

DP-111 - HOUSING DEVELOPMENT
#1, 15 - Commercial C.U.P. - at the
Northeast corner of Rock Road &
29th Street North.

POSTED

5-12-81

REV. 7-23-70

DATE

ACTION

COMMITTEE

M.A.P.C. *Approved to* 10-8-81
Revolution

B.C.C./B.C.C. *Approved on* 11-3-81
Referred

Map No. 6051C
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

DP - 111
Filed 5-1-81

Associated
Case: Z-2349

APPLICATION REQUEST: Approval of proposed Woodlawn Development No. 15

~~(Residential)~~ (Commercial) Community Unit Plan.

1. Applicant Landmark Communities
Address 2471 Hathway Circle, 67226 Phone 686-7451
2. Agent Bill G. Yung Design
Address 8225 E. 35th St. North, 67226 Phone 683-5567
3. General Location: Northeast corner of Rock Road and 29th St. North
Address _____
4. Proposed Use: _____

AREA DATA:

- (IRREGULAR)
1. Acres: 47.8 (1320 ft. by 1800 ft.)
 2. Existing Zoning "AA" & "LC" Proposed Zoning "LC"
 3. Area (is) (is not) platted. _____ Addition

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date 6-18-81 10-8-81 Action Approval with conditions

2. Governing Body

Date 11-3-81 Action Agree on rezoned

NOTES:

SHIMMERS'®
No. 2153C
REGISTERED TRADEMARK
U.S. PATENT OFFICE
REGISTERED TRADEMARK
U.S.A.

CASE FILE

Map No. 6051C
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

DP - 111
Filed 5-1-81

Associated
Case: 2-2349

APPLICATION REQUEST: Approval of proposed WOODLAWN DEVELOPMENT NO. 15 -

~~(Residential)~~ (Commercial) Community Unit Plan.

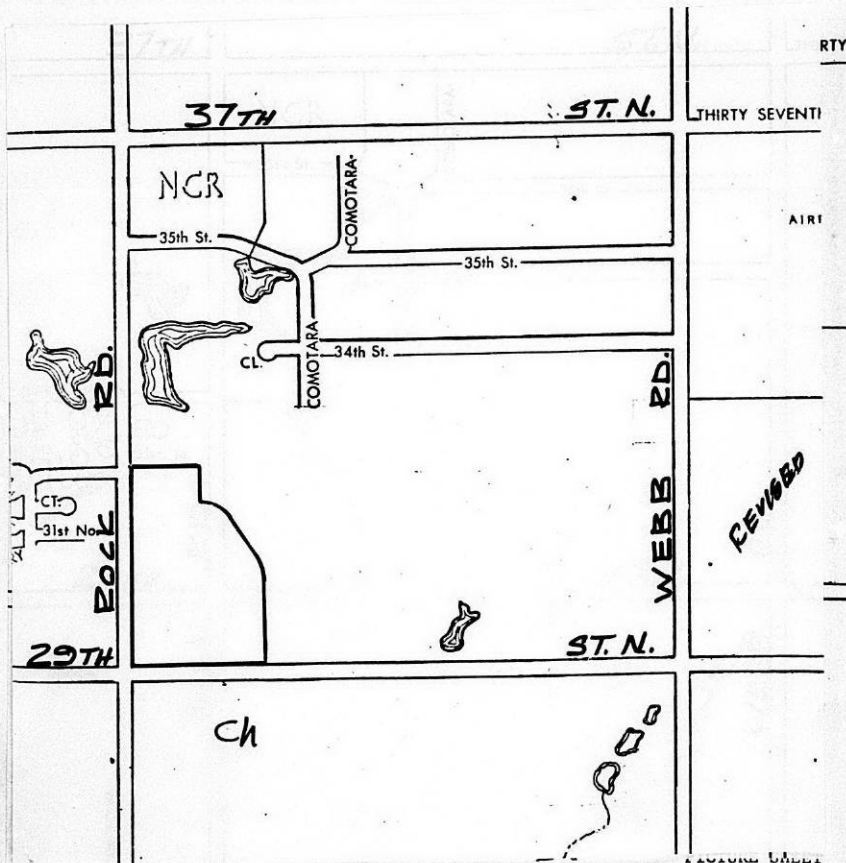
1. Applicant Landmark Communities
Address 2471 Hathway Circle, 67226 Phone 686-7451
2. Agent Bill G. Yung Design
Address 8225 E. 35th St. North, 67226 Phone 683-5567
3. General Location: Northeast corner of Rock Road and 29th St. North.
Address _____
4. Proposed Use: _____

AREA DATA:

1. Acres: 47.0 ⁴⁴⁷ (1320 ft. by 1860 ft.) ^(IRREGULAR)
2. Existing Zoning: "AA" & "LC"
3. Land Use: East UNDEVELOPED South CHURCH
West UNDEVELOPED North UNDEVELOPED
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



WICHITA-SEDEWICK COUNTY
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202

September 24, 1931

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, October 8, 1931, said meeting beginning at 1:30 p.m., the Wichita-Sedgewick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for approval of the WOODLAWN DEVELOPMENT 15 COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-111

Commencing at the intersection of the north right-of-way line of Twenty-Ninth Street North and the east right-of-way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of Section 32, Township 26 South, Range 2 East of the 6th P.M., thence northerly along the east right-of-way line of Rock Road bearing N 0°53'13" W, 1860.00 feet; thence N 39°06'42" E, 699.93 feet; thence S 0°53'12" E, 277.60 feet; thence along a curve to the right having a central angle of 50°36'50", a radius of 338.38 feet, a length of 298.91 feet and a chord 288.29 feet long bearing S 65°34'53" E, thence S 40°16'23" E, 475.25 feet; thence along a curve to the right having a central angle of 39°23' 10", a radius of 335.23 feet and a length of 230.47 feet; thence S 0° 53'18" E, 902.12 feet to the north right-of-way line of Twenty-Ninth Street North; thence westerly along said north right-of-way line bearing S 89°07'22" W, 1320.19 feet to the point of beginning. Generally located at the northeast corner of Rock Road and 29th Street North.

The proposed Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The Development Plan now on file proposes the following:

1. In conjunction with associated zone case W-2349 ("AA" single family, and "LC" light commercial to "LC") this C.U.P. would permit the development of this approximately 47.8 acre site with general office and light commercial uses.

Page Two
Case No. DP-111

2. A maximum of nine buildings could be constructed on seven parcels containing 400,000 square feet of floor area.
3. The plan provides that an additional 400,000 square feet of floor area can be constructed if additional studies are done to identify the problems that would be created by the additional 400,000 square feet. Solutions to the problems must be satisfactory to the Director of Planning and other City Departments.
4. Building height, setbacks, access, and other information regarding future development is contained in the plan.

The hearing of the proposed amendments to this Development Plan, as provided in Section 23.04.190 of the City Zoning Ordinance of the City of Wichita is to be held and the same will there be discussed and considered by said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

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

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 263-4421.

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

Date: January 7, 1987

TO: Chris Cherches, City Manager
FROM: Jack H. Galbraith, Chief Planner

SUBJECT: Z-2349 and DP-111 - commercial zoning and development plan at northeast corner of 29th and Rock Road.

On November 3, 1981, the Board of City Commissioners, by a vote of 4 to 1 (Wright opposed), approved both a zone change to the light commercial district and a development plan for approximately 49 acres of land at the northeast corner of 29th and Rock Road. The MAPC had recommended 6-0 that the applications be approved. No one appeared in opposition at their public hearing. Subsequent to the MAPC hearing, CPO "I" met and recommended 5-0 that the applications be denied. Their concern was that enough commercial zoning already existed in this area. No neighborhood property owners appeared at the CPO meeting either. Both cases were approved by the City Commission subject to the property being platted within two years.

Approximately seven acres at the north end of the site was platted in 1983 (Lot 2, Block 1, The Renaissance) but the balance is still unplatted. Several extensions of the platting time have been granted, with the current deadline for platting the property now being December 1, 1987.

APPROVED:

Marvin S. Krout
Director of Planning

JGH:LO:dlk

March 3, 1983

Robert B. Feldner, Superintendent of Central Inspection
Robert A. Lakin, Director of Planning

DP-111 - Woodlawn Development No. 15. Generally located
at the northeast corner of 29th Street North
and Rock Road.

We are in receipt of a letter from Elton Parsons of Landmark Communities, Inc., requesting an administrative adjustment on the above referenced C.U.P. Specifically, Mr. Parsons is requesting that the public street shown on the approved C.U.P. be relocated to the south. That would result in a slightly larger Parcel 1, and a slightly smaller Parcel 2. It would also result in the deletion of a portion of the C.U.P. which would be added to DP-112, the residential C.U.P. to the east. The second part of the request is the transfer of 15,000 square feet of floor area from the floating parcels in Parcel 2 to Parcel 1.

After reviewing this request, a draft plan showing the relocated street (copy attached) and the C.U.P. provisions, I feel that neither the relocation of the street nor the transfer of floor area would be a substantial deviation from the intent and purpose of the C.U.P. provisions. I also feel that a bowling alley, a club and a restaurant would be permitted uses in Parcel 1.

Your signature of approval will indicate that you concur that the requested relocation of the street between Parcels 1 and 2, the transfer of 15,000 square feet of floor area from the floating parcels in Parcel 2 to Parcel 1, and the construction of a bowling alley, with a club and restaurant, are not substantial deviations from the intent and purpose of the C.U.P. provisions. Your signature will also indicate that the requested adjustments are granted subject to the following:

1. Submission of four copies of a plan showing the relocation of the street.
2. The size of Parcel 1 will now be 7.1 acres and the size of Parcel 2 will now be 40.3.

Page Two
Robert B. Feldner
March 3, 1983


3. The maximum floor area for the floating parcels in Parcel 2 shall not exceed 35,000 square feet. A maximum of 65,000 square feet is permitted on Parcel 1. The floor area ratio and maximum building coverage on Parcel 1 will be 21%.

I would point out that the C.U.P. provisions (G.P. #15) require that a site plan be submitted to the Planning Department for review and approval prior to the issuance of any building permits. A request for an administrative adjustment for the residential C.U.P. to the east has been submitted and will be forwarded for your review under separate cover.

Mr. Parsons will be notified of our joint action by copy of this memorandum. If you have any questions, please call.


ROBERT A. LAKIN
Director of Planning

APPROVED:


Robert B. Feldner
Superintendent of Central Inspection

RAL:ADC:el

Attachment

cc: Elton Parsons, V.P. Operations
Landmark Communities, Inc., 2471 Hathway, Wichita 67226



Landmark

RECEIVED

MAR 2 1983

METROPOLITAN PLANNING

ROUTE _____

March 2, 1983

Mr. Bob Lakin, Director
Metropolitan Area Planning Department
City Hall - 10th Floor
455 N. Main Street
Wichita, Kansas 67202

Re: CUP DP-111
Comotara Parcel #15

Dear Bob:

This letter is in response to our meeting of some two weeks ago regarding the above referenced CUP.

The CUP contains Parcels 1 and 2 with maximum building limitations of 50,000 square feet on Parcel 1 and 350,000 square feet on Parcel 2. Further, Parcel 1 contains 6.1A and Parcel 2 contains 41.7A.

The desire of the owner, Woodlawn Development Company, represented by Landmark Communities, Inc. is to increase Parcel 1 to 7.1A by adjusting the collector street which separates Parcel 1 and 2 to the south. The street entrance location off of Rock Road would not change, but the layout of the street would be flattened somewhat.

A contract has been prepared by the owner to sell the newly defined Parcel 1 (7.1A) to a single user. The buyer will require an administrative adjustment to the CUP which would allow 65,000 square feet of building on the site. That amendment would produce the following results.

Current maximum square foot building	50,000
Requested maximum square feet building	65,000

Current maximum building coverage	19%
Requested maximum building coverage	21%

Except for the adjustment in the street layout and the above building size, no other amendments are necessary to the CUP.

The buyer intends and has begun design work, to construct a major recreational complex on the site. The primary use of the facility would be to house a 48 lane bowling complex and a club and restaurant operation. We believe that the intent of the CUP allows these uses, but would appreciate your interpretation.

Landmark Communities, Inc.

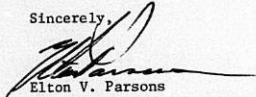
2471 Hathway / Wichita, Kansas 67226 / (316) 686-7451

Mr. Bob Lakin
March 2, 1983
Page Two

In order to accomplish the above requirement, we request an administrative adjustment to the subject CUP which would:

1. Adjust Parcel 1 from 6.1A to 7.1A.
2. Adjust Parcel 2 from 41.7A to 40.3A.
3. Adjust the maximum building coverage and maximum gross square footage on Parcel 1 from 50,000 sq. ft. to 65,000 sq. ft.
4. Adjust the maximum building coverage and maximum gross square footage on Parcel 2 from 350,000 sq. ft. to 335,000 sq. ft. with 300,000 sq. ft. remaining allocated to a future major center and 35,000 sq. ft. allocated to a maximum of 5 floating parcels within Parcel 2.

Sincerely,



Elton V. Parsons
Vice President Operations

EVP:co

cc: Don Ablah
Bob Fox



Mr. Bob Lakin, Director
Metropolitan Area Planning Department
City Hall - 10th Floor
455 N. Main Street
Wichita, Kansas 67202

November 16, 1981

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

DF-111 - Woodlawn Development No. 15 Commercial C.U.P.
Generally located at the northeast corner of Rock Road
and 29th Street North.

The Board of City Commissioners on November 3, 1981, considered the above captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. General Provision No. 5 shall be worded as follows: Signs shall be permitted in accordance with the provisions of Section 28.04.139 of the Code of Wichita. However, they shall not exceed 35' in height on Rock Road and 29th Street and 25' on the collector street. No billboards are permitted. Individual signs shall be limited to 200 square feet gross surface area. Rotating signs are not permitted. The total number of ground or pole signs shall not exceed 10.
- b. The last item in General Provision No. 9 shall be changed to read as follows: On the collector street, a total of 8 curb cuts are allowed to Parcel 2 with three of the 8 being permitted between Rock Road and the Residential Collector. A total of 3 curb cuts to Parcel 1 from the collector shall be allowed.
- c. The following shall be added as item C of General Provision No. 10: The screening wall/landscaping along the north line of Parcel 1 may be waived until such time as the area north of Parcel 1 is developed with residential uses.
- d. A statement shall be added to the floating parcel description indicating that the total floor area for the floating parcels shall not exceed 50,000 square feet.
- e. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.

Page Two
Robert B. Feldner
November 16, 1981

- f. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- g. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- h. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Please note that prior to the issuance of any building permits, and in accordance with condition "e" above, the property must be platted.

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

Jack H. Galbraith
Chief Planner

JHG:ADC:e1

Attachments

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

CASE NO. 2-2349 & DP-111 CONSIDERED BY MAPC: 10-3-81REQUEST FOR: "AA" & "LC" to "LC" and Approval of Woodlawn
Development No. 15 Commercial C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To permit the construction of a shopping center and
related similar uses."GENERAL LOCATION: At the northeast corner of 29th Street North
and Rock Road.

LEGAL DESCRIPTION:

(See attached excerpt from Planning Commission minutes of
October 8, 1981)

APPLICANT: Landmark Communities, 2471 Hathway Circle.

AGENT FOR APPLICANT: Bill Yung, Land Planner, 8225 E. 35th St. No.

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, East and South, "AA"; West, "AA" & "LC".

LAND USE: Existing, North, East and West, Undeveloped; South, Church.

CPO RECOMMENDATION: CPO Council Area "I" was unable to forward a
recommendation due to lack of a quorum.

PLANNING COMMISSION RECOMMENDATION:

That the zone change request be approved subject to the approval of the associated C.U.P. and to the property being platted within two years from date of approval of the zone change by the Board of City Commissioners, or the zone case be considered denied and closed; and that the ordinance establishing the zone change not be published until the plat has been recorded with the Register of Deeds; and that the C.U.P. be approved subject to the conditions as shown in excerpt from Planning Commission minutes of October 8, 1981. Bayouth moved, Lofton seconded and it carried unanimously. Chisholm, Goebel, Jones and Wilson were absent.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and CUP subject to the recommended conditions, and instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or

2. Return the applications to the Metropolitan Area Planning Commission for its reconsideration. The City Commission states the following reasons for its action:

EXCERPT FROM PLANNING COMMISSION MINUTES OF OCTOBER 8, 1981

- 6a. Case No. Z-2349 - Landmark Communities request zone change from "A" & "LC" to "LC" commencing at the intersection of the north right-of-way line of Twenty-Ninth Street North and the east right-of-way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of Section 32, Township 26 South, Range 2 East of the 6th P.M.; thence northerly along the east right-of-way line of Rock Road bearing N 0° 53' 18" W, 1860.00 feet; thence N 69° 06' 42" E, 699.98 feet; thence S 0° 53' 18" E, 277.60 feet; thence along a curve to the right having a central angle of 50° 36' 50", a radius of 338.38 feet, a length of 298.91 feet and a chord 289.29 feet long bearing S 65° 34' 53" E; thence S 40° 16' 28" E, 475.25 feet; thence along a curve to the right having a central angle of 39° 23' 10", a radius of 335.28 feet and a length of 230.47 feet; thence S 0° 53' 18" E, 902.12 feet to the north right-of-way line of Twenty-Ninth Street North; thence westerly along said north right-of-way line bearing S 89° 07' 22" W, 1320.19 feet to the point of beginning. Generally located at the northeast corner of Rock Road and 29th Street North.
- 6b. Case No. DP-111- Landmark Communities request approval of Woodlawn Development No. 15 Commercial Community Unit Plan for: (See legal description above for Case No. Z-2349).

GALBRAITH pointed out that the CPO Council recommendations were not forthcoming on this case because they did not have a quorum.

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

COMMENTS:

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

In accordance with Section 28.04.190 of the Code of the City of Wichita, a proposed commercial C.U.P., located at the northeast corner of 29th Street North and Rock Road, has been submitted for approval. The C.U.P., Woodlawn Development No. 15, in conjunction with associated zone change Z-2349 proposes to develop approximately 49.2 gross acres with a shopping center and related uses. The C.U.P. proposes to develop 400,000 square feet of floor area without any additional studies being completed. An additional 400,000 square feet could be developed provided that the owner justifies the increased size and identifies and solves problems associated with the increase to the satisfaction of the Director of Planning and other City departments.

The Director of Planning may also, under the provision of this C.U.P., administratively approve the location of five floating parcels. The floating parcels would accommodate small free standing buildings along 29th Street (maximum of 2 floating parcels) and Rock Road (maximum of 3 floating parcels).

A maximum number of five buildings would be permitted on the two main parcels. A maximum of five additional buildings would be permitted on Parcel 2 if the floating parcels are used.

Building setbacks, access, sign control, building coverage, landscaping/fencing and other information relating to future development is shown on the plan.

2. Staff has been concerned about the impacts of large, regional type shopping areas, on surrounding areas and city services. Two recent C.U.P.'s at the intersection of 29th Street and Rock Road were approved for a total of 312,000 square feet of commercial floor area. If this C.U.P. and zone change are approved there would be a total of 712,000 square feet of commercial floor area with a potential of 1.1 million square feet at this intersection. Although this is a substantial increase of light commercial at this intersection, light commercial zoning at several other intersections in the "Comotara" area have either been eliminated or reduced in size.
3. One concern with a proposed center of this size is the impact on the street system and what improvements might be needed. The plan shows four curb cuts to Rock Road in addition to a public street and three curb cuts to 29th Street. One point of access to Parcel 2 from Rock Road and one point of access from 29th Street are to be constructed to major entrance standards. There are to be eight points of access to Parcel 2 from the adjacent collector. The plan also states that a continuous decel lane will be constructed along 29th Street and Rock Road. The Department of Engineering has indicated that the applicant's should prepare a traffic study for the area for discussion during the platting process. The Commission may wish to discuss this since the plan states that 400,000 square feet may be constructed with no further studies required.
4. Although the plan is generally proposed as a shopping center site, there are provisions allowing the establishment of "floating parcels" along Rock Road (3) and 29th Street (2). The exact location of the "floating parcels" would not be determined until there is a demand for a free standing building on Parcel 2. Prior to the issuance of any building permits, the Director of Planning is to review and approve a site plan. There are provisions in the plan that set forth setbacks, floor area, access, etc. for the floating parcels. The information relating to the 50,000 square feet of building coverage and floor area should be clarified as to whether it is 50,000 square feet per "floating parcel" or a total of 50,000 square feet for all "floating parcels".
5. One item the Planning Commission may wish to consider is the required landscaping along the collector. The plan shows the required 10 feet of landscaping. However, the size of the proposed commercial center may justify a wider landscaping area in order to adequately protect the residential areas to the east.
6. A recommendation of approval for the rezoning by the Planning Commission should be subject to the approval of the associated C.U.P. and to the property being platted within two years from date of approval of the zone change by the Board of City Commissioners, or the zone case be considered denied and closed; and that the ordinance establishing the zone change not be published until the plat has been recorded with the Register of Deeds.

7. Should the Planning Commission determine that the proposed C.U.P. is appropriate the following are recommended conditions of approval.
- a. General Provision No. 5 shall be worded as follows: Signs shall be permitted in accordance with the provisions of Section 28.04.139 of the Code of Wichita. However, they shall not exceed 35' in height on Rock Road and 29th Street and 25' on the collector street. No billboards are permitted. Individual signs shall be limited to 200 square feet gross surface area. Rotating signs are not permitted. The total number of ground or pole signs shall not exceed 10.
 - b. The last item in General Provision No. 9 shall be changed to read as follows: On the collector street, a total of 8 curb cuts are allowed to Parcel 2 with three of the 8 being permitted between Rock Road and the Residential Collector. A total of 3 curb cuts to Parcel 1 from the collector shall be allowed.
 - c. The following shall be added as item C of General Provision No. 10: The screening wall/landscaping along the north line of Parcel 1 may be waived until such time as the area north of Parcel 1 is developed with residential uses.
 - d. A statement shall be added to the floating parcel description indicating that the total floor area for the floating parcels shall not exceed 50,000 square feet.
 - e. A traffic study for this area shall be submitted at the time of platting to the Department of Engineering for review and approval.
 - f. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
 - g. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - h. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
 - i. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

CHAMBERS stated that the Traffic Engineer has indicated that they would like to have a traffic study done so that they can discuss it at the time of platting.

MARTENS asked if the floating parcels were a normal request of C.U.P.s.

CHAMBERS said that this is the first request for floating parcels. He said that the Director of Planning would review the locations and give final approval to these parcels.

CAZEL asked what was staff's recommendation on the application.

CHAMBERS said that staff recommended approval subject to the conditions shown on the staff report.

BILL YUNG, Land Planner, representing the applicant, stated that commercial C.U.P.s are awkward, cumbersome and difficult to live with throughout the period of time that they are developed. A lot of reasons those problems exist is because the market for commercial property is probably less easily defined than any other kind of development that would be anticipated coming into the City. The reason why there is amendment upon amendment to C.U.P.s is because the developers could not initially perceive exactly what was going to happen to them. He said that in light of that, they have worked very closely with staff in trying to come up with some language that would permit them to have a range of uses with a certain amount of flexibility that would not require them to come back everytime they had a prospect to buy some property that did not exactly meet the conditions of the C.U.P. YUNG said that they were in complete agreement with everything on the staff comments except the traffic study. He said that initially they would have the ability to build 400,000 square feet of floor area and 50,000 of that would be the floating parcels.

MARTENS asked how much money was Yung talking about on the traffic study.

YUNG said that on Towne East it was in the vicinity of \$20,000 to \$50,000. He felt that was a lot of money for paper work.

GARDNER asked Galbraith to explain what staff's feelings were that would predicate the necessity for a traffic study at this point in time.

GALBRAITH said that when the C.U.P. was first filed and they were discussing approximately 800,000 square feet, staff pointed out that Towne East and Towne West, which are similar in size, were required to complete a traffic study. The 400,000 square feet that this developer is now talking about is comparable to other C.U.P.s that have not had traffic studies required. The Traffic Engineer still felt, because of the other C.U.P.s in this area, that a traffic study was warranted prior to the time of platting to determine what is really needed in terms of street right-of-way. GALBRAITH said that he was somewhat comfortable in not requiring a traffic study since it is limited to 400,000 square feet. He felt that if the developers chose to plat in the next few months they are going to have a difficult time in doing a traffic analysis when it is still uncertain about the Northeast Circumferential which is directly north of Parcel 1. He said that they would be in a better position to do the traffic study later if they chose to go to 800,000 feet. Then the Traffic Engineer would know where traffic would be generated from because of the Northeast Circumferential and would be in a better position to do a firm traffic analysis at that time rather than doing one now or in the next six months.

CAZEL asked who came up with the idea of the floating parcels.

GALBRAITH stated that the floating parcel concept had been tried on only one other C.U.P. Basically the developer suggested the floating parcel because it was unknown at this time about the size of land needed for every free standing building that they might market along the front. GALBRAITH did not feel that it was inconceivable on a parcel as large as Parcel 2 to expect five free standing buildings somewhere along 29th and Rock Road.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10, taking into consideration the undeveloped nature of the general nature; the undeveloped residential zoning to the east and west; the "LC" zoning to the west; the suitability of the subject property for shopping center development, and the recommendation of approval by staff; I move that we recommend to the governing body that the zone change request be approved subject to the approval of the associated C.U.P. and to the property being platted within two years from date of approval of the zone change by the Board of City Commissioners, or the zone case be considered denied and closed; and that the ordinance establishing the zone change not be published until the plat has been recorded with the Register of Deeds; and that the C.U.P. be approved subject to the following conditions:

- a. General Provision No. 5 shall be worded as follows: Signs shall be permitted in accordance with the provisions of Section 28.04.139 of the Code of Wichita. However, they shall not exceed 35 feet in height on Rock Road and 29th Street and 25 feet on the collector street. No billboards are permitted. Individual signs shall be limited to 200 square feet gross surface area. Rotating signs are not permitted. The total number of ground or pole signs shall not exceed 10.
- b. The last item in General Provision No. 9 shall be changed to read as follows: On the collector street, a total of eight curb cuts are allowed to Parcel 2 with three of the eight being permitted between Rock Road and the Residential Collector. A total of three curb cuts to Parcel 1 from the collector shall be allowed.
- c. The following shall be added as item C of General Provision No. 10: The screening wall/landscaping along the north line of Parcel 1 may be waived until such time as the area north of Parcel 1 is developed with residential uses.
- d. A statement shall be added to the floating parcel description indicating that the total floor area for the floating parcels shall not exceed 50,000 square feet.
- e. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- f. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and

any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

- g. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- h. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Bayouth moved, Lofton seconded and it carried unanimously. Chisholm, Goebel, Jones and Wilson were absent.

CFO Area "I"
Tuesday, October 20, 1981
Minutes - Page 2

Motion by Robinson (Kopecky) to recommend approval of the proposed CUP and the associated zone change subject to MAPC staff recommendations. Motion carried 5-0.

DP-111 AND Z-2349, NORTHEAST CORNER OF ROCK ROAD AND 29TH STREET NORTH

This item was deferred from the October 6th meeting. The Aide reviewed the Woodlawn Development 15 Commercial Community Unit Plan with the Council. No area residents attended the meeting concerning the CUP or associated zone change.

Johnston noted that MAPC staff comment #2 expressed concern about the increase of "LC" zoning at the intersection of 29th Street and Rock Road. The intersection currently has approval for 312,000 square feet of commercial floor area. The CUP and zone change would add 712,000 square feet of commercial floor area for a potential of 1.1 million square feet at the intersection.

Motion by Crum (Gerling) to recommend the CUP and associated zone change be denied for the following reasons: 1. There is already a great amount of "LC" zoning and commercial usage at the intersection. 2. Rock Road and 29th Street are currently two-lane roads which could not handle the increased volume of traffic caused by the proposed development.

Johnston said the proposed development may be needed at a later date. At the present time, she said she could not support it due to the potentially large amount of commercial property and its impact on the surrounding area.

Motion carried 5-0.

DP-62 AND Z-2374, SOUTH SIDE OF 21ST STREET NORTH IN AN AREA WEST OF BROADMOOR

This item was deferred from the October 6th meeting. The Aide reviewed the proposed amendments to the Chelsea Station Commercial and Residential Community Unit Plan. No area residents attended the meeting concerning the CUP or the associated zone change.

Motion by Robinson (Kopecky) to recommend approval of the CUP amendments and the associated zone change.

Johnston said she could not vote for the motion. She expressed her disapproval of the trend to strip zone 21st Street and wanted her "no" vote to be recorded as a protest against the trend.

Motion failed 2-3 (Gerling, Crum, Johnston).

COUNCIL AGENDA

NOTICE OF VACANCY

Johnston (Citing Article 12.5 of the CFO By-Laws) declared Don Steffens' seat on the Council vacant. The Aide was requested to notify the City Commission of the vacancy.

October 9, 1981

Bill G. Yung
Bill G. Yung Design
8225 East 35th Street North
Wichita, Kansas 67226

Re: Case No's. Z-2349 & DP-111
"AA" & "LC" to "LC" & Woodlawn
Development No. 15 Commercial C.U.P.
both located on the northeast corner
of Rock Road & 29th Street North

Dear Mr. Yung:

At its regular meeting on October 8, 1981, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend that the zone change request be approved subject to the approval of the associated C.U.P. and to the property being platted within two years from date of approval of the zone change by the Board of City Commissioners, or the zone case be considered denied and closed; and that the ordinance establishing the zone change not be published until the plat has been recorded with the Register of Deeds. The Planning Commission also recommended approval of the C.U.P. subject to the following conditions:

- a. General Provision No. 5 shall be worded as follows:
Signs shall be permitted in accordance with the provisions of Section 28.04.139 of the Code of Wichita. However, they shall not exceed 35' in height on Rock Road and 29th Street and 25' on the collector street. No billboards are permitted. Individual signs shall be limited to 200 square feet gross surface area. Rotating signs are not permitted. The total number of ground or pole signs shall not exceed 10.
- b. The last item in General Provision No. 9 shall be changed to read as follows: On the collector street, a total of 8 curb cuts are allowed to Parcel 2 with three of the 8 being permitted between Rock Road and the Residential Collector. A total of 3 curb cuts to Parcel 1 from the collector shall be allowed.

- c. The following shall be added as item C of General Provision No. 10: The screening wall/landscaping along the north line of Parcel 1 may be waived until such time as the area north of Parcel 1 is developed with residential uses.
- d. A statement shall be added to the floating parcel description indicating that the total floor area for the floating parcels shall not exceed 50,000 square feet.
- e. Flatting of subject property within two years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- f. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- g. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- h. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Please make the appropriate corrections and submit 10 copies of the C.U.P. to our office by October 23, 1981 so that subject cases can be scheduled for consideration by the Board of City Commissioners on November 3, 1981. This meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad

cc: Landmark Communities, 2471 Hathway Circle, Wichita 67226



RECEIVED

AUG 10 1981

METROPOLITAN PLANNING

ROUTE

August 7, 1981

Mr. Jack Galbraith
Metropolitan Area Planning Department
City of Wichita
455 North Main
Wichita, Kansas 67202

Dear Jack:

Enclosed is a copy of the General Provisions and site map of the ABKC Parcel 15 Commercial CUP prepared by Bill Yung. Bill is quite late in returning this material to us, so we are now running several weeks behind schedule.

The General Provisions, I believe, follow the concept we discussed in your office on June 26 for this project. I would appreciate it if you would review the enclosed materials and give me a call at your earliest convenience so that we can meet with you and hopefully resolve the final details and start processing this case.

If you have any questions, please let me know.

Sincerely,

Robert R. Fox
President

RRF:co

cc: Ward Lawrence
Bill Yung

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 10-08-81

Case No. DP-111 Request: Approval of Woodlawn Develop-
ment No. 15 Commercial C.U.P.
Z-2349 "AA" & "LC" to "LC"

Location: Generally located at the northeast corner of 29th Street
North and Rock Road

Reason: To permit the construction of a shopping center and related
similar uses.

Acres: 49.2 Size: 1320' x 1600' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA" & "LC"
North	Undeveloped	"AA"
East	Undeveloped	"AA"
South	Church	"AA"
West	Undeveloped	"AA" & "LC" (C.U.P.)

Adequate street right-of-way will be obtained at the time of
plating.

Platted: No History: None

COMMENTS:

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

In accordance with Section 28.04.190 of the Code of the City
of Wichita, a proposed commercial C.U.P., located at the
northeast corner of 29th Street North and Rock Road, has
been submitted for approval. The C.U.P., Woodlawn Development
No. 15, in conjunction with associated zone change Z-2349
proposes to develop approximately 49.2 gross acres with a
shopping center and related uses. The C.U.P. proposes to
develop 400,000 square feet of floor area without any additional
studies being completed. An additional 400,000 square feet
could be developed provided that the owner justifies the
increased size and identifies and solves problems associated
with the increase to the satisfaction of the Director of
Planning and other City departments.

The Director of Planning may also, under the provision of
this C.U.P., administratively approve the location of five
floating parcels. The floating parcels would accommodate
small free standing buildings along 29th Street (maximum
of 2 floating parcels) and Rock Road (maximum of 3 floating
parcels).

A maximum number of five buildings would be permitted on
the two main parcels. A maximum of five additional build-
ings would be permitted on Parcel 2 if the floating parcels
are used.

Building setbacks, access, sign control, building coverage,
landscaping/fencing and other information relating to future
development is shown on the plan.

2. Staff has been concerned about the impacts of large, regional type shopping areas, on surrounding areas and city services. Two recent C.U.P.'s at the intersection of 29th Street and Rock Road were approved for a total of 312,000 square feet of commercial floor area. If this C.U.P. and zone change are approved there would be a total of 712,000 square feet of commercial floor area with a potential of 1.1 million square feet at this intersection. Although this is a substantial increase of light commercial at this intersection, light commercial zoning at several other intersections in the "Comotara" area have either been eliminated or reduced in size.
3. One concern with a proposed center of this size is the impact on the street system and what improvements might be needed. The plan shows four curb cuts to Rock Road in addition to a public street and three curb cuts to 29th Street. One point of access to Parcel 2 from Rock Road and one point of access from 29th Street are to be constructed to major entrance standards. There are to be eight points of access to Parcel 2 from the adjacent collector. The plan also states that a continuous decel lane will be constructed along 29th Street and Rock Road. The Department of Engineering has indicated that the applicant's should prepare a traffic study for the area for discussion during the platting process. The Commission may wish to discuss this since the plan states that 400,000 square feet may be constructed with no further studies required.
4. Although the plan is generally proposed as a shopping center site, there are provisions allowing the establishment of "floating parcels" along Rock Road (3) and 29th Street (2). The exact location of the "floating parcels" would not be determined until there is a demand for a free standing building on Parcel 2. Prior to the issuance of any building permits, the Director of Planning is to review and approve a site plan. There are provisions in the plan that set forth setbacks, floor area, access, etc. for the floating parcels. The information relating to the 50,000 square feet of building coverage and floor area should be clarified as to whether it is 50,000 square feet per "floating parcel" or a total of 50,000 square feet for all "floating parcels".
5. One item the Planning Commission may wish to consider is the required landscaping along the collector. The plan shows the required 10 feet of landscaping. However, the size of the proposed commercial center may justify a wider landscaping area in order to adequately protect the residential areas to the east.
6. A recommendation of approval for the rezoning by the Planning Commission should be subject to the approval of the associated C.U.P. and to the property being platted within two years from date of approval of the zone change by the Board of City Commissioners, or the zone case be considered denied and closed; and that the ordinance establishing the zone change not be published until the plat has been recorded with the Register of Deeds.
7. Should the Planning Commission determine that the proposed C.U.P. is appropriate the following are recommended conditions of approval.
 - a. General Provision No. 5 shall be worded as follows:
Signs shall be permitted in accordance with the provisions of Section 28.04.139 of the Code of Wichita. However, they shall not exceed 35' in height on Rock Road and 29th Street and 25' on the collector street. No billboards are permitted. Individual signs shall be limited to 200 square feet gross surface area. Rotating signs are not permitted. The total number of ground or pole signs shall not exceed 10.

- b. The last item in General Provision No. 9 shall be changed to read as follows: On the collector street, a total of 8 curb cuts are allowed to Parcel 2 with three of the 8 being permitted between Rock Road and the Residential Collector. A total of 3 curb cuts to Parcel 1 from the collector shall be allowed.
- c. The following shall be added as item C of General Provision No. 10: The screening wall/landscaping along the north line of Parcel 1 may be waived until such time as the area north of Parcel 1 is developed with residential uses.
- d. A statement shall be added to the floating parcel description indicating that the total floor area for the floating parcels shall not exceed 50,000 square feet.
- e. A traffic study for this area shall be submitted at the time of platting to the Department of Engineering for review and approval.
- f. Platting of subject property within two years from the date of approval by the Board of City Commissioners; or the application be considered denied and closed.
- g. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- h. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- i. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Z-2349 }
& } 8 "Notice to Adjoining Property Owners" mailed (DOUBLESTUFFED)
✓ DP-111 } 9-24-81 for the MAFC meeting for 10-8-81

1 Including map of each - to CPO Office
1 " " " " "NEIGHBORS"
1 to Don Schneider, Sanitary Chief Engineer

11 TOTAL

WICHITA-SEDGWICK COUNTY
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202

September 24, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, October 8, 1981, said meeting beginning at 1.30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for approval of the WOODLAWN DEVELOPMENT 15 COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-111

Commencing at the intersection of the north right-of-way line of Twenty-Ninth Street North and the east right-of-way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of Section 32, Township 26 South, Range 2 East of the 6th P.M., thence northerly along the east right-of-way line of Rock Road bearing N 0°53'13" W, 1360.00 feet; thence N 39°06'42" E, 699.98 feet; thence S 0°53'13" E, 277.60 feet; thence along a curve to the right having a central angle of 50°36'50", a radius of 338.33 feet, a length of 298.91 feet and a chord 239.29 feet long bearing S 65°34'53" E thence S 40°16'23" E, 475.25 feet; thence along a curve to the right having a central angle of 39°23' 10", a radius of 335.26 feet and a length of 230.47 feet; thence S 0° 53'18" E, 902.12 feet to the north right-of-way line of Twenty-Ninth Street North; thence westerly along said north right-of-way line bearing S 89°07'22" W, 1320.19 feet to the point of beginning. Generally located at the northeast corner of Rock Road and 29th Street North.

The proposed Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The Development Plan now on file proposes the following:

1. In conjunction with associated zone case Z-2349 ("AA" single family, and "LC" light commercial to "LC") this C.U.P. would permit the development of this approximately 47.8 acre site with general office and light commercial uses.

Page Two
Case No. DP-111

2. A maximum of nine buildings could be constructed on seven parcels containing 400,000 square feet of floor area.

3. The plan provides that an additional 400,000 square feet of floor area can be constructed if additional studies are done to identify the problems that would be created by the additional 400,000 square feet. Solutions to the problems must be satisfactory to the Director of Planning and other City Departments.

4. Building height, setbacks, access, and other information regarding future development is contained in the plan.

The hearing of the proposed amendments to this Development Plan, as provided in Section 23.04.190 of the City Zoning Ordinance of the City of Wichita is to be held and the same will there be discussed and considered by said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

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

Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 263-4421.

Robert A. Lakin
Secretary

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

September 24, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

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

The MAPC will consider the following case at its meeting in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, beginning at 1:30 p.m., on October 6, 1981.

CASE NO. E-2349

Zone Change from the "AA" One Family Dwelling District
and the "LC" Light Commercial District
to the "LC" Light Commercial District

SEE LEGAL DESCRIPTION ATTACHED HERETO

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

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

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

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

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

Robert A. Lakin
Secretary

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" One-Family Dwelling District
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" Two-Family Dwelling District
Permits two-family dwellings and uses permitted in "AA".
- "RB" Four-Family Dwelling District
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "R-5" General Residence District
Permits multiple-family dwellings at a density of 17.4 dwelling units per acre, off-street parking areas and uses permitted in "A".
- "R-6" General Residence District
Permits multiple-family dwellings at a density of 29 dwelling units per acre, and uses permitted in "R-5".
- "B" Multiple-Family Dwelling District
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" Office District
Permits apothecaries, clinics, hospitals; medical, business and professional offices; hotels and motels under certain conditions; and all residential uses.
- "LC" Light Commercial District
Permits all purely retail businesses conducted within enclosed buildings; service stations; all residential and office uses.
- "C" Commercial District
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" Central Business District
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" Light Industrial District
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" Heavy Industrial District
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District
Permits mobile home parks and associated uses.
- "U" University District
Permits Universities, Colleges, Seminaries and other institutions of learning and related uses.

CASE NO. E-2349

Zone Change from the "AA" One Family Dwelling District
and the "LC" Light Commercial District
to the "LC" Light Commercial District

Commencing at the intersection of the north right-of-way line of Twenty-Ninth Street North and the east right-of-way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of Section 32, Township 26 South, Range 2 East of the 6th P.M., thence northerly along the east right-of-way line of Rock Road bearing $N 0^{\circ} 53' 18'' W$, 1860.00 feet; thence $N 59^{\circ} 06' 42'' E$, 699.93 feet; thence $S 0^{\circ} 53' 13'' E$, 277.60 feet; thence along a curve to the right having a central angle of $30^{\circ} 36' 50''$, a radius of 333.33 feet, a length of 298.91 feet and a chord 239.29 feet long bearing $S 65^{\circ} 34' 53'' E$; thence $S 40^{\circ} 16' 28'' E$, 475.25 feet; thence along a curve to the right having a central angle of $39^{\circ} 23' 10''$, a radius of 335.28 feet and a length of 230.47 feet; thence $S 0^{\circ} 53' 10'' E$, 502.12 feet to the north right-of-way line of Twenty-Ninth Street North; thence westerly along said north right-of-way line bearing $S 89^{\circ} 07' 22'' W$, 1320.19 feet to the point of beginning. Generally located at the northeast corner of Rock Road and 29th Street North.

September 2, 1981

Bob Fox, President
Landmark Communities
2471 Hathway
Wichita, Kansas 67226

Re: DP-111 ABKO 15
DP-112 ABKO 20

Dear Mr. Fox:

We have reviewed the revised copies of the above captioned C.U.P.'s. Copies of the revised C.U.P.'s have been sent to the Department of Engineering for their review and comments. We have received some verbal comments from them and have included them in this letter. Any additional comments will be forwarded to you as soon as we receive them. I have tried to format this letter in such a manner that the points raised in our letter to Bill Yung on June 4, 1981 and your letter to us on June 18, 1981 are discussed in the same order. Then additional comments are discussed.

Commercial C.U.P. Parcel 15

After reviewing the maps showing the original and proposed "LC" zoning for the "Comotara" area, it appears that there will be a reduction in commercially zoned area. We would hope that, as this site is developed, the type of establishments that will be an asset to the area are attracted to this site. However, as you are aware it is impossible for a C.U.P. to exclude facilities such as K-Mart, Woolco, etc. when retail facilities are permitted.

In regard to the need for a traffic study, we feel that although 400,000 square feet may not require a traffic study that at least a preliminary study should be done prior to platting. The preliminary study would allow any potential problems to be identified so that adequate amounts of street right of way can be obtained at the time of platting. Additionally, the study would be helpful to you and the Engineering Department in designing and improving 29th Street and Rock Road. The study could possibly reduce the amount of time required to review and approve additional square footage.

The redesigned intersection of Rock Road and 31st Street will prevent traffic from traveling through the residential area west of Rock Road, while serving the residential area to the east.

While we realize that you wish to keep as much flexibility as possible some guidelines should be established relating to floating parcels, so that the C.U.P. can be administered in ten or twenty years. Perhaps all that can be accomplished at this time is to restrict the number of parcels, major setbacks, general locations, (I would suggest that floating parcels be prohibited along the collector), etc., and to allow the final specifications to be approved by the Director of Planning. One improvement would be to include all guidelines relating to floating parcels in one general provision. The general provision should also include an "intent" statement that will provide guidance for City staff administering the C.U.P.'s in future years. The statement in our earlier letter relating to the submission of an overall plan should be incorporated into the provision on floating parcels.

Without including the existing sign regulations as part of the C.U.P., we feel that some maximums should achieve the same basic result. For instance, signs could be limited to 35 feet on Rock Road and 29th Street, and 25 feet on the collector. Other restrictions could include prohibiting billboards, restricting signs to 200 square feet on one surface, no rotating signs, the number of signs, etc.

The following are specific comments relating to changes to be made to the text of the Commercial C.U.P.

- OK 1. The first three specific comments made in our letter of June 4, 1981 need to be included in the text.
- OK 2. A 30 foot setback along the north boundary of Parcel 1 needs to be shown on the plan and included in General Provision No. 3.
- OK 3. General Provision No. 8 should be expanded to include the requirement of a continuous decel lane along 19th Street from Rock Road to a point east of the collector. This is needed to handle the traffic from the commercial area as well as the traffic from the residential C.U.P. to the east.
- OK 4. We would suggest that curb cuts to the collector be limited to a total of 8. Three would be permitted between Rock Road and the residential collector, and five would be permitted south of the residential collector.

Residential C.U.P. Parcel 20

We still feel that it would be more appropriate to show the highest density use permitted on each parcel instead of what is proposed. If, a change to a higher density is requested in the future we feel that we would have to require an ownership list of adjacent property owners so that we could notify them of any proposed change. Another concern is that once a parcel begins developing with a use when would we prohibit a change in density. I would suggest that wording be added that states that once a parcel is twenty five percent developed any changes in density or use would require an amendment to the C.U.P.

After we have received the map showing the reallocation of sewerage generation for this area, we will provide additional comments if necessary. We should receive this map prior to scheduling the C.U.P. before the Planning Commission so that we will be able to include comments regarding sewer capacity in our staff report.

The collector streets intersecting with 29th Street may have to be widened at the intersections since they are serving townhouses and apartments. There may also be a need for accel/decel lanes depending on the anticipated amount of traffic. As indicated in the text, final determination of street right-of-way will be made at the time of platting.

The following are more specific comments relating to changes that need to be made to the text of the residential C.U.P.

1. All street right-of-way not just collector street right-of-way, should be subtracted from the gross acres to determine net acres. If the 12.0 acres shown in General Provision No. 1 does not include all street right-of-way, then density figures in General Provisions 2 and 3 will have to be changed.

2. I believe that the headings "with K-96" and "without K-96" are reversed in General Provision No. 2.

The only other comment that we have at this time is in regard to the use of ABKO. I noticed in your letter to Robert Lakin that you would prefer us not to use "ABKO" when referring to cases in the old "Comotara" area. As you have noticed we have labeled these C.U.P.'s as ABKO 15 and ABKO 20 based upon the parcel number from your overall development map. If you wish different names to be used please include them on the revised copies.

As was noted above, we will forward any additional comments that the Department of Engineering may have. Prior to scheduling these cases before the Planning Commission we will need revised legals for both C.U.P.'s and both zone cases since there have been some boundary shifts. If we receive the revised legals and ten revised copies of the C.U.P. by September 10, 1981, we can schedule the cases for the October 8, 1981 Planning Commission Meeting.

If you have any questions, please call.

Arthur D. Chambers, AICP
Senior Planner

ADC:sad

cc: Bill Yung, 8225 East 35th Street North, Wichita 67226

August 25, 1981

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

Arthur D. Chambers, Senior Planner

✓ DP-111 - ARKO 15; DP-112 - ARKO 20; and DP-113 - ARKO 11-22;
All generally located in the vicinity of 29th Street North
and Rock Road.

We have received revised plans for the three above referenced
C.U.F.'s. I have attached a copy of each C.U.F. for your
review. We would appreciate receiving any additional com-
ments you might have regarding streets, access, decel lanes,
etc., by Wednesday, September 2, 1981. If you have any
questions, please call.

Arthur D. Chambers
Senior Planner

ADC:ei

Attachments

RECEIVED

JUN 19 1981

METROPOLITAN PLANNING
ROUTE _____



Landmark

June 18, 1981

Mr. Jack H. Galbraith
Chief Planner
Metropolitan Area Planning Department
City of Wichita
455 North Main
Wichita, Kansas 67202

Dear Jack:

This is to acknowledge receipt of your letter of June 4, 1981, concerning the Community Unit Plan submitted to your office for ABKO Parcels #15 and #20.

In response to your comments regarding the Parcel #15 Commercial C.U.P.:

- Handwritten:* ~~1. Enclosed is a Land Use Master Plan reflecting the original light commercial zoning and the proposed commercial zoning, which you requested.~~
1. Enclosed is a Land Use Master Plan reflecting the original light commercial zoning and the proposed commercial zoning, which you requested.
 2. We are currently working on preliminary plans to proceed with the development of this project, subject to zoning being attained, and in answer to your question about the type and character of the project, we offer the following:

The project is envisioned to be a retail commercial center for the more discreet buyer, which will also include a mixture of office, major neighborhood services, professional services, restaurants, banking and financial services. The plan does not envision mass traffic retail facilities such as K-Mart, Wards, Sears and Penneys. *Handwritten:* ^{grocery stores?}

The architectural design of the project will encompass a combination of mall type shops and free standing buildings which will hopefully attract new and very prestigious retail outlets to the community. Extensive research will be conducted to prove the market need for the existing and new residential development in northeast Wichita.

Landmark Communities, Inc.

2471 Hathway / Wichita, Kansas 67226 / (316) 686-7451

Mr. Jack Galbraith
June 18, 1981
Page Two

Wants to submit a traffic study after approval of CUP

3. Certainly the impact of the project on the street system would have to be determined via a traffic study and should be a condition of the C.U.P. approval.

4. Bill Yung will prepare a redesign of the four-way intersection at Rock Road and 32nd Street as recommended in your letter.
5. Determination of the specifics for the floating parcels in terms of size, setbacks, number of buildings, use and etc. can only be made after completion of our research program. Currently our conceptual idea is that each floating parcel would accommodate a single one-use building. The added language you suggested for General Provision 13 for floating parcels is acceptable.
6. Sign restrictions somewhat in accordance with the existing sign ordinance is within the concept we have for this project.
7. The recommendation on page 3 of your letter noted as 1., 2. and 3. will be implemented.
8. All residential uses for Parcel 15 may be removed.

The project in respect to size, market research, project analysis, planning, design and the duration of the development itself will consume a 7 or 8 year period of time. Actual development of the site is not planned to commence before 1984. In view of magnitude of the undertaking, we request that the C.U.P. be approved with the revisions stated above, with the condition that approval by the Planning Director must be received for traffic systems, floating parcels, setbacks, uses and all of the other concerns you have, prior to the approval of any plat for the C.U.P.

Just traffic studies required until later

This would permit us to complete organization of our development group, our research, final site and land-use plans. Otherwise, it would be very difficult to achieve all of this without some assurances that city approval had been received.

In response to your comments on the Parcel 20 Residential C.U.P. we really have no objections to your comments. With the elimination of the residential units in Parcel 15, the sanitary sewer capacity should be no problem. This project is being planned as an integrated program with Parcel 15, so there will be a point of central control.

Van Doren, Hazard and Stallings will prepare the sanitary sewer map you requested. At your earliest convenience we would

Mr. Jack Galbraith
June 18, 1981
Page Two

appreciate a meeting with your staff so that we may proceed
with the processing of these two Community Unit Plans.

Sincerely,



Robert R. Fox
President

RRF:co

cc: Ward Lawrence
Bill Yung

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

Bill Yung
8225 East 35th Street North
Wichita, Kansas 67226

June 4, 1981

Re: DP-111 - ABKO 15 Commercial C.U.P.
and DP-112 ABKO 20 Residential
C.U.P. Generally located at the
northeast corner of 29th Street
North and Rock Road.

Dear Bill:

This is to confirm our meeting of May 20, 1981 concerning the above captioned C.U.P.'s. Also attending that meeting were Bob Fox, Ken Bengtson, Art Chambers and Robert Lakin. This letter also incorporates comments from other City departments that have reviewed the C.U.P.'s to date.

ABKO 15 Commercial C.U.P.

As was discussed at the meeting, we have some questions about the need and justification for a 48 acre site that would permit over 800,000 square feet of commercial development at this location. If this site is to represent the accumulation of those "LC" areas that have been downzoned in the entire Comotara area, it would be helpful to have a map showing the original light commercial zoning and the proposed commercial zoning. In addition, I feel that additional information about the type (regional shopping mall, community shopping center, commercial and office center, etc.) would be beneficial in analyzing the potential impacts on the surrounding area and city services. The additional information should not be an economic feasibility study but should contain sufficient information about the service area, size and mix of businesses, location, etc., to reflect the purpose and intent of future commercial development.

If the proposed C.U.P. is submitted with a maximum permitted floor area of 800,000 square feet, a traffic study is needed to determine the impact on the street system. The traffic study should indicate how street improvements could be

WICHITA - SEDGWICK COUNTY

Page Two
Bill Yung
June 4, 1981

staged to reflect various levels of development. I feel that this is necessary since your clients do not have definite development plans at this time. The study would also be helpful to the Engineering Department when they begin preparing street improvement plans.

We would encourage you to consider redesigning the four-way intersection at Rock Road and 32nd Street. One concern of ours is the possibility of people using 32nd Street and the commercial collector to avoid the 29th Street and Rock Road intersection. One solution would be to eliminate 31st Street and bring the northern residential collector (in ABKO 20) out to Rock Road. The area to the north could then be served by a street "T" intersecting with the northern residential collector.

As was discussed at the meeting, the provisions relating to the floating parcels need to be expanded to include additional requirements. This is needed to clarify the intent and purpose, as well as specific requirements, of the floating parcels so that future administration will be easier. The specific requirements should be added to the text and should include size of the parcels, setbacks, number of buildings, uses, etc. You may wish to include a preliminary layout showing how the parcels are to relate to the primary development. One item that needs to be added to General Provision No. 13, is the following: "A plan for a floating parcel, if submitted prior to the development of a shopping center, shall show sufficient detail for the balance of the C.U.P. so that the appropriate use of the parcel under review can be determined." This will make it easier to insure that circulation through the entire site is satisfactory.

As you are aware, an amendment to the sign regulations is to be considered by the City Commission in the near future which will increase the number and size of signs permitted. We feel that pole signs should be restricted to Rock Road and 29th Streets only. In addition, we would encourage you to consider placing restrictions on the number and size of signs permitted on Rock Road and 29th Street.

The following are more specific comments relating to changes that need to be made to the text of the ABKO 15.

WICHITA - SEDGWICK COUNTY

Page Three -Bill Yung - June 4, 1981

1. Net area should include the pipeline easement. Only public streets and/or drainage dedications should be excluded from gross acres.
2. The following underlined words should be added to General Provision No. 10.A.2: ". . . where across from residentially zoned or institutionally or residentially developed areas where the wall is not constructed."
3. The following should be added to the end of the first sentence of General Provision No. 10.B: "and for a distance to be determined by the Director of Planning to assure adequate screening from adjoining and nearby residential properties."
4. The residential uses permitted under the parcel description should be expanded to explain what type of residential units are permitted, where they would be located, reduction in the commercial square footage, etc.

ABKO 20 Residential C.U.P.

We are generally supportive of the illustrated uses and density. However, as we indicated at the meeting, we feel that it is misleading to show one type of development at a specific density while the text permits a higher density and housing type. As we remember from the meeting, you and your clients do not feel that the area could economically be developed with the 2605 dwelling units permitted. Instead, it was felt that an overall density of 14.5 dwelling units per acre would be satisfactory provided that there was a mix of housing styles. I feel that to retain future flexibility of the location and mix of housing styles, and to make the administration of the C.U.P. easier, the plan should be changed to reflect a maximum number of dwelling units permitted and the highest density for each parcel. The text would indicate what housing style would be permitted in each parcel.

Then, for example, a maximum of 2071 (142.8 net acres at a density of 14.5 du/acre) dwelling units would be permitted in twelve parcels with an illustrated use of garden apartments for each parcel. However, permitted uses would range from garden apartments to single family. The total number of dwelling units illustrated for each parcel could possibly exceed the maximum number of dwelling units permitted. However, some of the parcels would have to be developed with a lower density housing style so that the maximum number of dwelling units is not exceeded. This gives flexibility to the C.U.P. by permitting development of the parcels with various housing styles while providing information as to the maximum potential development.

WICHITA - SEDGWICK COUNTY

Page Four
Bill Yung
June 4, 1981

One area in which we will need additional information is the ability of the existing sewer system to handle the proposed developments. The sewer study for the basin containing this C.U.P. had a calculated flow of 4,000 gallons per day (GAD). Many of the proposed densities would produce flows greater than 4,000 GAD. We understand that some of the property to the north of this C.U.P. has been developed with uses that produce less than 4,000 GAD, which would therefore allow the transfer of some sewer capacity to the C.U.P. area. In order for us to adequately review and comment on the proposed development, we would ask that a sewer capacity analysis be submitted showing the reallocation of the original flow generation calculations. This could just be a map indicating the location and size of areas that use less than 4,000 GAD and the flows for those areas of future development. This will enable us to determine if the sewer system will be able to handle the area when it is fully developed.

One design change that we would encourage you to make is the relocation of the east collector where it intersects 29th Street. The collector, as currently designed, is part of a four-way intersection that would have to handle the traffic from 170 single family units south of 29th Street, the traffic from the apartments to the north and the traffic on 29th Street. It would be better if the collector was shifted to the east to provide for "T" intersections. This would also reduce the design problems associated with the triangular piece of property to the east.

The following are more specific comments relating to changes that need to be made to the text of ABKO 20.

1. In figuring the density for the C.U.P., it was noted that street right-of-way was not subtracted. Therefore, the proposed 2605 units results in a density of 18.36 du/acre, without the Northeast Circumferential. The maximum number of units need to be reduced to be consistent with the requested density. The area calculations should be revised to read as follows:

WICHITA - SEDGWICK COUNTY

Page Five
Bill Yung
June 4, 1981

open space	-----
Building area	-----

Net area	-----
Streets	-----

Gross area	-----

2. General Provision No. 2 should be revised to include the number of units allowed if the Northeast Circumferential is constructed.
3. The density calculations should be revised in General Provision NO. 3 to reflect the corrected net acres.
4. General Provision No. 8 may be deleted.
5. Proposed uses and maximum number of dwelling units. The illustrated housing type for each parcel needs to be enclosed with a box.

These are the comments we have at this time. After you have had an opportunity to consider redesigning both C.U.P.'s and selecting a consultant for the traffic study, if an additional meeting would be helpful, please advise.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:el

cc: Bob Fox, 2421 Longwood Circle, Wichita 67226
Ken Bengtson, 260 North Rock Road, Suite 250 - 67206

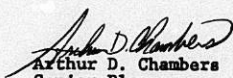
May 6, 1981

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

Arthur D. Chambers, Senior Planner

✓ DP-111 - ABKO 15 Commercial C.U.P. Generally located at the northeast corner of Rock Road and 29th Street North; Z-2349 - Zone change from "AA" & "LC" to "LC".

We have received an application for a commercial C.U.P. at the above location. The C.U.P. contains approximately 47 acres with a maximum gross floor area of 813,700 square feet. A maximum of twelve buildings would be permitted with five openings to Rock Road and three openings to 29th Street. We would appreciate receiving any comments you might have regarding uses, access, etc., by Tuesday, May 12, 1981. If you have any questions, please call.


Arthur D. Chambers
Senior Planner

ADC:el



250 Rockborough Building
260 North Rock Road
Wichita, Kansas 67202
316/686-7303

DATE	10-81	JOB NO.	
PROJECT	ABKO		
TO			
FROM	Dave Law		
REFERENCE	PARCEL 15		

COPIES TO:

*Revised legal for
DP-111 and Z-2349*

*OK to legal
DP-111*

Commencing at the intersection of the north right of way line of Twenty-Ninth Street North and the east right of way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of Section 32, Township 26 south, Range 2 east of the 6th P.M.; thence northerly along the east right of way line of Rock Road bearing N 0° 53' 18" W, 1860.00 feet; thence N 89° 06' 42" E, 699.98 feet; thence S 0° 53' 18" E, 277.60 feet; thence along a curve to the right having a central angle of 50° 36' 50", a radius of 338.38 feet, a length of 298.91 feet and a chord 289.29 feet long bearing S 65° 34' 53" E; thence S 40° 16' 28" E, 445.25 feet; thence along a curve to the right having a central angle of 39° 23' 10", a radius of 335.28 feet and a length of 230.47 feet; thence S 0° 53' 18" E, 902.12 feet to the north right of way line of Twenty-Ninth Street North; thence westerly along said north right of way line bearing S 89° 07' 22" W, 1320.19 feet to the point of beginning; containing 49.34 acres, more or less.

PARCEL 15

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

new CUP
DP-111
ABKO 15 6051C
associated 2-2349
June 18
1980

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

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

- a. Applicant Landmark Communities
Address 2471 Hathway Circle, Wichita, Ks. 67226 Phone 686-7451
Agent Bill G. Yung Design
Address 8225 E. 35th North, Wichita, Kansas 67226 Phone 683-5567
- b. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____
- c. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

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

2. a. The applicant hereby requests Community Unit Plan approval on property zoned LG and AA and legally described as Lot(s) See attached sheet, Block(s) NA, Addition. _____
(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet.)
See attached Sheet

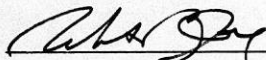
2. b. There are 47.6 acres (round to nearest tenth) in the above described property.

3. The general location is (use appropriate section)

a. at the NE corner of Rock Road
and 29 th Street North; or

b. on the NA side of NA (Avenue,
Street) between NA (Avenue, Street) and
NA (Avenue, Street).

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



By Robert R. Fox Landmark Communities
Authorized Agent (if any)

By _____
Authorized Agent (if any)

By _____
Authorized Agent (if any)

By _____
Authorized Agent (if any)

5. 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



**Van Doren
Hazard
Stallings**

Architects - Engineers - Planners

250 Rockborough Building
260 North Rock Road
Wichita, Kansas 67206
316/686-7303

DATE 4-30-81 JOB NO. 80-213-AD

PROJECT Parcel 15

TO _____

FROM Steven E. Anderson

REFERENCE _____

COPIES TO _____

A tract of land in the southwest quarter, Section 32, Township 26 South, Range 2 east of the 6th P.M. described as beginning at the intersection of the north right of way line of 29th Street North and the east right of way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of said Section 32; thence northerly along said east right of way line of Rock Road bearing N 0° 53' 18" W, 1800.00 feet; thence N 89° 06' 42" E, 531.32 feet; thence along a curve to the right having a central angle of 50° 36' 49", a radius of 317.23 feet and a length of 280.23 feet; thence S 40° 16' 29" E, 736.83 feet; thence along a curve to the right having a central angle of 39° 23' 51", a radius of 335.17 feet, and a length of 230.47 feet; thence S 0° 53' 38" E, 902.09 feet to the north right of way line of 29th Street North; thence westerly along said north right of way line bearing S 89° 07' 22" W, 1320.00 feet to the point of beginning; containing 48.74 acres, more or less.

OK for legal

Superseded

OWNERSHIP LIST

C.U.P.
Parcel # 15

Tract Description

A tract of land in the southwest quarter, Section 32, Township 26 South, Range 2 East of the 6th P.M. described as beginning at the intersection of the north right of way line of 29th Street North and the east right of way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of said Section 32; thence northerly along said east right of way line of Rock Road bearing North $0^{\circ}53'18''$ West, 1800.00 feet; thence North $89^{\circ}06'42''$ East, 531.32 feet; thence along a curve to the right having a central angle of $50^{\circ}36'49''$ a radius of 317.23 feet and a length of 280.23 feet; thence South $40^{\circ}16'29''$ East, 736.83 feet; thence along a curve to the right having a central angle of $39^{\circ}23'51''$, a radius of 335.17 feet and a length of 230.47 feet; thence South $0^{\circ}53'38''$ East, 902.09 feet to the north right of way line of 29th Street North; thence westerly along said north right of way line bearing South $89^{\circ}07'22''$ West, 1320 feet to the point of beginning; (containing 48.74 acres, more or less)

The Southwest Quarter of Section 32, Township 26, Range 2 East of the 6th P.M. except that portion platted as Comotara Business Park, and except tract described above.

Property Owner

✓ Woodlawn Development
Co.
P.O. Box 2236
Wichita, 67201

Same as above.

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot A		Central Christian Addition	Central Christian Church of Wichita 2900 North Rock Road 67226
Lot A		Central Christian Second Addition	Wichita Development Company 2471 Hathway Circle 67226

<u>Tract</u>	<u>Description</u>	<u>Property Owner</u>
	<p>A tract in the Northeast Quarter of Section 6, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the intersection of the south right of way line of 29th Street North and the West right of way line of Rock Road, said point being 30 feet Southerly and 50 feet Westerly of the Northeast corner of Section 6, thence Southerly along said west right of way line of Rock Road bearing South 0°54'22" East, 709.98 feet; thence South 89°5'38" West, 280 feet; thence North 43°22'20" West 636.72 feet; thence South 89°04'12" West, 950 feet; thence North 0°55'48" West 240 feet to the South right of way line of Twenty-Ninth Street North, thence Easterly along said South right of way line of Twenty-Ninth Street North bearing North 89°04'12" East, 1659.98 feet to the point of beginning.</p>	<p>Woodlawn Development Co. P.O. Box 2236 Wichita, 67201</p>
	<p>The Northeast Quarter of Section 6 Township 27 South, Range 2 East of the 6th P.M. subject to the right of way for Rock Road, except above described tract, and except that part platted as Waterford North Addition, and except that part platted as Sycamore Village Third Addition</p>	<p>Wichita Development Co. 2471 Hathway Circle 67226</p>

Tract Description

Property Owner

A tract of land in the Southeast Quarter of Section 31, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, beginning at the intersection of the North right of way line of 29th Street North and the West right of way line of Rock Road; thence West along said North line of 29th Street bearing South 89°04'12" West, 833.81 feet; thence North 0°55'48" West, 595 feet; thence North 89°4'12" East, 834.24 feet; thence South 0°53'18" East, 595 feet to the point of beginning.

Woodlawn Development Inc.
P.O. Box 2236
Wichita, 67201

A tract of land in the Southeast Quarter of Section 31, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the intersection of the east right of way line of Longfellow and the south right of way line of 31st Street North; thence East along said south line of 31st Street North bearing N 89°06'42" East, 449.69 feet; thence South 0°53'18" East, 620 feet; thence South 89°04'12" West, 484.24 feet; thence South 0°55'48" East 595 feet; thence South 89°04'12" West 245 feet; thence North 0°55'48" West 911 feet; thence North 89°04'12" East 245 feet; thence North 0°55'48" West 168.99 feet; thence North 89°04'12" East, 35 feet; thence North 0°55'48" West 135.63 feet to the point of beginning.

Same as above

A tract in the Southeast Quarter of Section 31, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the intersection of the South right of way line of 32nd Street North and the West right of way line of Rock Road; thence South along the West line of Rock Road bearing South 0°53'18" East, 1202.62 feet; thence South 89°4'12" West 350 feet; thence North 0°53'18" West, 1206.62 feet; thence North 89°04'12" East, 350 feet to the point of beginning.

Same as above

Tract Description

Property Owner

All that part of the Southeast Quarter, Section 31, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, lying North of Cottonwood Village Fourth Addition

Woodlawn Development Company, Inc.
P.O. Box 2236
67201

The Northeast Quarter of Section 31, Township 26 South, Range 2 East of the 6th P.M. Sedgwick County, Kansas

Same as above

Lot Block

Addition

Property Owner

Lots 1 4
through
23, inclusive

Cottonwood Village Fourth Addition

Wichita Development Co.
2471 Hathway Circle
67226

Lot 1 5

Stonehedge Addition

Stonehedge Corporation
(Bill Yung, president)
8225 East 35th St. North
67226

Keith L. Anderson
6002 Grace Lane
67208

Tract Description

Property Owner

The Northeast Quarter of the Northwest Quarter of Section 5, Township 27 South Range 2 East, except that portion platted as Central Christian Second Addition

Tallgrass Com pany
P.O. Box 4048
67204

The Northwest Quarter of the Northwest Quarter in Section 5, Township 27 South Range 2 East except that portion platted as Central Christian Addition and as Central Christian Second Addition

Same as above

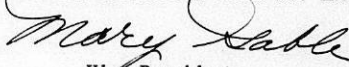
We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tracts within a 1000 foot radius of:

A tract of land in the Southwest Quarter, Section 32, Township 26 South, Range 2 East of the 6th P.M. described as beginning at the intersection of the north right of way line of 29th Street North and the east right of way line of Rock Road, said point being 50 feet easterly and 30 feet northerly from the southwest corner of said Section 32; thence northerly along said east right of way line of Rock Road bearing N 0°53'18" West, 1800 feet; thence North 89°06'42" East, 531.32 feet; thence along a curve to the right having a central angle of 50°36'49", a radius of 317.23 feet and a length of 280.23 feet; thence South 40°16'29" East, 736.83 feet; thence along a curve to the right having a central angle of 39°23'51" a radius of 335.17 feet, and a length of 230.47 feet; thence South 0°53'38" East, 902.09 feet to the north right of way line of 29th Street North; thence westerly along said north right of way line bearing South 89°07'22" West, 1320 feet to the point of beginning (containing 48.74 acres, more or less.)

as shown by the last deeds of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 12th day of June, 1981, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By



Vice President

Order No: 298500
AP

*

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

Roll # 1

*