asked Graves if it was

his thought that with the present conditions and no additional traffic added, the road improvements now under construction would be good for 15 years. GRAVES agreed that that was his feeling. GRAVES said that upon completion of all shopping centers at this intersection, the intersection would probably be operating at a level of service of D within two years after the centers are completed. He noted that although they do not know the type of stores which might be developed, it has been determined by past surveys that during the peak traffic hour during the Christmas season, there were seven vehicular trips per 1,000 square feet of commercial development per peak hour. He said that studies on regional centers usually talk in terms of generation rates of from 20 to 40 vehicles per 1,000 square feet per day. He said his comparison was made with similar centers at Denver, Oklahoma City, Tulsa, DesMoines, and Topeka and that they all agreed that the peak traffic at a center coincided with the peak hour traffic on a major street.

When questioned as to the level D service, GRAVES explained in detail the various levels as related to cycling of traffic movements. TROUT asked if the level of service provided now would improve or remain about the same for the period of years discussed. GRAVES said that they are experiencing an average of about 4% increase per year in traffic around certain of the shopping centers -- some as much as 10%. With a nominal 2% increase per year on the street system, within six to ten years there would be a real serious problem, predicated on the total development of all light commercial at the shopping centers in this area. GRAVES said that with the completion of the improvements now being made, he doubted if anyone could find fault with the present operation of the intersection, except for a few minutes at the peak hour overload.

BOGART asked Mr. Graves if he was aware that he is talking about approximately 300,000 square feet, of which 90,000 would be occupied by buildings and about 150,000 square feet total area. GRAVES said that possibly there was some confusion - that he was speaking of some 500,000 square feet of floor space.

TROUT said he was interested in the degree of needed improvement of movement of traffic. Based on six lanes, he asked if it would be good for 12 to 15 years if the level of service is C? Would it be D within a very short time if everything there now is developed, and if so, how much worse? GRAVES stated that if the additional zoning is granted and development takes place and the roads remain the same, and if the T type intersection takes place, he felt the addition of lanes would be mandatory within ten years.

BLEDSON said that the six acres requested built to maximum capacity would only have 128,000 square feet more and surely is not possible that a main street that was developed only four years ago would only handle traffic for another ten years or that 21st Street that is so underbuilt or underplanned won't carry traffic after ten years. He felt that there must be something wrong when only 400 more parking spaces and 128,000 square feet is contemplated.

The original CUP was referred to and various square footable figures discussed.

KRATZER referred to the fact that one of the opponents said he had waited 2½ minutes to get onto one of the arterial streets under discussion, and he asked GRAVES if that was an undue amount or if it compared favorably with similar delays in other areas of the City. GRAVES said he did not know at the moment of anyplace where such might occur -- he thought that possible a wait of a minute or so to get onto Kellogg from a residential street during peak hour movement.

BLEDSON referred to a report made by Mr. Graves to the Planning Commission in which it was indicated that with this additional zoning there would be no need to change the intersection until 1985 which is 16 years away and it is only talking about an additional 90,000 square feet of building.

Reference was again made to the square footage involved and BOGART related the various amendments as related to such and concluded by stating that 135,000 square feet of floor area is involved but only 90,000 square feet would be occupied by buildings.

ROBERT SCHEER pointed out that if this is approved, then subsequent requests would be made for the area to the south and it would lead to other requests and that it was hoped two years ago that the line had been drawn at that time.

MOTION: BRANSON moved and KRATZER seconded that this case be deferred until December 12, 1968, and that no testimony be heard except as requested by the Planning Commission, and the applicant be requested to determine whether he can comply with the requirements suggested by the staff; and that the staff provide a more specific date which they estimate the present street is going to reach its maximum traffic capacity; and that an estimate of costs for widening the street be prepared with a recommendation of who is to pay.

BRANSON said that when the Commission gets that information, it can come to a conclusion but that he can't vote intelligently on this now.

KRATZER, in seconding the motion, asked that Mr. Graves supply the Commission with information concerning the traffic counts. He said that he was concerned with remarks concerning congestion made by the people in the area. He felt that some of the problem has been brought about by construction on 21st but that it must be a situation that is very troublesome.

MOTION CARRIED UNANIMOUSLY.

BRANSON WAS EXCUSED FROM THE MEETING.

18. Case No. DP-32 - Woodlawn Highrise, Inc. requests approval of a Commercial Community Unit Plan on property described as Lot 8, Block 5, McEwen's 6th Addition. Generally located on the northeast corner of Woodlawn and 13th Street.

CHAIRMAN GOEBEL said that a request for deferral of this case has been received and in view of no objections, he declared it deferred until November 27, 1968.

19. Case No. Z-1040 - Anna Hatfield requests change from "AA" to "RB" for the South half of Lot 1 and all of Lot 2, Block D, Yale Heights Addition. Generally located on the southeast corner of 15th and Gentry Drive.

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

Comments

1. Subject property is zoned "AA" single-family as is that to the north, south, east, and west.
2. The office of Central Inspection has advised that they have issued a cease and desist order as the original single-family residence has been converted to at least two, and perhaps three, dwelling units. The adjacent properties are still maintained as single-family.

3. It is the opinion of the Planning Department that to approve a fourplex classification in an area that is zoned and developed for single-family would not be in the best interest of the neighborhood as it will lead to other requests for medium density classifications and conversions of single-family structures into several dwelling units.

Recommendation:

Based on the foregoing comments, it is the recommendation of the Planning Department that the application not be approved.

GALBRAITH continued that while the Commission has approved duplex zoning for an area of the size of the application area, the usual concern of the Planning Commission and Planning Department has been related to the converting of single-family units into duplexes in this area.

VINCENT BOGART, attorney for the applicant, said that the applicant presently has two dwelling units in the building but there is sufficient area for three and that is why he asked for "RB" zoning; however, when he realized the staff's opposition, he stated that he would withdraw the request for "RB" and amend the application to request the "A" two-family classification. He pointed out various houses in the area which are rented to students presently and stated that while it is a very nice residential area across from Fairmount Park, it would appear reasonable to grant duplex zoning in an area in such close proximity to the University. He felt that a duplex use would not change the character of the community.

FOSTER pointed out that in the "AA" zoning a family could have as many as 4 other people living with them just as long as there was only one kitchen.

MR. AND MRS. M. J. INGRAM, residents in the area, spoke in opposition and pointed out that the property has been in violation of the code for several years, and that it does have at this time three housekeeping units, although it was their understanding that Central Inspection representatives were told that there were only two units. MRS. INGRAM said that they have obtained signatures of 17 of the 22 individuals owning property within 200 feet of subject area, expressing their opposition to the request. She stated that it was all of their desire that the property remain "AA".

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: November 14, 1968

Case No. Z-1037 and Request: From "AA" to "LC" and an amendment
DP-23 to the CUP

Location: South side of 21st Street between Amidon and Meridian

History

DP-23 and Z-0824 were two zone and Community Unit Plan applications for the entire area of the former Dolese sandpit area of approximately 60 acres. Approximately 37 acres were requested for "LC" and "C" and 24.5 acres were requested for "B". A Community unit plan was submitted for both the commercial and residential parts. The Planning Commission recommended denial, without prejudice; however, after the City Commission heard the case, nearly 8 acres of "LC" and 22 acres of "B" was approved. The situation at that time hinged on the impact of traffic on the arterial system.

1. Existing land use

Application area and adjoining Marina Lake CUP - vacant, restaurants, service station and ATB (auto supply, tire and battery) store. Adjacent: North - Sweetbriar CUP, service station, medical offices; West - vacant, lake and proposed apartments; South - vacant, river, single-family dwellings; East - Twin Lakes Shopping Center and Atlantic Mills.

2. Requested Changes - Basic issues involved are:

1. Increasing Parcel #1 (at the northeast corner of the tract, from 3.57 acres to 9.13 acres of light commercial zoning.
2. Eliminating basic controls (maximum gross leasable area and maximum building height) on Parcels 1 and 4.
3. Increasing allowable sign heights from 30 feet to 45 feet.
4. Increasing the number of access points to the development from both 21st Street and Amidon.

As noted in the history above, the general question of shopping center location has been investigated in depth, including traffic analysis. The following has occurred in the area:

1. Twenty-fifth Street bridge over the Little Arkansas River now open - no perceptible difference in 21st Street or Amidon traffic volumes noted or expected.

2. Twenty-first Street west of Amidon now is designated as an arterial in the Transportation Plan. Part is now being constructed. The balance, including a new bridge over the Big Arkansas River scheduled for 1970. Full effect is unknown but increased traffic volumes on 21st Street and through the 21st Street-Amidon intersection are anticipated.
3. Amidon being reconstructed with additional channelization both north (not started) and south of 21st Street (almost complete).
4. Traffic projections by Burgwin and Martin, the applicant's previous consultant for 1967 (ADT) being substantially surpassed in 1968.

| | Burgwin & Martin 1967 Projected ADT | Actual ADT 1968 |
|-----------------------|---|-----------------------|
| Amidon, north of 21st | 11,970 | 15,530 |
| Amidon, south of 21st | 11,580 | 11,474* (1966) |
| 21st, east of Amidon | 10,940 | 13,200 |
| 21st, west of Amidon | 7,700 | 8,260 |

* 1966 - Only available figure

5. Partial strip type development has occurred on 21st (Parcel 4), additional facilities in Sweetbriar, Twin Lakes and River Bend, in accordance with CUP's approved prior to original consideration of Marina Lakes.
 6. Granting of "BB" Office zoning on south of Twin Lakes complex. Note: This replaces "B" Multiple-family which also allows offices (medical and dental).
3. General Statement on Zoning and Shopping Centers
1. Similar tracts of land should be treated similarly. However, this does not necessarily mean equal amounts. All authorities, including the Urban Land Institute, will state that shopping centers and zoning therefor is different and unique from other zoning districts and uses. A regional center on one corner does not per se create a demand for three additional regional centers. Shopping centers are located on the basis of markets. We cannot, and will not, say the center proposed is or is not economically feasible. However, the former policy (now abandoned) of the Planning Commission that market studies be made as the basis for requesting shopping center approval was, and still appears to be valid. The Urban Land Institute, whose membership is business men in the shopping center and development business, has this to say:

"A shopping center does not in itself generate new business; it distributes existing business and provides for growth. As each new center opens, its business volume comes in part from the central business district and in part from other suburban shopping areas. Until the increases in population and the readjustments in shopping habits catch up, additional retail facilities are justified only by actual increments in population and purchasing power.

"Each new center should be justified on the basis of purchasing power available to it and by gauging the nature of its competition. Without fully taking into consideration the competition both existing and potential, a new center may find itself in competition with all existing retail facilities now serving the population, as well as with any new shopping center that might be built later to serve the same trade area. As Roy Drachman says, "Make a market study before talking seriously about building a shopping center."

"This last observation raises the issue of competition between shopping centers. It also raises a danger signal for competing centers which seemingly are justified, but are basing their supporting purchasing power on duplicate statistics.

"The fact remains that there is just so much spendable income in any municipality or locality. Whether there are too many shopping centers or whether over-development of retail facilities is taking place depends on how thinly the total available spendable income of the community may be divided. Conditions and circumstances indicate that no arbitrary answer can be offered for the arithmetic number of shopping centers that are justified. This conclusion is reached because commercial development follows purchasing power. The growth of the suburbs and the redistribution of commercial areas in urban renewal, plus the changing methods of merchandising and the great convenience of shopping by car, lie behind the phenomenon of the planned shopping center.

"Yet shopping centers can be overdone. The concept has caught on to the extent that nearly every entrepreneur wants to develop a shopping center. In some cities of the country, construction has gone ahead so fast that shopping centers represent a highly competitive business. In such places, the competition is between centers themselves, not between the centers and the established neighborhood or downtown retailers. This competition, combined with high capital costs, means that the developer is allowed to make few mistakes if he hopes to survive. The philosophy that "if a little is good then a lot is better" does not apply when it comes to putting too many stores or shopping centers too close to each other in one area.

"In the rulebook of the Community Builders Council, caution is the first principle of procedure.

"As Paul Ambrose, Council member from Denver, observes: The economic justification for a shopping center whether it be large or small can only be reached by market analysis. This is a process of expert evaluation of the market to be served, taking into consideration existing retail facilities, future competition and the proposed center, all as related to the purchasing power of the community. It should include detailed knowledge of existing retail businesses and their volumes, estimates of the impact of future competition, the impact of the proposed center and whether or not the community can support all these facilities. It should not contemplate running the other fellow out of business. Overdevelopment of retail facilities often leads to very marginal operations for all. The new center is only justified when existing retail facilities are not adequately serving the market."

2. Compatibility and effect on adjacent uses of land. The proposed changes do not significantly affect any adjacent land uses. Commercial exists north and east. South and southwest is residential (proposed) separated by a lake. Such a buffer would appear satisfactory.
3. Zoning once established needs some overriding reason to justify a change once the governing body makes its legislative determination. In other words, are there sufficient changes in fact or conditions to consider a change. If not, the previous decision should stand.
4. Maximum gross floor areas (GFA) and a maximum height are valid controls and should be retained. All recent CUP's have had such controls. GFA has ranged, however, from .30 to .50 of parcel area. Height should be retained to control shopping centers and their appearance when located near or in residential areas. The GFA is a control on maximum development which can be accommodated (e.g., sewer, water, streets) in a given area. If no control is to be used, then the market is the only control (cost of parking structure and business vs. returns), irrespective of effect on the community. These controls at least for planning purposes are absolutely necessary.
5. Sign control based on actions of the City Commission upon recommendation of Public Works, is not too critical. Nearly all controls established on East Kellogg to date have been waived or modified. This gives rise to an exercise of whose sign is higher than the next sign. The Planning Department believes that discretion should be used and that sign control is basic to the appearance of the community. It should be noted that all signs in this area have been able to comply with current regulations and CUP's and are 30 feet or less.

Traffic

Comments from both the City Engineer and Traffic Engineer have been received. Other than relatively minor adjustments and guarantees on drives and fencing, the following appear significant:

1. The access on Amidon was acquired from the original owners, the Dolese Co., by the City for the price of paying the cost of paving which would normally be assessed to the west, plus installing fencing. The release of access and provision of additional medial breaks should be on the basis of compensating the City for the cost of paving and interest on the bonds and the cost of any additional reconstruction necessitated thereby. This is in line with action taken by the Planning Commission on Sweetbriar and Twin Lakes (reconstruction costs).
2. The critical and major problem is the 21st Street and Amidon intersection. ~~because "IC" generates traffic far and above other uses, even offices and apartments, the ability to move traffic through the intersection without creating congestion and a poor level of service is the key as to whether more "IC" should be approved.~~

The Traffic Engineer advises that although not desirable, the intersection can be made to work - but at a price. For additional "IC", Amidon will have to be widened from 4 to 6 moving lanes, plus channelization at the intersection and all entrances. Double left turn lanes will be needed on 21st east of Amidon. The extent of the Amidon treatment would need to extend from north of Sweetbriar (between there and 25th Street North) to the bridge across the Big Arkansas River. This will necessitate right-of-way of 120 feet to 132 feet, depending on location of entrances and turning lanes. Existing right-of-way is 30 feet and 125 feet.

If the zoning is approved and satisfactory arrangements or compensation for existing rights and for reconstruction, the main entrance off of Amidon to Marina Lakes should be designed around the suggestions made for Case II Treatment in the Burgwin & Martin Report, e.g., off setting (not opposite) main entrances to Twin Lakes and Marina Lakes without signalization. The proposal for direct opposite entrances to both Marina Lakes and Twin Lakes even with signalization is unsatisfactory due to the proximity to 21st and the heavy demand of south bound traffic from the east.

In discussions with City staff, funds to accomplish such an improvement (no estimate of costs have been made) are not available unless other CIP projects are set aside.

The City cannot afford to make an error with this intersection. Amidon, due to the two rivers and flood control, is the only north-south street available. It is like no other area in town. No alternates are available. The downtown has many more streets, hence more capacity with twice as much retail space where this area with half the downtown retail area must rely on only two streets. The

margin for error is getting thin and if it is misjudged then not only does the City lose, but so will all the commercial ventures in the area when the street system breaks down.

Conclusion

Conditions have not changed significantly from known previous proposals. Those that have changed will tend to further load the intersection of 21st and Amidon. The governing body has already made the decision on the issue of additional light commercial vs. increased cost to the public for reconstruction of the 21st Street and Amidon intersection. It is recognized that the City has an obligation to provide basic arterial construction as a function of implementing the Comprehensive Plan. However, unless the applicant, as others in this area have done and have been required to do, underwrites the basic costs (land and reconstruction) of those facilities above and beyond the normal arterial construction standards required to service additional development, it is recommended that the application not be approved.

However, in the event the Planning Commission and the governing body have in the last two years, changed their position on the public policy; and thus wish to approve the application or part thereof, then it is requested that action on the CUP be deferred two weeks and the applicant, his architect or attorney, resubmit the CUP drawings with the following adjustments:

1. Provide a maximum gross floor area figure for Parcels 1 and 4 not to exceed 40% (parking deck may be excluded).
2. Provide a maximum building height for Parcels 1 and 4.
3. For Parcel 1:
 - a. Adjust setback line between Parcels 1 and 3 on the 21st Street side. Additional stripping of 21st Street is now irrelevant due to the form development is now taking.
 - b. Extend the Amidon setback across the face of Parcel 1.
 - c. Resolve whether the maximum fill line is to remain or move to the parcel line.
 - d. Provide a service road connection from the offset entrance (which would be south of the Twin Lake entrance) to the south portion of Parcel 1.
 - e. Provide additional right-of-way and guarantee for construction of roadways and relocated drainage facilities. Grant a storm sewer easement as needed.
 - f. Move the fencing on Amidon as indicated by the City Engineer.
 - g. Add the following language to provide for a parking structure on Parcel 1:

Setbacks shall be as indicated on the Plan, but shall not refer to any floor of the parking structure. In no event shall any floor of the parking structure exceed a maximum of 8 feet above the grade of Amidon and any such floor of the parking structure above the grade of Amidon shall maintain a minimum 100-foot setback.

4. For Parcel 4:
 - a. Adjust fill line to coincide with action taken in Parcel 1.
5. Delete medial drawings from CUP and delete detail of access opening construction. Locate by distance.
6. Add to general provisions:

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 and residential development and be binding upon the present owners, their successors and assigns, unless amended.

7. Add to Parcel 2.

Canopies may extend into, and gasoline pumps may be placed in the 35-foot building setback a distance not to exceed twenty (20) feet.
8. If heights are to be raised for signs, add a provision that all signs above 30 feet are to be approved by the Board of City Commissioners after recommendation by the Director of Public Works has been submitted.

| LOCATION | ADT 1964 | ADT 1966 | % INCREASE | ADT 1966 | ADT 1968 | % INCREASE |
|---------------------------|-------------|-------------|---------------|-------------|-------------|---------------|
| Amidon Street, N. of 21st | 6,829 | 11,854 | 73.5 | 11,854 | 15,530 | 31.1 |
| Amidon Street, S. of 21st | 7,840 | 11,474 | 46.4 | 11,474 | 13,231 | 15.3 |
| 21st Street, E. of Amidon | 9,112 | 10,833 | 18.9 | 10,833 | 13,200 | 21.8 |
| 21st Street, W. of Amidon | 5,824 | 7,616 | 30.8 | 7,616 | 8,260 | 8.5 |
| AVERAGE % 2 YEAR INCREASE | | | 42.4 | | | 19.2 |
| AVERAGE % ANNUAL INCREASE | | | 21.2 | | | 9.6 |

12-68

December 4, 1968

Mr. Vincent L. Bogart, Attorney
One Twenty Building
Wichita, Kansas 67202

Subject: Z-1037 and DP-30 - Zone
change and development plan for area
south of 21st Street and west of
Amidon.

Dear Mr. Bogart:

The Planning Commission at their meeting of November 14, 1968, deferred action on the above cases for 30 days. These cases will be before the Planning Commission again on December 12, 1968. The Planning Commission, in deferring action on these cases, indicated that no new testimony would be heard unless requested by them. They did, however, request that additional information be made available to them for that meeting. Included, more specifically, is a determination by your client as to whether or not he can comply with the requirements suggested by the staff in the staff report. Further, the staff was requested to provide a more specific date which they estimate the present intersection (Amidon and 21st) will reach its maximum traffic capacity; and further, that the staff provide a more specific estimate of costs for the widening of the street, if it is determined that such is needed, and submit a recommendation as to who should pay.

We will be working with other staff members on this during this week and, hopefully, will be able to schedule a meeting with you and your clients prior to the December meeting. I have been advised by Mr. Blodson that he is agreeable to establishing a gross leasable floor area at 45% of land area of the individual parcels. We will use this figure in making our evaluations. If there are any additional questions, please call.

Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:js

Mr. Vincent L. Bogart
December 4, 1948
Page 2

cc: H. D. Bledsoe
11800 West Highway 54
Wichita, Kansas 67209

Charles W. Harris
1st National Bank Bldg.
Wichita, Kansas 67202

Edward Scott
Consolidated Realty, Inc.
2311-A Amidon
Wichita, Kansas 67204

Anna McLean
2359 McLean Blvd.
Wichita, Kansas 67204

Dale Kidwell
Central Building
Wichita, Kansas 67202

C. Robert Bell
123 South Market
Wichita, Kansas 67202

Mrs. A. F. Simon
2628 Bob White
Wichita, Kansas 67204

Robert M. Shearer
2433 Benjamin
Wichita, Kansas 67204

Michael A. Balluono
2245 Ballinger
Wichita, Kansas 67204

December 9, 1968

SUPPLEMENTARY INFORMATION
REQUESTED BY MAPC FOR
CASES DP-23 & Z-1037

Amount of Commercial

The existing constructed commercial development in the area (Twin Lakes, Sweetbriar, Atlantic Mills, River Bend and Marina Lakes) is 513,289 square feet of floor area. Assuming 85% of floor area to equal "gross leasable area", this is 447,242 square feet GLA.

The existing approved commercial zoning (as opposed to actual construction) for the same area would allow an additional 415,768 square feet of floor area, or 342,453 square feet gross leasable area.

The applicant has orally revised his application to limit the amount of commercial development to an additional 135,855 square feet of gross leasable area (45% of ground area). This will be referred to as Marina Lakes - Condition II or Marina Lakes II.

Assuming the proposition stated by the applicant to be valid, e.g., conditions have changed by virtue of the increased value of land, then the area south of the applicant's proposal may also be considered as potential commercial (at least to a point south equal to the "LC" at Twin Lakes and to a depth equal to the applicant's. This, if it should occur, would produce 7.06 acres of commercial ground area; and 137,000 square feet of gross leasable area. This area will be referred to as Marina Lakes III.

Traffic Projections

A re-analysis of traffic conditions has been completed to try to answer the following questions:

- 1) When will the traffic, based on: a) existing development; b) authorized development; and c) proposed development, cause the intersection of 21st and Amidon to breakdown?
- 2) Will reconstruction of the street system (including the intersection) provide sufficient capacity for the: a) existing; b) authorized; and c) proposed development?

To do the traffic study, certain assumptions which are variables must be established. These are:

1. Amount of contributing high traffic generators - light commercial. (See preceding for amounts used in computations).

2. Traffic generation rates for light commercial. The same rates, 5 trip ends per thousand square feet of commercial floor area per peak hour off-season traffic, were used as used by both Burgwin & Martin and the Traffic Engineer in the 1967 studies; derived from traffic counts at Twin Lakes and divided by square footage existing at that time.

One may expect, based on national experience, to have a rising rate as the size of the center decreases up to the point that smaller centers generate twice the traffic per 1,000 square feet of floor area as the larger ones. However, for the current computation, the low figure was used and no penalty was assigned to Sweetbriar, Atlantia Mills (discount houses have higher rates), and Marina Lakes.

3. Growth of traffic from existing conditions was computed the same as Burgwin & Martin (1967) at 1% each year. Because growth rates seem higher, a 2% growth line was also computed. Actual growth may be much higher, but should level or flatten out to an overall lower average as the area matures and developable land is used up.
4. Level C of operating efficiency is an appropriate design level and should be public policy. It is recognized that most of the heavily traveled arterial intersections do not operate at this efficiency level.
5. There is a maximum limit on street (and intersection) capacity for at grade street intersections with channelization and still maintaining the ability to serve adjacent property. The next grade of street construction (and capacity) for grade separated intersections. These usually severely limit access to adjacent commercial properties.
6. Street capacity should be, and was, measured and projected on the basis of non-peak season rates and figures, i.e., they were not figured on the ultimate load.
7. Neither signalization of the main Twin Lakes west entrance nor a provision for Marina Lakes II having an opposite entrance was figured in the traffic computations or projections. If signalization is introduced this close to 21st, the capacity of that intersection will be reduced.

The Traffic Engineer does not feel that he can support either an opposite entrance or signalization at this point. However, the Planning Department feels to provide for safety and convenience and irrespective of the effect on traffic capacity, it will be necessary to formulate policies for the signalization of private drives, such as the Twin Lakes

main west entrance. This will remain true whether Marina Lakes II will or will not be granted an entrance opposite the west entrance of Twin Lakes.

8. Any reconstruction necessitated to maintain C level operation should be done in such a manner as to require the minimum rather than the standard or desired rights-of-way for such reconstruction. This is to keep the costs to a minimum. The intersection of 21st and Amidon, based on the foregoing assumptions, would not function at the C level at approximately the following years, based on the variables below.

| | 4 Lane Existing Structure | | 6 lane with 1 left turn 21st west bound | |
|--|-----------------------------|-----------------------------|---|------------------|
| | 1% | 2% | 1% | 2% |
| Existing Constructed Development | After 1988 | 1977 | After 1988 | After 1988 |
| Approved For Development | Above C, 1968 At F, 1988 | Above C, 1968 At F, 1977 | After 1988 | 1978 |
| Approved Development PLUS Marina Lakes II | Above E, 1968 At F, 1969 | Above E, 1968 At F, 1969 | 1972 | 1970 |
| Approved Development PLUS Marina Lakes II AND Marina Lakes III | Above F, in 1969 | Above F, in 1969 | Above E, in 1969 | Above E, in 1969 |

Construction Costs

If it is determined that reconstruction is needed at any point in time, the following figures are gross estimates to repave Amidon from the Arkansas River north to approximately Marigold Street, and to repave 21st Street from the Little Arkansas River, west to approximately Meridian Street. Most costs would be for new lanes i.e., expansion from four to six moving lanes. No construction costs have been estimated for new or relocated sidewalks nor for relocating medials.

Right-of-way costs are also quite gross as until specific construction plans are prepared, what right-of-way is needed is unknown. Minimum right-of-way needed would range from 100 feet where there is little channelization to a standard 132 feet at the intersection. This can be reduced to 112 feet by reducing the area between the curb line and property line (parking) from a standard 15 feet to 5 feet. However, if condemnation were required for the 5 feet, it is probable that the 15 feet would be taken. Existing right-of-way ranges from 80 to 110 feet in the area.

Assuming a rule of thumb price at current dollar values of \$15 per lane per foot, construction would run \$350,000. Assuming the right-of-way would be taken off the north side of 21st Street on both sides of Amidon and assuming severance tantamount to a total taking, the right-of-way might range from \$175,000 to \$225,000 for the two service stations alone.

In recent years, the City at large has paid (without cost of interest) \$1,174,000 to improve McLean-Amidon from 13th to 25th (including the bridge) and for 21st from the Little River to Meridian. Property owners have paid \$179,300 for the paving in the same area.

In the past, the City's general position in regard to improving arterials has been to build them 4 lanes in width with some channelization. Costs have been allocated so that all property pays for what might be considered as a normal residential street. When additional width, channelization or other treatment is required, the City has attempted to place these costs on the land that would benefit from such additional work. The apportionment of additional costs, especially if dependent on the commercial as generating the traffic, should be spread back on all the commercial zoning in the area.

DP-23 - 174 NOTICES TO ADJOINING PROPERTY OWNERS MAILED 10-31-68 for MAPC 11-14-68.

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

October 30, 1968

NOTICE TO ADJOINING PROPERTY OWNERS:

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 1:45 p.m. on November 14, 1968, at which time you may appear either in person or by agent or attorney, if you so desire.

DP-23 - A tract beginning 75 feet west and 75 feet south of the northeast corner of the northwest quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M.; thence south 275 feet; thence east 25 feet; thence south 1515 feet more or less; thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north to the point of beginning; thence south in a southeasterly direction 90 feet more or less to a point 15 feet north to the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes Marina Lake 1st and Marina Lake 2nd Additions, and an area on the west being platted as Marina Lake 3rd Addition. Generally located on the south side of 21st Street between Amidon and Meridian.

The Development Plan of this area, originally approved in April, 1967, 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, Room 402, City Building Annex, 104 South Main, Wichita, Kansas and is available for public information and review.

The revised Development Plan now on file proposes the following general amendments:

Increasing the amount of Light Commercial zoning approximately 6.5 acres.

Increasing the number of access points on Amidon from 3 to 4 and on 21st Street from 6 to 7.

Increasing the permitted sign height from 30 feet to 45 feet.

Elimination of the statements of maximum gross leasable area and the maximum building height for both Parcels #1 and #4.

C. BICKLEY FOSTER, Secretary

(Published in the Daily Record on October 22, 1968)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on November 14, 1968, at 1:45 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 an amendment to the MARINA LAKE COMMUNITY UNIT PLAN for property legally described as follows:

DP-23 - A tract beginning 75 feet west and 75 feet south of the northeast corner of the northwest quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M.; thence south 275 feet; thence east 25 feet; thence south 1515 feet ±; thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north of the point of beginning; thence south in a southeasterly direction 90 feet more or less to a point 15 feet north of the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes Marina Lake 1st and Marina Lake 2nd Additions, and an area on the west being platted as Marina Lake 3rd Addition. Generally located on the south side of 21st Street between Amidon and Meridian.

1 and so amended in January 1969

The Development Plan of this area, originally approved in April 1967, 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, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes the following general amendments:

- 5.8 → Increasing the amount of Light Commercial zoning approximately 6.5 acres.
- Increasing the number of access points on Amidon from 3 to 4 and on 21st Street from 6 to 7.
- Increasing the permitted sign height from 30 feet to 45 feet.

Elimination of the statements of maximum gross leasable area and the maximum building height for both Parcels No. 1 and No. 4.

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

WITNESS MY HAND AND SEAL this 17th day of October, 1968.

C. BICKLEY FOSTER, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commission

(SEAL)

THE CITY OF WICHITA

OFFICE OF CITY TRAFFIC ENGINEER

DATE November 6, 1968

TO Robert Lekin, Assistant Director of Planning

FROM Paul E. Graves, City Traffic Engineer



SUBJECT Amended Marina Lake Community Unit Plan
Located at the Southwest Corner of
Amidon and 21st Street and Along
the West Side of Amidon South of
21st Street

This memorandum is submitted regarding the above subject matter as it is related to the upcoming re-submission of the Marina Lake Community Unit Plan. As you are aware, this particular problem has been before the Public Works Department, the Planning Department, the Metropolitan Area Planning Commission, and the Board of City Commissioners. As a result of the above mentioned hearings by the various agencies, this Division was involved in extensive studies regarding traffic control problems that would be related to the construction of the proposed Marina Lakes site and as it may be related to the other existing land uses in the area such as Twin Lakes Shopping Center, Sweetbrier Shopping Center, Atlantic Thrift Center, and the River Bend Shopping Center located about a quarter of a mile east of Amidon on 21st Street. As a result of the many studies that were made regarding the matter, it was determined in the early part of 1967 that to interject another regional shopping center within this area would require major overhaul and street reconstruction of both Amidon Avenue and 21st Street in order to provide proper and adequate traffic services. The current amended Marina Lake Community Unit Plan is one of similar size (in a neighborhood of 500,000 square feet of commercial) that was considered in the prior studies, therefore, there appears to be no reason to change the basic recommendations that were made at the time this matter was considered before.

It is commonly understood that when considering traffic service on urban streets that the major intersection of two major traffic streets normally provide the "key" to the traffic service that will be provided. The "key" intersection within this area is the intersection of 21st Street and Amidon Avenue. The studies that were made in the first part of 1967 proved conclusively that traffic projections up through 1985 indicated that in order to maintain an acceptable traffic service at the intersection would require the reconstruction of both 21st Street and Amidon Avenue as it approaches the intersection of said street. At the present time, both 21st Street and Amidon Avenue are providing four thru lanes of travel plus the provision of right turn and left turn lanes. Traffic projections indicate clearly that in order to provide for the addition of the Marina Lakes development would require by 1985 that one additional thru lane per direction would be required for both 21st Street and Amidon Avenue, of course, still maintaining the right and left turn provisions. In order to attempt a "word picture" of the situation that would be required is as follows: Beginning at a point south of 25th Street North, Amidon Avenue would have to



November 6, 1968

widened to provide for six thru lanes and, as it approaches the intersection of 21st Street, the addition of right and left turn lanes; continuing on southward on Amidon Avenue, six thru lanes plus the right and left turn lanes would be required down Amidon Avenue to a point where the roadway must, of necessity, narrow back down to four thru lanes prior to crossing over the Arkansas River. 21st Street would be envisioned in the same manner beginning at the Little Arkansas River Bridge on the east developing from a four lane arterial into a six lane arterial with the necessary deceleration lanes, right turn lanes and left turn lanes as it approaches Amidon Avenue continuing on thru the intersection westward on 21st Street providing the same lane numbers to a point approximately westward near the intersection of Meridian Avenue. It is my opinion that if this type of reconstruction can be accomplished, that the intersection and the intersection approaches to Amidon and 21st Street could satisfactorily provide traffic service up to the year 1985.

With respect to the application of Marina Lake Development, it is recommended that the main entrance to the development be approximately 450 to 500 feet south of the existing Twin Lakes Shopping Center entrance with a similar type major shopping center entrance and exit. It will be necessary that accel and accel lanes be provided approximately 250 feet north and south of the main shopping center entrance so as to provide adequate storage space for vehicles entering and leaving the Marina Lake development site. This Division has prepared a schematic of the information contained within this report and will be prepared to present it to all interested parties.

If additional information is desired, I will be available at your convenience.

Paul B. Graves
Paul B. Graves
City Traffic Engineer

PBG:cb

cc: R. W. Bruggeman, Director of Public Works

APPROVED:

R. W. Bruggeman
R. W. Bruggeman, Director of Public Works

THE CITY OF WICHITA

OFFICE OF

DATE November 1, 1968.

ENGINEERING DIVISION

THE
ROAD TO
SAFETY



TO Robert A. Lakin, Assistant Director of Planning

FROM B. E. Smith, City Engineer

SUBJECT Amended Marina Lake Community Unit Plan Located at the Southwest Corner of Amidon Avenue and 21st Street

The following information is submitted in response to your memorandum of October 3, 1968, concerning the above subject:

Public Improvements under Construction and Scheduled in the Marina

Lake Area

1. Arterial construction on 21st Street, Meridian Avenue to Lot 2, Marina Lake. Contract awarded October 1, 1968. Construction from October 21, 1968, to December 30, 1968.
2. Arterial construction on Amidon Avenue, Arkansas River to 620 feet south of 21st Street. Widening, median and channelization under construction, to be completed by November 15, 1968.
3. Arterial construction on Amidon Avenue, 180 feet north of center line of 21st Street to the north line of Lot 2, Block A, Sweetbriar Addition. Widening, median and channelization construction is scheduled for early 1969 construction season after the 21st Street paving project is completed as listed under No. 1 of this memorandum.
4. North Wichita Thruway improvement between Bullinger Drive and Amidon Avenue was completed in October, 1968.
5. Capital Improvement projects scheduled for 1970:
 - (a) 21st Street, West Street to Meridian Avenue;
 - (b) Bridge on 21st Street over Arkansas River;
 - (c) West Street, 17th Street to 21st Street.

Comments Regarding Marina Lake C. U. P. Application


1. It is our opinion that the width of driveways and driveway medians should not be shown on the Community Unit Plan drawing.
2. The driveway on the south side of 21st Street at 21st and Sweetbriar is to be located entirely on Lot 2, Marina Lake Second Addition rather than as it is shown.



Robert A. Lelkin, p. 2.

November 1, 1968.

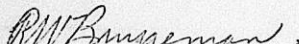
3. The 21st Street median which is part of the present 21st Street construction extends west to a point 115 feet east of Edwards Avenue; thus the median is incorrectly shown on the drawing.
4. If a new curb cut is permitted on Amidon Avenue, all costs of median reconstruction, deceleration lane, driveway and miscellaneous items should be at the applicant's expense. Additional right-of-way, ten feet in width, is required for the new drive north to the existing 75 foot right-of-way. Also, additional right-of-way, ten (10) feet in width, is required at the south driveway shown on Amidon Avenue to serve Parcel 6. If both of these driveways are permitted, consideration should be given to connecting them with the service road on the applicant's property.
5. It will be necessary to extend the existing storm water sewer on the west side of Amidon Avenue. A twenty foot storm water sewer easement should be acquired for this storm water sewer extension.
6. The existing fence on the west side of Amidon Avenue should be moved behind the right-of-way line by the applicant. Any adjustment of the fence on the south side of 21st Street should also be at the applicant's expense.


B. S. Smith,
City Engineer.

BES-LS

cc
R. W. Bruggeman
Paul Graves

APPROVED:


Director of Public Works.

October 3, 1968

Ray Bruggeman, Director of Public Works

Robert A. Lakin, Assistant Director of Planning

Amended Marina Lake Community Unit Plan located at the southwest corner of Amidon and 21st Street.

As you may recall, just prior to your arrival, the City Commission approved a commercial and residential community unit plan known as Marina Lakes. The associated zoning request for "LC" was reduced substantially in size at the City Commission due primarily to the magnitude of their proposal as it relates to other existing commercial developments at this intersection. Traffic projections played such an important part in this case that the developer was required to have a traffic consultant submit a traffic analysis of the area. The Traffic Engineering Division of your department submitted their own traffic analysis on 21st Street and Amidon which was dated January 20, 1967.

This week the corporation of Clear Lakes, Inc. has filed two cases. One - a request for additional "LC" zoning, and two - an amended community unit plan. We are forwarding copies of the amended plan, with significant changes underlined, to both Bill Smith and Paul Graves. We would appreciate their evaluation of the amended plan, taking into consideration the original traffic analysis of 1967, the status of 25th Street - North Wichita Thruway, the proposed improvements of Amidon north of 21st Street associated with the Sweetbriar Shopping Center, the proposed construction of the 21st Street - Arkansas River bridge, street improvements, including extended medians for both 21st Street and Amidon adjacent to this development and any other factors which you feel should be included.

These two cases are tentatively set to be heard by the Planning Commission at their regular meeting of November 14, 1968. We would appreciate your department's comments by November 4, so that the Planning Department's recommendation can be prepared for the Planning Commission.

RAL:HG:js

cc: Ralph Wuls, City Manager
Paul Graves, Traffic Engineer
Bill Smith, City Engineer

Preliminary Comments of Amended

Marina Lake CUP

1. Draft of Official Notice on the CUP is prepared for review and approval. Applications for both the zoning change and CUP are correctly submitted with accurate legal descriptions and ownership lists. (Amidon Development, Inc., however, is the owner of the west portion of the area proposed for residential development and is not indicated on the application as being a party to the amendment.
2. Significant proposed changes include additional "LC" zoning extending into the lake on both parcels #1 and 4.
 - A. Parcel #1 has changed as follows:

Net Area was 155,575 now 397,675.

Acres was 3.57 now 9.13.

Maximum Building was 46,673 now 119,302 - coverage of 30%.

Plan has deleted proposed maximum gross floor area and the proposed maximum building height.

Building setback line has not been indicated into the extended area.

Nothing has been indicated changing the position of the Maximum Fill line or the change of the required fence.
 - B. Parcel #4 has changed as follows:

Net Area was 138,000 now 197,800.

Acres was 3.17 now 4.54.

Maximum Building was 41,400 now 59,340 - coverage of 30%.

Plan has deleted proposed maximum gross floor area and the proposed maximum building height.

2 - Marina Lake CUP

Again no indication of changing the position of the Maximum Fill line or the relocation of the required fence.

3. A major change, opposed by the Traffic Engineer and the developer to the east on the original hearing of the CUP, now proposes a major entrance to Amidon from Parcel #1.

Another access change is an additional access point to 21st Street from Parcel #4.

4. Sign heights are now proposed to 45 feet whereas the sign ordinance and other CUP's provide for 30-foot heights as maximum.
5. Suggested comments to be added under General Provisions:

"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 and Residential development and be binding upon the present owners, their successors and assigns, unless amended.

Canopies may extend into, and gasoline pumps may be placed in the 35-foot building setback a distance not to exceed twenty (20) feet.

File

October 21, 1968

Mr. E. D. Bledsoe
11800 West Highway 54
Wichita, Kansas 67209

Dear Mr. Bledsoe:

Re: Revised Marina Lake CUP
and Zone Case

In our discussions these past few weeks concerning the above zone case and CUP for Marina Lake, you have pointed out your desire to parallel the consideration of your case with that for Lakeview Estates 2nd Addition (E-1024) for "BB" Office zoning located between Amidon and 18th Street North just south of the Twin Lakes Shopping Center. The latter case was filed on August 5, 1968, and heard by the Metropolitan Area Planning Commission on October 10, 1968 and recommended for approval, subject to platting. It will be forwarded to the City Commission under the normal procedure to be heard on October 29, 1968. You may recall that this matter was deferred twice previously by MAPC, once on September 12 at the personal request of Chairman Mooney due to a lack of time to consider all cases that day before losing a quorum, and once on September 26 when with five members present the need for you to abstain from voting made it necessary to defer the case to the October 10 meeting.

Just before the October 10 MAPC meeting started, I do recall your asking me when your case would be heard. To the best of my recollection, I may have indicated, as you say, that it would be heard at the next MAPC meeting (October 24, 1968). I regret any inconvenience that this may have caused you since I understand that you might have wished to request that your case be forwarded to the City Commission with the Lakeview Estate case so that they may be heard on the same day before the City Commission.

Mr. H. D. Bledsoe
October 21, 1968

I'm sure that you recall the situation we were in at the MAPC meeting in that a quorum had not arrived and we had a large crowd present on the Mt. Carmel zone case, and I was late in returning from a luncheon meeting. In my haste to answer, I gave you the date that your zone case would normally be heard, forgetting that with a CUP involved also, more time is allotted for it and, therefore, they are processed together and will be on the agenda for November 14. This means that if acted upon by MAPC then, it would be forwarded for the City Commission agenda of December 3, 1968. The latter period is to meet the minimum of 14 days required by State law. I understand that Bob Lakin has explained this schedule to your attorney, Mr. Vincent Bogart, who was present when the Lakeview Estates case was heard on October 10.

This letter is to provide you with a full background of the matter so that you may use it as you see fit in possibly requesting MAPC, at its October 24 meeting or through the City Manager's office or the City Commission to defer consideration of the Lakeview Estate zone case until your case may be heard by the City Commission at the same time. By copies of this letter, this will familiarize the Chairman and Vice Chairman of MAPC and the City Manager, of your desires in processing these cases.

Very sincerely yours,

C. Bickley Foster
Director of Planning

CBF:bar

cc: W. Harold Mooney
Chairman, MAPC

Wm. J. Goebel
Vice Chairman, MAPC

Ralph Wuls
City Manager

/AMENDED
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 Clear Lakes, Inc. (Lessor)
Address 6572 East Central, Wichita Phone AM 51631
Agent Don E. Satterthwaite, President
Address 6572 East Central, Wichita Phone AM 51631
- b. Applicant Harry D. Bledsoe, (Lessee)
Address 440 N. Westfield, Wichita Phone PA 22100
Agent Vincent L. Bogart
Address 501 One Twenty Building, Wichita Phone FO 36291
- 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 ^{as amended} on
property zoned "AA" & L.C. and legally described as Lot(s)
N/A, Block(s) N/A,
(See attached sheet) Addition.
(If appropriate, metes and bounds description may be provided in
the space below or on an attached sheet.)

- II.B There are 60.9 net acres (round to nearest tenth) in the above
described property.

IIA (Attached Sheet) Marina Lake C.U.P.

Legal Description

Legal Description: DP-23 - A tract beginning 75 feet west and 75 feet south of the Northeast corner of the NW quarter of Government Lot 1, Section 7, Township 27 South, Range 1 East of the 6th P.M.; thence south 275 feet; thence east 25 feet; thence south 1515 feet; thence northwesterly and westerly along the left bank of the Arkansas River to the west line of Lot 1; thence north along the west line of said Lot 1 to a point 50 feet south of the northwest corner of said Lot 1; thence east to a point 395 feet west and 25 feet north of the point of beginning; thence south in a southeasterly direction 90 feet more or less to a point 15 feet north of the point of beginning; thence east 30 feet; thence south 15 feet; thence east 275 feet to the point of beginning. Said legal description includes the following:

(a) Marina Lake 1st Addition is platted as Lots 1 & 2 which were originally Parcels 2 & 3, respectively, of the C.U.P.

(b) Marina Lake 2nd Addition Plat

1. Lot #1 was parcel #1 of the C.U.P.
2. Lot #2 was parcel #4 of the C.U.P.
3. Lot #3 was parcel #5 of the C.U.P.

(c) Parcel #7 is split into two parts with the northwest portion to be platted as Marina Lake 3rd Addition. (This plat has been filed, but hasn't been acted upon).

Changes: Requested changes are as follows:

(a) Extension of parcel #1 of original C.U.P. (platted as Lot 1 of the 2nd Addition) 330 feet south over the lake area which has no parcel number on the C.U.P. To be zoned "L.C.", increasing the total net area to 397,675 sq. ft. or 9.13 acres, eliminating items #3 and #4. Maximum building coverage under item #2 was changed to 119,302 sq. ft. An additional entrance on Amidon was located at the center line of the present medial cut 561'-0" south of the center line of 21st Street at Amidon.

(b) Extension of parcel #4 of the original C.U.P. (platted as lot #2 of the 2nd Addition) 130 feet south over the lake area which has no parcel number on the C.U.P. To be zoned "L.C.", increasing the total net area to 197,800 sq. ft. or 4.54 acres, eliminating items #3 and #4. The maximum building coverage under item #2 was changed to 59,340 sq. ft.

(c) The C.U.P. General Provisions was changed as follows:

1. Item #1 - Sign Control - sign height was changed to 45'-0" maximum height.
2. Item #3 - Curb Cuts - Amidon Street was increased to 4. 21st Street was increased to 7.
3. Original building setback of 100 feet was changed to 80'-0" in 2nd Addition platting.
4. Amidon entrance to parcel #6 of the original C.U.P. was re-designed and relocated by the M.A.P. staff.

Marina Lake 1st and Marina Lake 2nd Addition and an alley on the west being platted as Marina Lake 3rd Addition.

III. This property is located at (address) Marina Lake Development.

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 21st (Ave.,
Street) between Amidon (Ave., Street) and
Sweetbriar (Ave., Street).

IV. (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.

By *Glenn V. Bogert* By _____
Authorized Agent (if any) Authorized Agent (if any)

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

V. OFFICE USE ONLY

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

Name

Title

T9-330-4



STATEMENT OF OWNERSHIP

STATE OF KANSAS)
)
Sedgwick County,)

The undersigned duly bonded and qualified abstracter 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:

all property owners lying within a radius of 1000 feet of the following tract of land: Bounded by Meridian Avenue on the West; on 21st on the North; on Amidon Ave on the East and by the Arkansas River on the South.



Fidelity
Title
Company,
inc.

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

All of Government Lot 1 lying North of the Arkansas River EXCEPT Marina Lake Addition & Marina Lake 2nd Add AND EXC Beg at NW cor Lot 1, E 580', th S 470', th SEly to pt 695'S & 770'E of NW cor Lot 1, th SW 250'to pt 940' S & 715' E NW cor th SW to River; th Wstly along River to W line Lot 1 th N to Beg. all in 7-27-1E.

Q Clear Lakes Inc.



Tht pt Lot 1 7-27-1E, Beg at NW cor Lot 1, th E 580 ft, S 470 ft, th SEly to pt 695' S & 770' E NW cor Lot 1, th SW 250' to pt 940' S & 715' E NW cor th SW to River; th Wstly along River to W line Lot 1, th N to Beg.

X Amidon Development Inc.
no address found



Lots 1 & 2 Marian Lake Add.

Q Clear Lakes Inc.

Lots 1-2 3 Marina Lake 2nd

Q Clear Lakes Inc.

Lots 1-3 4 Friesen Addition

J.A. & Mable Friesen
1946 N. Meridian 62203

Lot 2 Friesen Addition

Robert L. & Viola A. Clough
2320 So. Hydraulic 10

Beg 957' N of SW cor Gov. lot 4; E 330'
N 99', W 330', S to Beg. 7-27-1E.

Beg 858' N of SW cor Gove Lot 4,
7-27-1E, E 330 ft, N 99' W 330'
S to Beg.

Beg 759' N of SW cor Gove Lot 4,
7-27-1E, E 330 feet N 99', W
330 ft, S to Beg. EXCEPT E 165'

E 165' of Beg 759' N of SW cor
Gove Lot 4 7-27-1E, E 330',
N 99', W 330' S to Beg.

Lots 1, 2, 3, 4, 5, 6, 16
& Pt of 17 & 19 Blk 1 Womer
6th Addition.

Pt Lots 17 & 18 Blk 1 Womer 6th Add.

Pt Lot 19 & 20 Blk 1 Womer 6th Add.

Pt Lots 20 & 21 Blk 1 Womer 6th Add.

Pt Lot 21 & Lot 22 Blk 1 Womer 6th Add.

Lot 23 & Pt Lot 24 Blk 1 Womer 6th Add

Pt Lot 24 All 25 and Pt Lot 26
Block 1 Womer 6th Add.

E 10' Lot 26 All Lot 27 Blk 1
Womer 6th Add.

Lot 28 & Pt Lot 29 Blk 1 Womer 6th Add.

Pt Lot 29 All Lot 30 - 31 Blk 1
Womer 6th Add.

Lot 31 Blk 1 Womer 6th Add.

All Lot 32 & Pt Lot 33 Blk 1 Womer 6th Add

Part Lot 33 & 34 Blk 1 Womer 6th Add.

Part Lots 34 & 35 Blk 1 Womer 6th Add.

Pt Lots 35 All 36, 37 & 38 Blk 1 Womer 6th

Pt lot 1 Blk 2 Womer 6th Add.

Pt Lot 1 & 2 Blk 2 Womer 6th Add.

Pt Lot 2 & Pt Lot 3 Blk 2 Womer 6th Add.

Pt Lot 3 All 4, 5, 6 7, 8, 9, Pt Lot
10 Blk 2 Womer 6th Add.

Pt Lot 10 All Lot 11 Blk 2 Womer 6th Add.

Lot 12 & 14 Block 2 Womer 6th Add. - -

Lot 13 Block 2 Womer 6th Add.

Lot 15 Block 2 Womer 6th Add.

✓ Dren & Winifred F. Delaney
1942 N. Meridian 67203

✓ P.E. & Laura Hightower
1932 N. Meridian 67203

✓ Parklane Savings & Loan
Association
1032 Parklane 67211

✓ Womer Development Co. Inc.
434 Ohio 67214

✓ Womer Development Co. Inc.
434 Ohio 67214

✓ Harold Belt
Alice Belt
1931 N. ST. CLAIR 67203

✓ S.H. Wagner
Esther Wagner

Address unknown
Fred L. & Patricia L. Caslett

Address unknown
Charles R. & Lucille Culbertson.
115 So. Inca 18

✓ Gale D. & Sara L. Black
1502 Pleasantview 67203

✓ Womer Development Co. Inc.
434 Ohio 67214

✓ Hubert M. & Shirley E. Snell
7500 Warren

Returned & resub to 2186 Bella Vista
William A. & Kathleen S. Datta
James
1721 N. Sedgwick 67203

✓ R.W. & S.H. Womer
434 N. Ohio 67214

✓ H.P. Lent Jr & Ruth S.
2162 Bella Vista 67203

✓ G. Gayle & Eula Jean
Stephen
2154 Bella Vista 67203

✓ Ralph A. & Doris J. Klose
2142 Bella Vista 67203

✓ Wm R. & Patricia L. Holmes
2619 N. Athenian 04

✓ Womer Development Co. Inc.
434 Ohio 67214

✓ Joe A. & Hassell G. Bradley
1902 N. ST. CLAIR 67203

✓ Womer Development Co. Inc.
434 Ohio 67214

✓ Vern F. & Bessie E. Thornton
337 FLOYD 67209

✓ Womer Development Co. Inc.
434 Ohio 67214

✓ Carl G. & Ina M. Kraus
2142 W 13th 67203

✓ Womer Development Co. Inc.
434 Ohio 67214

✓ Elmer J. Kerschen
Jarelen Kerschen
1702 N. Charles 03

✓ Norene T. Garver
2141 Bella Vista 03

Lot 14 Block 2 Womer 6th Add.

Lots 16, 17, 18, 19, 20, 21
& 22 Block 2 Womer 6th Add.

Lot 23 Blk 2 Womer 6th Add.

✓ Mark A. & Linda K. White
2133 Bella Vista 67203

Womer Development Co. Inc.
434 Ohio 67214

✓ Phillip C. & Constance L. Rader
2201 Bella Vista 03

| LCT | BLK | ADDITION | OWNER |
|----------------------------------|-----|--|--|
| 24-25 26-27 | 2 | WOMER'S 6th | WOMERS DEVELOPMENT CO INC. 434 0110 |
| 1-2-3-4 5-6-7 | 1 | RIVER PARK | Twin Rivers Investments, Inc Res Agt: G. R. Monroe 2140 N Broadway 425 N. Broadway 67202 |
| 1-2-3-4 5-6-7-8 9-10-11-12 | 4 | " | Twin Rivers Investments, Inc. |
| 1-2-3 4-5-6 7-8-9 | 5 | " | Twin Rivers Investments, Inc. |
| 25-26-27 | 6 | " | Twin Rivers Investments, Inc. |
| 1 | | <u>INDIAN HILLS 4th</u> | Indian Hills Development Co. Inc. H Marvin Bastian Pres 1905 Southwest Blvd 67213 |
| | | Beg 1040 ft N of SW/c Gov Lot 4, Sec 12, T27 RLW; W 330 ft' N parl to Meridian line to the S bank of Ark River; Ely along S Bank sd river to Meridian line; th S to beg. | Lester Turley 1825 Hood 67203 |
| | | S 100 ft of: Beg 940 ft N of SE/c Gov Lot 4, Sec 12-27-1W; W 330 ft; N to S Bank of Ark River; Ely along S bank of sd river to Meridian line; S to beg, exc E $\frac{1}{2}$ | Cecil G and Ruby I Pierce ux 945 Wood Row 67203 |
| | | N 110 ft of: Beg on Meridian line & 720 ft N of SE/c Gov lot 4, in NE $\frac{1}{4}$ Sec 12 T27 1W; W 330 ft; N 220 ft; E330 ft; S 220 ft to beg exc prt platted as Cindy Addition. | Herman & Nellie M Wolf ux 2725 W 16th St 67203 |
| Lot 1 | | Cindy Addition | Fred I & Juanita F. Bowers ux 1912 N Richmond 67203 |
| Lot 1 Blk 3 | | Meadowvale Add | Milford Q & Agnes C. Yetter ux 1551 Payne 67203 returned of receipt to - 1985 McLean Blvd. 740. |
| Lot 2 Blk 3 | | Meadowvale Add | Howard L & Doris M. McGregor ux 1932 N Edwards 67203 |
| Lot 3 Blk 3 | | Meadowvale Add | John D & Glenda M. Craycraft ux 1926 N. Edwards 67203 |
| Lot 11, Blk 3 | | Meadowvale Add | Donald L & Jacqueline R. Day ux 1927 N Richmond 67203 |
| Lot 12 Blk 3 | | Meadowvale Add | Darrel E & Shirley E Duncan ux 1933 N Richmond 67203 |
| Lot 13 Blk 3 | | Meadowvale | Norman E & Alta Swanson ux 1975 McLean Blvd NW 67203 |

| LOT | BLK | ADDITION | OWNER |
|-----|-----|---------------------------|--|
| 9 | 9 | <u>BENJAMIN HILLS 2ND</u> | ✓ James G & Susan L. House ux 2231 Bullinger 04 |
| 10 | 9 | " | ✓ John M Jr & Betty L Richards ux 2304 N Richmond 67204 |
| 11 | 9 | " | ✓ Michael A & Mary Paula Belluomo ux 2245 Bullinger 67204 |
| 12 | 9 | " | ✓ William W & Colleen H Green ux 2701 Benjamin 67204 <i>same as m. l. c.</i> |
| 1 | 10 | " | ✓ William C & June E Miller ux 1609 Selma 67216 |
| 2 | 10 | " | ✓ C. Raymond & Kathleen V. Goble ux 2533 Benjamin 67204 |
| 3 | 10 | " | ✓ Richard & Wilma Jeanne Bills ux 1514 Sabin 67209 |
| 4 | 10 | " | ✓ Richard Dale & Alice M. Gass ux 2551 Benjamin 67204 |
| 5 | 10 | " | ✓ Harry J & Norma J. Frazier ux 2605 BENJAMIN 67204 |
| 6 | 10 | " | ✓ Byron R & Bertha M. Waggoner ux 2615 Benjamin 67204 |
| 7 | 10 | " | ✓ Verland M & Elaine Patterson ux 2627 Benjamin 67204 |
| 8 | 10 | " | ✓ A. F. & Betty C. Simon ux 2626 Bob White 67204 |
| 9 | 10 | " | ✓ Albert P & Reva Guerra ux 2616 Bob White 67204 |
| 10 | 10 | " | ✓ Gene B & Mary Jean Martin ux 2606 Bob White 67204 |
| 11 | 10 | " | ✓ William D. & Wilma E McLean ux 2552 Bob White 67204 |
| 12 | 10 | " | ✓ John J & Marguerite K Yungmeyer ux 2542 Bob White 67204 |
| 13 | 10 | " | ✓ Dean L & Norma L Babb ux 2534 Bob White 67204 |
| 14 | 10 | " | ✓ J Carson & Virginia G Rockhill ux 2505 Benjamin 67204 |
| 1 | 11 | " | ✓ Jessie R. Trimble, 2521 Bob White 67204 |
| 2 | 11 | " | ✓ Evelyn J Caldwell, single & John O & Anna B. English ux 2533 Bob White 67204 |
| 3 | 11 | " | ✓ Fred J & Virginia H Soper ux 3901 E 28th No 67270 |
| 4 | 11 | : | ✓ William D & Mona Beth Dopps ux 2551 Bob White 67204 <i>not at above address. returned 1-6-69</i> |

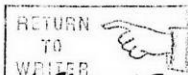
WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202



Fred J. & Virginia H. Soper
3901 East 28th North
Wichita, Kansas 67220



Important! Notice of Hearing Enclosed

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

249
41

| LOT | BLK | ADDITION | OWNER |
|-----|-----|---------------------------|--|
| | | <u>BENJAMIN HILLS 2ND</u> | |
| 6 | 13 | " | ✓ Administrator Veterans Affairs 5500 E. Kell 699 67218 |
| 7 | 13 | " | ✓ Elzy V & Dorothy D Hale ux 2208 N Richmond 67204 |
| 8 | 13 | " | ✓ Joe E & Virginia R Walton ux No address available <i>Belle Plaine, Ks</i> 67013 |
| 9 | 13 | " | ✓ Lesson H & Martha S McCloud ux 2219 Marigold 67204 |
| 10 | 13 | " | ✓ Larry J & Gwendolyn P Armfield ux 2229 Marigold 67204 |
| 11 | 13 | " | ✓ Paul W & Mildred L Robbin ux 2476 Everlawn 67204 |
| 12 | 13 | " | ✓ Administrator Veterans Affairs 5500 E. Kell 699 67218 |
| 13 | 13 | " | ✓ Orville W & Bettiann Smith ux 2225 Dogwood 67204 |
| 14 | 13 | " | ✓ Administrator, Veteran Affairs 5500 E Kell 699 67218 |
| 15 | 13 | " | ✓ Charles P & Dorothy E Danbury ux 2243 Dogwood 67204 |
| 16 | 13 | " | ✓ Forrest V & Evelyn A Jackson ux 2251 Dogwood 67204 |
| 1 | 14 | " | ✓ Ward H & Esther M Blackford ux 2238 Marigold 67204 |
| 2 | 14 | " | ✓ Ray M & Constance A Christianson ux 2222 Marigold 67204 |
| 3 | 14 | " | X Bernard J & Ralpolhene N Stambaugh ux <i>Address unknown</i> |
| 4 | 14 | " | ✓ Anna McLean, 2359 McLean Blvd 67204 |
| 5 | 14 | " | ✓ Floyd J & Maxine E Mayer ux ½ int 2481 Collidge 67204 |
| | | | ✓ Ronald L & Floy Raye Irion ux ½ int 2616 Manhattan 67204 |
| 6 | 14 | " | ✓ Presbytery of Wichita Synod of Kans 2258 Marigold 67204 |
| 2 | 5 | " | ✓ Board of Education Wichita, Kansas 428 So. Broadway |
| 1 | 5 | " | X Board of Park Commissioners Sweetbriar Building, Inc <i>Address unknown</i> |
| 6 | 3 | " | ✓ A. N. & Ruby Millsap ux, 2616 Benjamin 67204 |
| 5 | 3 | " | ✓ Richard R & Mildred M Ayesh ux 2628 Benjamin 67204 |
| 5 | 7 | " | ✓ Jack E & Elizabeth J. Greene ux 2302 Marigold 67204 |

Beg at intersection of N line of 21st St & E Sweetbriar Land; E 150 ft; N 150 ft; W to E line Sweetbriar Lane; S to beg, prt Blk 16, Benjamin Hills 2nd Add.

| LOT | BLK | ADDITION | OWNER |
|-----------------------|-----|---------------------------|---|
| 5 | 11 | <u>BENJAMIN HILLS 2ND</u> | James J & Norvell B McKee ux 2605 Bob White 67204 |
| 6 | 11 | " | Eli P & Agnes C Ferris ux 2615 Bob White 67204 |
| 7 | 11 | " | Lowell W & Lorraine F Schraeder ux 6500 W Hwy #54 |
| 8-9-10-11 12-13-14 | 11 | " | Anna McLean, Cardinal Construction Co., Inc. 2220 Cardinal 67204 |
| 15 | 11 | " | Anna McLean, 2359 McLean Blvd NW 67204 |
| 16 | 11 | " | Cardinal Constr Co. Inc 2220 Cardinal 67204 |
| 17 | 11 | " | Robert M. & Joan B Shearer ux 2433 Benjamin 67204 |
| 1 | 12 | " | Donald E & Onita Faye Wilson ux 2442 BENJAMIN 67204 |
| 2 | 12 | " | Kellis H & Lucile K Wilkinson ux 2434 Benjamin 67204 |
| 3 | 12 | " | Ray C & Dorothy J Hopson ux 2426 Benjamin 67204 |
| 4 | 12 | : | Ward E & Gloria J Lewis ux 2420 Benjamin 67204 |
| 5 | 12 | " | Administrator Veteran Affairs 67218 5500 E. KELLIOGG |
| 6 | 12 | " | Robert R & Betty J Gibson ux 2207 N Richmond 67204 |
| 7 | 12 | " | Emmet + Lois Hall 2410 Coolidge 67204 |
| 8 | 12 | " | William W & Flora M. Leblond ux 2227 N Richmond 67204 |
| 9 | 12 | " | Emmett E & Lois Hall ux 2410 Coolidge 67204 |
| 10 | 12 | " | Administrator Veteran Affairs 5500 E. KELLIOGG 67218 |
| 11 | 12 | " | Jerome C & Barbara G Beck ux 2253 N. RICHMOND 67204 |
| 12 | 12 | " | Henry & Darlene M Jesse ux 2261 N Richmond 67204 |
| 1 | 13 | " | Walter J & Ruth R Broderson ux 2262 N Richmond 67204 |
| 2 | 13 | " | Robert P & Mildred Kirkpatrick ux 2254 N Richmond 67204 |
| 3 | 13 | : | George L & Birdie M Harris ux 2244 N Richmond 67204 |
| 4 | 13 | " | John M & Virginia Lang ux 2236 N Richmond 67204 |
| 5 | 13 | ! | Merle D & Bonnie Lee Speer ux 2228 N Richmond 67204 |

| LOT | BLK | ADDITION | OWNER |
|-----|-----|---------------------------|---|
| 7 | 3 | <u>BENJAMIN HILLS 2nd</u> | ✓ Jim L. & Sharon L. Ivins ux 2604 BENJAMIN 67204 |
| 8 | 3 | " | ✓ Arthur D & Florence C. Busch ux 2552 Benjamin 67204 |
| 9 | 3 | " | ✓ Obed T & Evelyn A Wells ux 2542 Benjamin 67204 |
| 10 | 3 | " | ✓ Virginia D. Spencer, 2534 Benjamin 67204 |
| 11 | 3 | " | ✓ Everest E & Gladys L. Wible ux 2520 Benjamin 67204 |
| 12 | 3 | " | ✓ Raymond D & Gail George ux 2512 Benjamin 67204 |
| 13 | 3 | " | ✓ Marvin M & Barbara H Somers ux 2506 Benjamin 67204 |
| 14 | 3 | " | ✓ Elizabeth H Heinsohn, 2305 N Richmond 67204 |
| 15 | 3 | " | ✓ Carl A & Lucille Bessier ux 2315 N Richmond 67204 |
| 16 | 3 | " | ✓ Vera Stutsman, 1002 Brookfield 67206 |
| 17 | 3 | " | ✓ Carl A & Marie Warne ux 2339 N Richmond 67204 |
| 18 | 3 | " | ✓ Horton E & Benita L Goss ux 2355 N Richmond 67204 |
| 19 | 3 | " | ✓ T J & Vivian L Harder ux 1226 So Waco 67211 |
| 20 | 3 | " | ✓ Kenneth L & Alberta M Walker ux 2377 N Richmond 67204 |
| 8 | 4 | " | ✓ John W & Kathleen T Schiffler ux 2324 N Richmond 67204 |
| 9 | 4 | " | ✓ Herbert W & Eva D Hobson ux 616 So. Estelle " |
| 10 | 4 | " | ✓ Leonard R & Kellene M Wright ux 2304 N Richmond 67204 |
| 11 | 4 | " | ✓ Frank H & Mary L Wright ux 2305 Dogwood 67204 |
| 12 | 4 | " | ✓ Albert C & Mildred H Martin ux 2315 Dogwood 07204 |
| 5 | 9 | " | ✓ Jack G & J Jarine Highley ux 2220 Hyacinth 67204 |
| 6 | 9 | " | ✓ Wilbur R & E Maxine Elsea ux 2529 Bullinger 67204 |
| 7 | 9 | " | ✓ Anna McLean, 2359 McLean Blvd NW 67204 |
| 8 | 9 | " | ✓ Oliver R & Marjorie L Anderson ux 1602 N Charles 67203 returned & name to 2219 Bullinger 04 |

Blk 16, exc S 300 ft m/1 & 1/2 vac Halstead St., Benjamin Hills 2nd Add. Twin River Club 2248 Sweetbriar Lane *67204 returned 11-4-68*

SE $\frac{1}{4}$ SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec 6 T27 R1E exc that part platted as Sweetbriar Addition Sweetbriar Garden, Inc. 2359 McLean Blvd. *67204*

Lots 1, 2, & 3, Sweetbriar Add & Replat of part of Benjamin Hills Sec Sweetbriar Garden, Inc. 2359 McLean Blvd. *67204*

W 1/3 Acre of 1 sq. Acre in NW cor of Lot 2, Sec 7, T27 R1E Noble Houts, % Lloyd Houts, 2221 Campbell St. Long Beach 15 Calif. *returned 11-4-68*

E 2/3 Acre of 1 A tract in NW cor Lot 2, exc N 50 ft for St., NE $\frac{1}{4}$ Sec 7 Twp 27 R1E Marcus D. Gow 7007 W 13th St. *67212*

Blk 1, Lakeview Estates Lakeview Development Co., Inc. Evan D. Ritchie, Treas. 1820 N. Mosley *67214*

Lots 1, 2, 3, 4, 5, 6 Blk A, Lakeview Estates 2nd & Replat part Lots 2 & 3 Lakeview Add. Lakeview Development Co., Inc.

| LOT | BLK | ADDITION | OWNER |
|----------|-----|--------------------|--|
| 1 | 2 | Cook's River Ranch | <input checked="" type="checkbox"/> Lakeview Development Co., Inc. |
| 2-3 | 2 | " " " | <input checked="" type="checkbox"/> Arlene V. Root 1847 Lisa Lane <i>67203</i> |
| 4-5 | 2 | " " " | <input checked="" type="checkbox"/> C. W. Bragg Company, Inc 1743 N. Broadway <i>67214</i> |
| 6 | 2 | " " " | <input checked="" type="checkbox"/> John L. & Anne Orlena Cook ux 1833 Lisa Lane <i>67203</i> |
| 7 | 2 | " " " | <input checked="" type="checkbox"/> Christine J. Cleary, 1829 Lisa Lane <i>67203</i> |
| 8 | 2 | " " " | <input checked="" type="checkbox"/> Raymond & Margaret Horton, ux 1825 Lisa Lane <i>67203</i> |
| 9 | 2 | " " " | <input checked="" type="checkbox"/> Astrid Hayden, 1821 Lisa Lane <i>67203</i> |
| 10 | 2 | " " " | <input checked="" type="checkbox"/> Mabel W. Haines, 1817 Lisa Lane <i>67203</i> |
| 11 | 2 | " " " | <input checked="" type="checkbox"/> Richard L. & Ruth Ann Circle ux 1813 Lisa Lane <i>67203 returned 11-4-68</i> |
| 1 | 1 | " " " | <input checked="" type="checkbox"/> Reginald V. Boothe & Judith A. ux 1846 Lisa Lane <i>03</i> |
| 2 | 1 | " " " | <input checked="" type="checkbox"/> Everett C & Delpha A. Moss, ux 1827 W. 18th Street <i>67203</i> |
| 3 | 1 | " " " | <input checked="" type="checkbox"/> Wayne M. & Zelma D. Armstrong ux 1809 W. 18th Street <i>67203</i> |
| 4 | 1 | " " " | <input checked="" type="checkbox"/> David H & Leora M. Stanley ux 1805 W 18th Street <i>67203</i> |
| 5 | 1 | " " " | <input checked="" type="checkbox"/> Perry W & Evelyn M. Latham ux <i>address unknown</i> |
| 6 | 1 | " " " | <input checked="" type="checkbox"/> Harlan B. & Phyllis J. Dixon ux 1845 Woodrow Court. <i>67203</i> |
| Exc S 1' | | | |

| LOT | BLK | ADDITION | OWNER |
|--------------------|-----|---------------------------|--|
| 7 & S1' of 6 | 1 | COOK'S RIVER RANCH | X Robert H. & Dorothy E. Jackson ux No address available |
| 8 | 1 | " | ✓ Eugene L & Lorraine C. Jones ux 2607 N. Chautauqua 67219 |
| 9 | 1 | " | ✓ Chester H. & Aletha E. Wilson, ux 1815 Woodrow Court 67203 |
| 10 | 1 | " | ✓ Frank L. & Leola M. Thomas ux 1805 Woodrow Court 67203 |
| 11 exc Nly 2' | 1 | " | ✓ Paul J & Dorothy C. Andree ux 1814 Lisa Lane 67203 |
| 12 & Nly 2' Lot 11 | 1 | " | ✓ Jeffrey V & Martha L. Baxter ux No address Available 1824 Lisa Lane |
| 13 | 1 | " | ✓ Homer E. & LaDonna Keith ux 1828 Lisa Lane 67203 |
| 14 | 1 | " | ✓ E. Richard & Janet L Franklin ux No address, Available 1832 Lisa Lane |
| 15 | 1 | " | ✓ Ralph D & Evelyn Radcliff ux 1836 Lisa Lane 67203 |
| 16 | 1 | " | ✓ Warren J. III & Mary J Rutledge ux 1840 Lisa Lane 67203 |
| 1-3-5 Woodrow Crt | | <u>FORD & CRANE'S</u> | ✓ M.H. & Evelyn A. Owens ux 1733 W. 18th Street 67203 |
| 7-9-11 | " | " | ✓ Sam & Lutie Schwein ux 1848 Woodrow Court 67203 |
| 13-15-17 | " | " | ✓ Gerald B. & Grace N. Best, ux 1842 Woodrow Court 67203 |
| Reserve A | | <u>WOMER'S 6th</u> | ✓ R. W. Womer, 434 Ohio 67214 |
| Blk 1 | | <u>GARDNERS RIVERLAWN</u> | ✓ Gardner Land, Inc. 221 S. Broadway returned by agent 67202 to 3902 S. 13th St |
| Lot 1 Blk 2 | " | " | ✓ Chester L & Edith M. Mathes ux 1927 West 23rd St. 67204 |
| Lot 2 Blk 2 | " | " | ✓ Leon E & Darla G Subera ux 2132 S Kansas returned 1-11-69 |
| Lot 3 Blk 2 | " | " | ✓ Donald A & Lois M. Filby ux 1915 W 23rd Street 67204 |
| Lot 4 Blk 2 | " | " | ✓ V. A. & Mildred B. Miller ux 1909 West 23rd Street 67204 |
| Lot 4 Blk 2 | " | " | ✓ Maybell Donovan, 1901 W 23rd Street 67204 |
| Lot 6 Blk 2 | " | " | ✓ E. W. & Nell M. Schubert ux 1827 W. 23rd Street 67204 |
| Lot 7 Blk 2 | " | " | ✓ O. C. & Elsie M. Hinds, ux 1821 W 23rd Street 67204 |

| LOT | BLK | ADDITION | OWNER |
|---------------|-----|----------------------------|--|
| 8 | 2 | <u>GARDNER'S RIVERLAWN</u> | ✓ Stephen J & Janet L Batton, ux 1815 W 23rd St. 67204 |
| 9 | 2 | " | ✓ William Henry & Marjorie Holsapple ux 1807 W 23rd St. 67204 |
| 10 | 2 | " | ✓ Avis R. & Deloris Gutshall ux 1801 W 23rd St. 67204 |
| 11 thru 20 | 2 | " | ✓ Gardner Land Inc. 221 S. Broadway returned & resub to 67202 3902 E. 13th St. |
| 11 | 3 | " | ✓ John P & Lola I Hanson ux 2424 Amidon 67204 |
| 12 | 3 | " | ✗ A. David Stevens & Violet J ux address unknown |
| 13 | 3 | " | ✓ Ray & Georgia I. Shropshire ux 2410 Amidon 67204 |
| 14 | 3 | " | ✓ David L & Margaret M Adams ux 2402 Amidon |
| 15 | 3 | " | ✓ Dean E & Betty J Norris ux 1918 W 23rd Street 67204 |
| 16 | 3 | " | ✓ Henry D & Dorothy J. Bogardus ux 2401 Riverlawn 67204 |
| 17 | 3 | " | ✓ Paul W. & Katherine M. Reeves ux 2415 Riverlawn 67204 |
| 13 | 4 | " | ✓ Frederick M & Marjorie J Knodle ux 2416 Riverlawn 67204 |
| 14 | 4 | " | ✓ Bill J & Linda L Mingle ux 2410 Riverlawn 67204 |
| 15 | 4 | " | ✓ James & LaDonna J Sanders, ux 1214 Kevin Road 67204 |
| 16 | 4 | " | ✓ Wendell E & Betty M Palin ux 1824 W 23rd St 67204 |
| 17 | 4 | " | David M Monk & Carolyn K Kullman 2409 Perry 67204 |
| 16 | 5 | " | ✓ Robert Milton & Donna Noll ux 2402 Perry 67204 |
| 1-2-3 | | BRUNCH ADD | ✓ A. R & Thelma Brunch ux 5059 Valentine Road 67219 |

Dated at Wichita, Kansas this 26th day of September 1968 at
7:00 A.M.

FIDELITY TITLE COMPANY INC.

No. 91608

By *C.E. Bud Raddy*

WICHITA—SEDGWICK COUNTY

W.S.C.

METROPOLITAN AREA PLANNING
COMMISSION

CITY BUILDING ANNEX
102 S. MAIN ST.
WICHITA, KANSAS 67202

OPENING, JAN 29



DP-23

*7 @
11/53*

Leon E. & Darla G. Subera

2132 S. Kansas

Wichita, Kansas 67211

TURN
TO
ITER



Important! Notice of Hearing Enclosed

AMENDED
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 Clear Lakes, Inc., (Lessor)
Address 6572 East Central, Wichita Phone AM 51631

Agent Don F. Sattarhwaite, President
Address 6572 East Central, Wichita Phone AM 51631

b. Applicant Harry E. Bledsoe, (Lessee)
Address 440 N. Westfield, Wichita Phone PA 22100

Agent Vincent L. Bogart
Address 501 One Twenty Building, Wichita Phone FO 36291

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 ^{as amended} on
property zoned "AA" and legally described as Lot(s)

_____, Block(s) _____,

(See Below) _____ Addition.

(If appropriate, metes and bounds description may be provided in

the space below or on an attached sheet.)

A tract beginning at a point 50 feet West and 400.15 feet South of the northeast corner of Government Lot One in the Northwest Quarter (NW/4) of Section 7, Township 27 South, Range 1 East of the 6th P. M., Sedgwick County, Kansas; thence ^{80.07'} parallel to the West easement line of Amidon Avenue, 330 feet; thence West 675 feet to a point 730 feet South of the center line of 21st Street; thence North at right angles, 150 feet; thence West at right angles, 460 feet to a point 580 feet South of the center line of 21st Street; thence North at right angles 230 feet; thence East at right angles 460 feet; thence South at right angles 50 feet; thence East 675 feet at right angles to the point of beginning, (and additional access on 21st Street and on Amidon Street.)

II.B There are 7.5 acres (round to nearest tenth) in the above
described property.

III. This property is located at (address) Marina Lake Development.

The general location is (use appropriate section)

a. at the _____ corner of _____
and _____; or

b. on the South side of 21st (Ave.,
Street) between Amidon (Ave., Street) and
Sweetbriar (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.

Clear Sales Inc, Harry D Bledsoe
By Fluvid Bogart By Fluvid Bogart
Authorized Agent (if any) Authorized Agent (if any)

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

V. OFFICE USE ONLY

This application was received at the Planning Department at
4:00 (AM, PM) on 9-25-68 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ 400.00.

Jack L. Albright Name
Director of Planning Title

Form 021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

| | | | |
|--------------|-------------|-------------|-------------|
| Bldg & Elev. | Elec. | Elev. Insp. | Exam. Fees |
| Hse. Mvr. | Hse. Moving | Licse. | Mech. |
| Oil Well | Pav. Cuts | Plan. | Plbk. Cert. |
| Sanitation | Sewer | Signs | Sidewalk |
| Street | Trailer | | |

400.00

| DESCRIPTION | AMOUNT |
|-------------|--------|
|-------------|--------|

Community Unit Plan

Name H. D. Blaise

Address Wethers Mountain

Type R71C Due Date

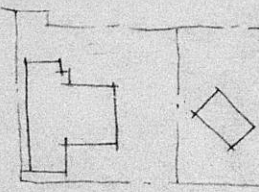
Comments:

Date 9-25-68 By Joyce Smith



AMIDON

21st ST.



Proposed R/W

Existing R/W

Proposed Frontage Road

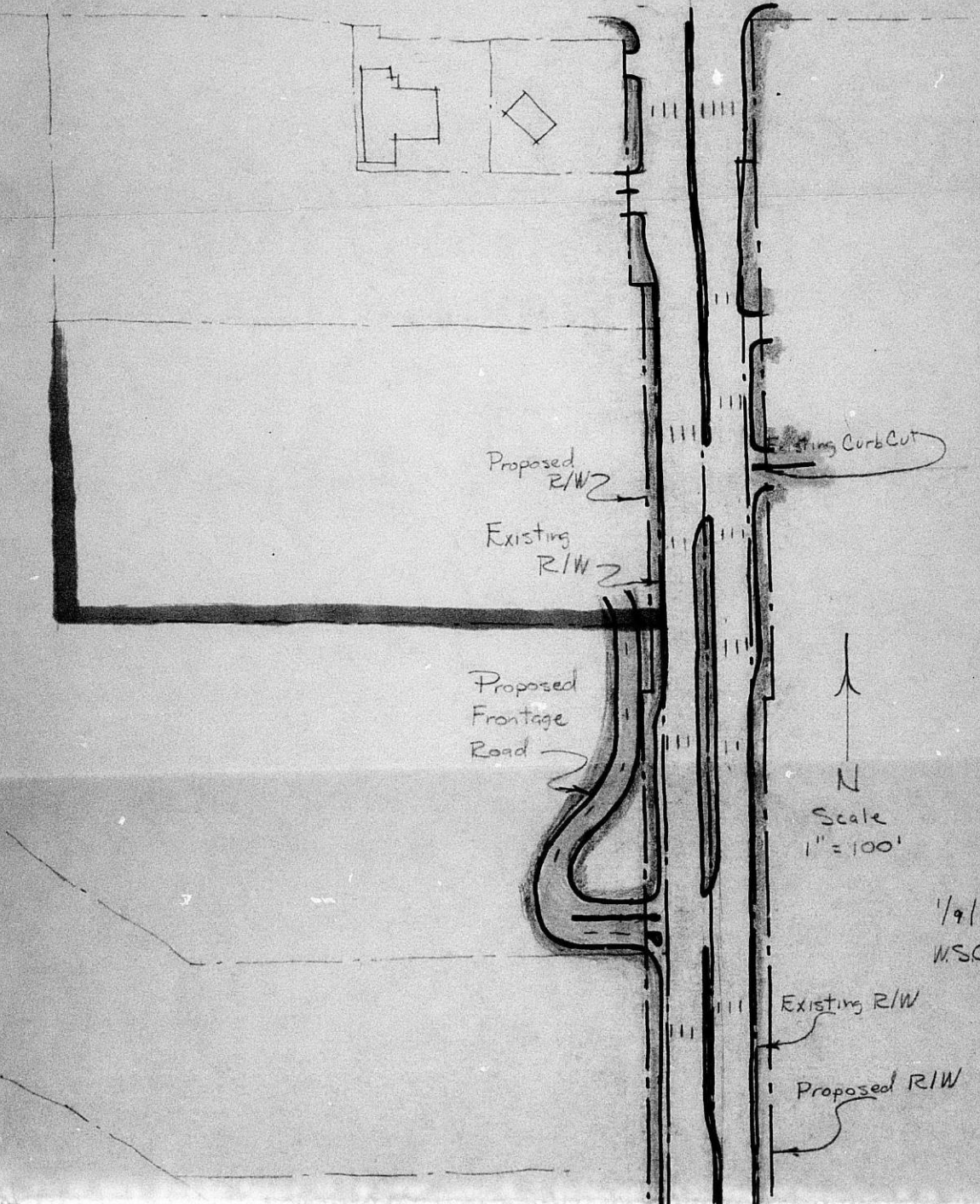
Existing Curb Cut

N
Scale
1" = 100'

1/9/69
W.S.C.M.A.P.D.

Existing R/W

Proposed R/W



Proposed R/W

Existing R/W

Proposed Frontage Road

Existing Curb Cut



N
Scale
1" = 100'

1/9/69
W.S.C.M.A.P.D.

Existing R/W

Proposed R/W

Existing Curb Cut

AMIDON

21st ST.

6'0" HIGH FENCE →

Proposed R/W →

Existing R/W →

Proposed Frontage Road →

Existing Curb Cut

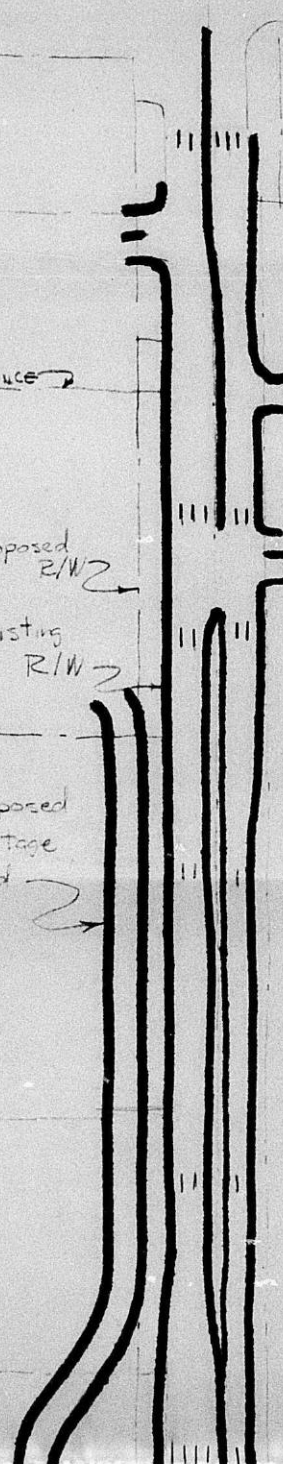
N

Scale
1" = 100'

1/3/68

W.S.C.M.A.P.D.

Existing



6'0" High Fence

Proposed R/W

Existing R/W

Proposed Frontage Road

Existing Curb Cut

N
Scale
1" = 100'

1/3/68
W.S.C.M.A.P.D.

Existing Curb Cut

B 5
FINAL TECHNIQUE OF
PRESENTATION.

DP-23
File # 2