

DP-116 - MAXWELL'S C.U.P. at the
southwest corner of Douglas and
Webb Road.

Spaul
No. 1526E

MAD RING, MN.
LOS ANGELES, CHICAGO, LOGAN, OH.
McBREGON, TX, LOCUST GROVE, GA.
U.S.A.

ACTION

30-116

DATE

COMMITTEE	_____	DATE	_____
M.A.P.C.	<i>after 4 weeks</i>	<i>11-5-81</i>	<i>POSTED</i> <i>9-23-81</i>
R.C.C./B. CO. C.	_____	_____	<i>[Signature]</i>

M.A.P.C. Deferred 120 days 12-3-81

M.A.P.C. appeared w/ing to condition 4-8-82

B.C.C. Deferred 2 weeks 5-4-82

*B.C.C. Appared re 5-18-82
renewed + additional CPD
renewed conditions*

BP-116 - MAXWELL'S C.S.I. - 1000
west corner of Douglas and Webb
Road.

Map No. 6047B
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

DP - 116
Filed 9-18-81

Associated
Case: Z-2388

APPLICATION REQUEST: Approval of proposed MAXWELL'S CUP

(Residential)(Commercial) Community Unit Plan.

1. Applicant Hugh S. Maxwell, Executor for Mary Margaret Maxwell Estate
Address 2381 Algonquin Rd., Schenectady, N.Y. 12309 Phone 518-393-513
2. Agent Phil Ruffin, P.O. Box 17087, Wichita 67217 - 265-6201
~~ANNEXEN~~ P.E.C. P.A. (G.Wiley) 1440 E. English, 67211 Phone 263-1107
3. General Location: Southwest corner of Douglas and Webb Road.
Address _____
4. Proposed Use: _____

AREA DATA:

1. Acres: 57.8 (IRREGULAR)
2. Existing Zoning "AA" & "LC" Proposed Zoning 2210 ft. by 2640 ft.
3. Area (is) (is not) platted. _____ Addition _____

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

Date	Action
<u>11-5-81</u>	<u>After 4 weeks</u>
<u>12-3-81</u>	<u>Required 120 days</u>
<u>4-8-82</u>	<u>Approved subject condition</u>

2. Governing Body

Date	Action
<u>May 4, 82</u>	<u>Deferred 2 months</u>
<u>5-18-82</u>	<u>Approved as recommended + additional CPO recorded condition</u>

NOTES:

Mailed a copy of the revised plan to David Aspelin 28 Douglas Parkway

LOS ANGELES REGISTERED PROFESSIONAL SURVEYOR
HENSON, INC.
10000 WILSON BLVD.
LOS ANGELES, CALIF. 90024
U.S.A.

Shirley
No. 2153C

CASE FILE

Map No. 6047B
Sec. _____
Twp. _____
Range _____

DATA SHEET
COMMUNITY UNIT PLAN

DP - 116
Filed 9-18-81

Associated
Case: Z-2388

APPLICATION REQUEST: Approval of proposed MAXWELL'S CUP

(Residential)(Commercial) Community Unit Plan.

1. Applicant Hugh S. Maxwell, Executor for Mary Margaret Maxwell Estate
Address 2381 Algonquin Rd., Schenectady, N.Y. 12309 427-7747 Phone 518-393-5133
2. Agent Phil Ruffin, P.O. Box 17087, Wichita 67217 265-7201
3. ENGR: W.C. P.E.C., P.A. (G. Wiley) 1440 E. English, 67211 Phone 263-1107
4. General Location: Southwest corner of Douglas and Webb Road. Address _____

4. Proposed Use: _____

- AREA DATA:
1. Acres: 57.8 (2210 (12REGULAR) ft. by 2640 ft.)
 2. Existing Zoning: "AA" & "LC"
 3. Land Use: East BEECH AIRCRAFTS South MOTEL K-MART OFFICE
West SINGLE FARM & PIZZA HUT OFFICE North SINGLE FARM OFFICE
 4. Sketch Plan Land Use is for: LIGHT MANUFACTURING
 5. Present Land Use is for: UNDEVELOPED
 6. Area (is) (is not) platted.

PHOTO DATA: Taken by _____ Date _____ Time DP-116



PICTURE SHEET

July 19, 1982

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

DP-116 - Maxwell's Commercial C.U.P. Generally located
at the southwest corner of Douglas and Webb Road.

The Board of City Commissioners on May 13, 1982, considered
the above captioned C.U.P. Their action was to approve the
C.U.P. subject to the following conditions:

- a. A general provision shall be added that reads as follows:
"The height limitations shown on Exhibit A are based upon
Chapter 28.08 of the Code of the City of Wichita that was
adopted on October 25, 1955".
- b. General Provision No. 15 shall be reworded as follows:
"The maximum number of buildings for Parcels 2 and 3
shall be limited to three provided that additional build-
ings may be added after a site circulation plan has been
reviewed and approved by the Director of Planning".
- c. "Parcel 4" shall be added to General Provision No. 9.
- d. Improvements to Webb Road shall be in conformance with
Improvement Plan A of the Revised Traffic Study dated
March, 1982. The revisions (Items 3a, b, and d) in the
Traffic Engineer's letter, dated March 26, 1982 shall be
incorporated into the final design of the Webb Road Im-
provements.
- e. The following shall be added to General Provision No. 1;
"If Parcel 1 is developed with apartments there shall be
only one opening to Webb Road".
- 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.

Page Two
Robert B. Feldner
July 19, 1982

- h. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their 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.
- j. The general provisions in the plan shall be changed to show complete access control to Bonnie Brae along the west and north boundaries of Parcels 6 and 7.
- k. The plan shall be changed to show the east entrance to Parcel 1 from Douglas shall be limited to "in" traffic only; the second opening (two-way) to Parcel 1 from Douglas shall be located in the west one hundred feet; and Parcel 4 shall not have an opening to Webb Road.
- l. The Plan shall be changed to show 1.5 parking spaces per dwelling unit for Parcels 1 and 6 and 2.0 parking spaces per dwelling unit for Parcel 7.
- m. The following shall be added to Parcel 3: "Maximum number of buildings - 3 (See General Provision 15)"; and that Parcel 3 shall be added to General Provision 15. (See item b above)
- n. The General Provision 6 shall be changed to include the prohibition of portable signs.
- o. The plan and General Provision 11 shall be changed to reflect a ten foot planting strip for Parcel 6 and a twenty-five foot landscape area along the north boundary of Parcel 1. The landscaping for Parcel 1 shall include a combination of trees, grass, shrubs and landsculpturing.
- p. The last sentence in General Provision 14 shall be deleted and the following added: Prior to the development of more than 300,000 square feet, the improvements to Webb Road (as shown in the approved Improvement Plan A of the Traffic Study dated March 1982) shall be under construction.
- q. Parcel 1 shall be deleted from General Provision 4d.
- r. The plan shall be changed to show a 60 foot maximum building height for Parcel 1 and a maximum building height of 35 feet

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Robert B. Feldner
July 19, 1982

for that portion of Parcel 6 lying southwest of the ingress-egress easement.

- s. The plan shall be changed to show complete access control between Parcels 1 and 2.

Please note that prior to the issuance of any building permits, and in accordance with condition "f" 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:el
Attachments

DIRECTORS

C. O. KHOP, P.E.
R. B. PEUGH, P.E.
C. J. FREUND, P.E.
W. H. KELTNER, P.E.
R. D. FLETCHER, P.E.
F. D. MIDDLETON, JR., P.E.
D. E. MALTBY, P.E.
M. D. SCHOMAKER, P.E.



**PROFESSIONAL
ENGINEERING
CONSULTANTS**
LAND DEVELOPMENT
DIVISION
PROFESSIONAL ASSOCIATION

July 14, 1982

Mr. Arthur D. Chambers, Senior Planner
Metropolitan Area Planning Department
10th Floor - City Hall
455 N. Main
Wichita, Kansas 67202

RE: Maxwell C.U.P. DP-116
PEC No. 36-78414-1014

Dear Art:

Enclosed are four revised copies of the Maxwell C.U.P. as approved by the Board of City Commissioners.

In addition to the changes required by the City Commission, we have revised the drainage easements between Parcels One and Two, and Parcels Two and Three, in accordance with the approved drainage plan on file in the Engineering Department.

Should you have any questions, please call

Very Truly Yours,

Gary Wiley
Land Development

cc: Gary Snyder
Jim Gregory

LOCATED AT:
355 ELLIS
WICHITA, KANSAS 67211
(316) 263-1107

FORWARD ALL MAIL TO:
1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 263-2631

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4361

May 18, 1982

Gary Wiley
Professional Engineering Consultants
1440 East English
Wichita, Ks. 67211

Re: DF-116 Maxwell's Commercial
C.U.P. and Z-2388 - "AA" to "BB"
& "LC"

Dear Gary:

On May 18, 1982, the City Commission reconsidered the above captioned cases. Their action was to approve the zone change and C.U.P. subject to the MAPC recommendations (items a through i below), and subject to additional items j through s:

- a. A general provision shall be added that reads as follows:
"The height limitations shown on Exhibit A are based upon Chapter 28.08 of the Code of the City of Wichita that was adopted on October 25, 1955".
- b. General Provision No. 15 shall be reworded as follows: "The maximum number of buildings for Parcel 2 shall be limited to three provided that additional buildings may be added after a site circulation plan has been reviewed and approved by the Director of Planning".
- c. "Parcel 4" shall be added to General Provision No. 9.
- d. Improvements to Webb Road shall be in conformance with Improvement Plan A of the Revised Traffic Study dated March, 1982. The revisions (Items 3a, b, and d) in the Traffic Engineer's letter, dated March 26, 1982 shall be incorporated into the final design of the Webb Road Improvements.
- e. The following shall be added to General Provision No. 1: "If Parcel 1 is developed with apartments there shall be only one opening to Webb Road".

- 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 their 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.
- j. The general provisions in the plan shall be changed to show complete access control to Bonnie Brae along the west and north boundaries of Parcels 6 and 7.
- k. The plan shall be changed to show the east entrance to Parcel 1 from Douglas shall be limited to "in" traffic only; the second opening (two-way) to Parcel 1 from Douglas shall be located in the west one hundred feet; and Parcel 4 shall not have an opening to Webb Road.
- l. The plan shall be changed to show 1.5 parking spaces per dwelling unit for Parcels 1 and 6 and 2.0 parking spaces per dwelling unit for Parcel 7.
- m. The following shall be added to Parcel 3: "Maximum number of buildings - 3 (See General Provision 15)"; and that Parcel 3 shall be added to General Provision 15. (See item b above)
- n. The General Provision 6 shall be changed to include the prohibition of portable signs.
- o. The plan and General Provision 11 shall be changed to reflect a ten foot planting strip for Parcel 6 and a twenty-five foot landscape area along the north boundary of Parcel 1. The landscaping for Parcel 1 shall include a combination of trees, grass, shrubs and landscaping.
- p. The last sentence in General Provision 14 shall be deleted and the following added: Prior to the development of more than 300,000 square feet, the improvements to Webb Road (as shown in the approved Improvement Plan A of the Traffic Study dated March 1982) shall be under construction.

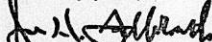
- ✓ q. Parcel 1 shall be deleted from General Provision 4d.
- ✓ r. The plan shall be changed to show a 60 foot maximum building height for Parcel 1 and a maximum building height of 35 feet for that portion of Parcel 6 lying southwest of the ingress-egress easement.
- ✓ s. The plan shall be changed to show complete access control between Parcels 1 and 2.

The City Commission also in their action instructed the Planning Commission to require the following items to be included with the final plat:

- a. The final tracing of the plat of this site shall show complete access control to the north and west of Parcels 6 and 7.
- b. The final tracing of the plat of this site shall show complete access control to Parcel 4 from Webb Road and the west opening to Parcel 1 from Douglas shall be in the west 100 feet.
- c. The final tracing of the plat of this site shall show complete access control between Parcels 1 and 2.
- d. The development shall only use the 30" diameter War Industries Sewer.
- e. As a condition of approval, at the time of platting the developer shall be required to construct or financially guarantee necessary sanitary sewer, drainage, street improvements, signalization, etc.

Four revised copies of the C.U.P. will need to be submitted to this office for administrative uses. If you have any questions, please call.

Sincerely yours,



Jack H. Galbraith
Chief Planner

JHG:ADC:sad

cc: Phil Ruffin, Ruffin Properties, 1725 East Douglas, Wichita 67211
Hugh Maxwell, 2381 Algonquin Road, Schenectady, N.Y. 12309
C. T. Spines, President, Spines Real Estate Development, Fourth
Financial Center, Wichita 67202
David Aspelin, 28 Douglas Parkway, Wichita 67206
Henry Pack, 8121 Mockingbird Lane, Wichita 67207
George Trombold, 144 Bonnie Brae, Wichita 67207
Austin Rising, Vice President, Beech Aircraft, 9709 East Central,
Wichita 67206
Jim B. Grove, 8126 Peach Tree Lane, Wichita 67207
Peter Ochs, 22 Hawthorne, Wichita 67206

WICHITA - SEDGWICK COUNTY - 4

Jim Gregory, P. O. Box 85, Wichita 67207
Gary Snyder, Ruffin Properties, 1725 East Douglas, Wichita 67211
Dick Linn, Professional Engineering Consultants, 1440 East English,
Wichita 67211
Charlotte Kleffner, President, CPO Council "H", 8629 Stoneridge,
Wichita 67206
Jake Hartmetz, CPO Council "H", 234 North Armour, Wichita 67206
Sharon Ryan, CPO Council "H", 8324 East Morris, Wichita 67207
Harold Harp, property owner, 22 Douglas Parkway, Wichita 67206
John McKean, property owner, 24 Douglas Parkway, Wichita 67206
Jeanette S. Rees, President, Bonnie Brae Homeowners Association,
139 Bonnie Brae, Wichita 67207
Clemencia Prieto, Citizen Participation Aide III

THE CITY OF WICLITA
OFFICE OF CITIZEN PARTICIPATION

DATE May 18, 1982



TO E. H. DENTON, City Manager

FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT DP-116 - Maxwell's Commercial
C.U.P. and Z-2388: Generally
located at the southwest corner
of Douglas and Webb Road

On Monday, May 17th, CPO Neighborhood Council Area "H" reviewed Robert A Lakin's memorandum to the Board of City Commissioners, dated May 10, 1982, which outlines the agreement reached on the CPO recommendations at the May 7th meeting with the applicant, agents, area residents, CPO representatives and City staff.

The Council concurred with the information provided in the memorandum, with the addition of two items which were omitted, but agreed upon by the interested parties at the May 7th meeting, as follows:

C.U.P. PROVISIONS

CPO Suggestion d. In residential areas it was considered that building height of 120 feet was excessive.

OK
The plan shall be changed to show a 60 foot maximum building height for Parcel 1. The triangular portion of Parcel 6 lying southwest of the ingress-egress easement shall be 35 feet in height.

PLATTING

CPO ic *noted on copy* Was included under the C.U.P. provisions and was agreed to also be considered at time of platting.

The Council voted 9-0 to recommend approval of the zone change and C.U.P. subject to those changes agreed to by the applicant and CPO representatives as outlined in Robert Lakin's memorandum and such other changes relating to the C.U.P. deemed appropriate by the City Commission; instruct the Planning Commission to require those conditions set forth in the above memo relating to platting, to be included in the final plat; and instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission.

still no agreement
In reference to item 1b and suggestion c, the only two items on which no agreement was reached at the May 7th meeting, the Council voted 9-0 to continue to recommend that Parcels 2, 3, 4, and 5 have no access to Douglas Avenue, and to modify suggestion c to only oppose the establishments of restaurants with drive-up or drive-through windows.

The Council wishes to thank the City Commission and staff for providing the opportunity to area residents and CPO representatives to meet with the applicant and his agents to discuss the CPO recommendations in detail.

E.H. Denton, City Manager
CPO Area "H" Maxwell C.U.P Recommendations
May 18, 1982 - Page 2

CPO Council Area "H" also wishes to express its appreciation to the Board of City Commissioners for the serious consideration it gave to the Council's recommendations.

Please provide the Council's recommendations to the Board of City Commissioners when it considers the application for approval of the Maxwell Commercial C.U.P. on May 18th.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

cc: Phil Ruffin, Ruffin Properties
Gary Snyder, Ruffin Properties
Gary Wiley, Professional Engineering Consultants
Dick Linn, Professional Engineering Consultants
Charlotte Kleffner, CPO Council Area "H"
Jake Hartmetz, CPO Council Area "H"
Sharon Ryan, CPO Council Area "H"
Harold Harp, Property owner
John McKean, Property owner
Jeanette S. Rees, Bonnie Brae Homeowners Association

WICHITA-SEDGWICK COUNTY

DATE
May 10, 1982

METROPOLITAN AREA PLANNING DEPARTMENT

TO The Board of City Commissioners
(through E. H. Denton, City Manager)

FROM Robert A. Lakin, Director of Planning

SUBJECT DP-116 - Maxwell's Commercial C.U.P. and
Z-2388 - "AA" to "BB" & "IC". Generally located at the
southwest corner of Douglas and Webb Road.

On May 4, 1982, the City Commission considered the above captioned cases. After considerable discussion concerning C.P.O. Council "H" comments outlined in Clemencia L. Prieto's memorandum to the City Manager, dated April 28, 1982 (copy attached), your action was to defer final action for two weeks. You asked staff to meet with the applicant and C.P.O. representatives to discuss and see what items of the C.P.O. comments and recommendations could be agreed to by both parties and identify them relative to the platting process and rezoning/C.U.P. process.

A three-hour meeting was held on May 7, 1982 to discuss the C.P.O. comments and recommendations. The following people were present in addition to City staff: Phil Ruffin, applicant; Gary Snyder, Ruffin Properties; Gary Wiley and Dick Linn, agents for the applicant; Charlotte Kleffner, President of C.P.O. Council "H"; Jake Hartmetz and Sharon Ryan, members of C.P.O. Council "H"; Harold Harp and Jon McKean, area residents; and Jeanette Rees, President of the Bonnie Brae Homeowners Association. There was some discussion about which items needed to be shown on the C.U.P. and what items are considered during the platting process.

We agreed as to which item should be shown on the C.U.P. or required during the platting process. There were also items that were found not to be a part of either the platting or C.U.P. process. The following is a list of the items from the April 28 memorandum as they relate to the platting or C.U.P. process. Beneath each item is the agreement reached at the May 7 meeting.

Page Two
The Board of City Commissioners
(through E. H. Denton, City Manager)
May 10, 1982

C.U.P. PROVISIONS

Items agreed to by all parties that should be added to the C.U.P.

- C.P.O. 1a. Complete access control west of Parcel 6 and 7 to Bonnie Brae.

The general provisions in the plan shall be changed to show complete access control to Bonnie Brae along the west and north boundaries of Parcels 6 and 7.

- C.P.O. 1c. The plan shall be changed to show the east entrance to Parcel 1 from Douglas shall be limited to "in" traffic only; the second opening (two-way) to Parcel 1 from Douglas shall be located in the west one hundred feet; and Parcel 4 shall not have an opening to Webb Road.

- C.P.O. 4. Two parking spaces per dwelling unit in Parcels 1, 6, and 7, regardless of ownership.

The plan shall be changed to show 1.5 parking spaces per dwelling unit for Parcels 1 and 6 and 2.0 parking spaces per dwelling unit for Parcel 7.

- C.P.O. 5. Limit the number of buildings in Parcel 3 to three. Include Parcel 3 under General Provision number 15.

The following shall be added to Parcel 3: "Maximum number of buildings - 3 (See General Provision 15)"; and that Parcel 3 shall be added to General Provision 15.

- C.P.O. 7. Incorporate under General Provision number 6 that no portable signs should be allowed.

The General Provision 6 shall be changed to include the prohibition of portable signs.

- C.P.O. 8. Provide a planting strip of 25 feet instead of 10 feet in Parcels 1 and 6 regardless of residential or financial development. This recommendation would amend General Provision number 11.

The plan and General Provision 11 shall be changed to reflect a ten foot planting strip for Parcel 6 and a twenty-five foot landscape area along the north boundary of Parcel 1. The landscaping for Parcel 1 shall include a combination of trees, grass, shrubs and landscaping.

Page Three
The Board of City Commissioners
(through E. H. Denton, City Manager)
May 10, 1982

- C.P.O. 9. Amending General Provision number 14 to read that Traffic Improvement Plan A should be accomplished prior to the development of more than 300,000 square feet.

The last sentence in General Provision 14 shall be deleted and the following added: Prior to the development of more than 300,000 square feet, the improvements to Webb Road (as shown in the approved Improvement Plan A of the Traffic Study dated March 1982) shall be under construction.

- C.P.O. 11. Delete Section D of Item 4 in the plan's General Provisions. This section refers to setbacks not being required if Parcels 1, 2, 3, 4, 5 and 6 are developed under the same ownership.

Parcel 1 shall be deleted from General Provision 4d.

- C.P.O. Suggestion d. In residential areas it was considered that building height of 120 feet was excessive.

The plan shall be changed to show a 60 foot maximum building height for Parcel 1 and that portion of Parcel 6 lying southwest of the ingress-egress easement.

Items on which no agreement was reached.

- C.P.O. 1b. Parcels 2, 3, 4, and 5 having no access to Douglas avenue.

The applicant stated that he did not want to lose the flexibility of having an internal circulation system that would have access to Douglas. The C.P.O. representatives stated that they would discuss these items with the entire Council for a final decision and report to the Board of City Commissioners.

Page Four
The Board of City Commissioners
(through E.H.Denton, City Manager)
May 10, 1982

C.P.O. Suggestion c. Area residents and the Council are opposed to the establishment of service stations and fast food restaurants in the area.

There was no concensus on how to regulate these uses.

PLATTING

Items agreed that should be added to the zoning approval motion for the MAPC to deal with.

C.P.O. 1a. Complete access control west of Parcel 6 and 7 to Bonnie Brae.

The final tracing of the plat of this site shall show complete access control to the north and west of Parcels 6 and 7.

C.P.O. 1c. *The final tracing of the plat of this site shall show complete access control to Webb Road from Parcel 4 and that the west opening to Parcel 1 from Douglas shall be in the west 100 feet*

C.P.O. 2. Sanitary Sewer Service
The development should only use the 30" diameter War Industries Sewer. As indicated by the Sanitary Engineer, this sewer is the only one that has capacity for the ultimate development of the Maxwell C.U.P.

This should be a condition of approval of the final plat for this site.

C.P.O. 10. The developer should incur the cost of improvements in public services (sanitary sewer, drainage, street improvements, traffic signalization etc.) necessitated by the development.

As a condition of approval, at the time of platting the developer shall be required to construct or financially guarantee necessary sanitary sewer, drainage, street improvements, signalization, etc.

Page Five
The Board of City Commissioners
(through E.H.Denton, City Manager)
May 10, 1982

Items on which no agreement was reached

C.P.O. ~~X~~_{1b} and ~~X~~. See ~~X~~ and 1c above under C.U.P. requirements.

Items that are not applicable to this project (already taken care of) or agreed, by both parties, to be deleted.

C.P.O. 3. Fire Protection

The adoption of the Fire Department's recommendation for a "Looped" system and additional hydrants.

This will be handled during plan review prior to the issuance of building permits.

C.P.O. 6. In Parcel 15 all personal services shall be incorporated under one building.

There will not be any free standing personal services and is covered by General Provision 16.

C.P.O. Suggestion a. The development's impact on the Rock Road and Douglas, and Harry and Webb intersections. Signalization required.

Agreed to delete. This is a City Commission CIP problem.

C.P.O. Suggestion f. The need for additional resources to provide basic police service to the new development.

Agreed to delete.

Suggestions for discussion agreed not to be required.

C.P.O. Suggestion b. Uniformity of architectural design for the development.

The C.P.O. representatives encouraged the applicant to construct architecturally compatible buildings.

Page Six
The Board of City Commissioners
(through E.H.Denton, City Manager)
May 10, 1982

C.P.O. Suggestion e. No changes in the Capital Improvement Program should be made to accommodate improvements needed on Webb Road.

It was agreed that the proposed amendment to the CIP could be addressed separately by those interested as a separate agenda item at the City Commission meeting.

SUMMARY

The following is a table listing those items from the April 28 memorandum that: should be considered during the platting process; should be included in the C.U.P.; can be deleted; or should be noted. In addition, the table shows which items were agreed to by the participants of the May 7 meeting.

	<u>Platting</u>	<u>C.U.P.</u>	<u>Delete</u>	<u>Note</u>
Agree as recommended	Items 1a, 2, 10	Items 1a, 5, 7, and 9	Items 3, 6 and suggestions "a" and "f"	suggestions "b" and "e"
Agree with changes	Item 1c	Items 4, 8, 11, 1c and suggestion "d"		
No agreement	Item 1b	Item 1b, and suggestion "c"		

ACTION: The Board of City Commissioners may take any of the following actions.

1. Concur with the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and the C.U.P. 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

Page Seven
The Board of City Commissioners
(through E.H.Denton, City Manager)
May 10, 1982

2. Concur with the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and C.U.P. subject to the MAPC recommendations, and subject to those changes agreed to by both parties as outlined in the above memorandum and such other changes relating to the C.U.P. deemed appropriate by the City Commission; instruct the Planning Commission to require those conditions set forth in the above memo relating to platting, to be included in the final plat; and instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or
3. Return the applications to the Metropolitan Area Planning Commission for its reconsideration. The City Commission states the following reasons for its action.



Robert A. Lakin, Director of Planning

RAL:ADC:el

Attachment

cc: Phil Ruffin, Ruffin Properties, 1725 E. Douglas, 67211
Gary Snyder, Ruffin Properties, 1725 E. Douglas, 67211
Gary Wiley, P.E.C., 1440 E. English, 67211
Dick Linn, P.E.C., 1440 E. English, 67211
Charlotte Kleffner, Pres. CPO Council "H", 8629 Stoneridge,
67206
Jake Hartmetz, CPO Council "H", 234 N. Armour, 67206
Sharon Ryan, CPO Council "H", 8324 E. Morris, 67207
Harold Harp, property owner, 22 Douglas Parkway, 67206
John McKean, property owner, 24 Douglas Parkway, 67206
Jeanette S. Rees, Pres. Bonnie Brae Homeowners Association,
139 Bonnie Brae, 67207
Clemencia Prieto, Citizen Participation Aide III

ATTENDANCE RECORD

Date: May 7, 1982
Time: 9:00
Place: MAPD Conference Room
Meeting Arranged By: _____
Purpose: Maxwell CUP DR116

Name	Organization	Address
Phil Ruffin Phone: 265 7201	Ruffin Properties	1725 E. Douglas
GARY SNYDER Phone: 265-7201	RUFFIN PROPERTIES	1725 E Douglas
GARY WILEY Phone: 263-1107	P.E.C.	1440 E. ENGLISH
Dick Lirin Phone: 263-1107	P.E.C.	1440 E. English
Clemencia Prieto Phone:	CPO	
JAKE HARTMETZ Phone: 686-9134	CPO H	234 N. ARMOUR
SHARON RYAN Phone: 682-6569	CPO - H	8324 E. MORRIS
HAROLD HARP Phone: 685-7025	PROPERTY OWNER	22 Douglas PKWY
JOHN McKEAN Phone: 684-9459	" "	24 " "
Janelle Rose Phone: 6856146	Pres, Bonnie Lane Homeowners Assoc.	139 Bonnie Lane
Charlotte P. Kuhnert Phone: 686 3274	One CPO H	

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONING AND APPROVAL OF COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. Z-2388 & DP-116

CONSIDERED BY MAPC: 12-03-81 & deferred
RECONSIDERED BY MAPC: 4-08-82 19-31

REQUEST FOR: "AA" to "BB" & "LC" (as amended) and approval of Maxwell Commercial C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"For the construction of shopping, Hotel/Motel, and Office Park."

GENERAL LOCATION: Southwest corner of Douglas and Webb Road

LEGAL DESCRIPTION: (see excerpt from Planning Commission minutes December 3, 1981, and April 8, 1982)

APPLICANT: Hugh S. Maxwell, Executor for Mary Margaret Maxwell Estate, 2381 Algonquin Rd., Schenectady, NY

AGENT FOR APPLICANT: Gary Wiley, Professional Engineering Consultants, 1440 E. English.

PROTESTORS (LIST AGENT) IF ANY: Charlotte Kleffner, 8629 Stoneridge; Sharon Ryan, 8324 E. Morris; Jeanette Reese, 139 Bonnie Brae; David J. Asyelin, 28 Douglas Parkway.

SURROUNDING ZONING: North and West, "AA" & "BB"; East, "E"; south, "LC".

LAND USE: Existing, Undeveloped; North and West, Single-family & office; East, Beech Aircraft; South, Motel, K-Mart, office & apartments.

CPO RECOMMENDATION: CPO Council Area "H" voted 6-0 to recommend approval of the applications.

PLANNING COMMISSION RECOMMENDATION:

That the amended zone change request from "AA" to "BB" & "LC" be approved subject to approval of the associated C.U.P. and the property being platted within two years from the 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 the excerpt from Planning Commission Minutes of April 8, 1982. Hansen moved, Chisholm seconded and it carried unanimously. Jones, Lofton and Martens 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:

Handwritten notes and signatures:

- Brown* (written vertically)
- 12 a* (written in the top right)
- 02-15*, *16*, *17-18a*, *18-21a* (written on the right side)
- 37-33*, *34-35*, *36-38* (written near the reason for request)
- Wiley*, *CPO*, *12/27* (written near the legal description)
- Kleffner*, *Reese*, *Jones*, *Martens*, *Lofton*, *Hansen* (written near the applicant/agent/protestors)
- John M. Ke*, *2/21/82*, *12/27/81* (written near the recommendation)
- Wiley*, *Wiley*, *Wiley*, *Wiley*, *Wiley* (written near the CPO recommendation)
- Wiley*, *Wiley*, *Wiley*, *Wiley*, *Wiley* (written near the planning commission recommendation)

meeting re Maguella CUP. 4/1/82 ①

Lakin had commented re

Chamberlain's notes

Ruffin

April 28 memo

Item 1a on plan Lakin also on north around corner

Why also in G.P. will also be on plot

no access to the west thru Bonnie Brae no access from panels 6 & 7



Everyone agreed

Item 1b (10) Ruffin doesn't want to preclude access to Douglas
Lakin would like internal ring circulation system & would need
access to Douglas (limited to west side (40'))

if internal circulation in used access thru Panel 1 would
be limited to the west —

requires
access
to most
openings
to Panel 3

discussion of openings to @Webb - Lakin Engineering are fine
if there are raised medials

Item 2 Ruffin agrees Subdivision item

Everyone
agreed

Lakin have BCC approve CUP only to consider & instruct
MARC to require connections to wall/dock (and other subdivision)

Item 3 Ruffin Lakin this is not in plotting process, really
more of a lobby permit item - City Code will take care of this

everyone
agreed to
leave alone
& out



(2)

Item 4, Ruffin Lake base parking on type not ownership
1.5 for High Rise + Garden Apts 2.0 for townhouses in build 7

Item 5 Ruffin agreed to ^{stand 3 GP 15} ~~that~~ ~~that~~

Charlotte doesn't like RAH options to approve additional bldgs

CPO wants to put a max limit on bldgs

CPO is not comfortable with DoP. ability to approve additional bldgs
but agrees

Item 6 Parcel 5 GP 16

discussed + everyone agreed to delete

Item 7 Portable signs

Ruffin agreed + everyone agreed

Item 8 Planting strip Ruffin agree to go to 25' on Parcel 1

regardless of type of development

CPO compatible with Pizza Hut

include "Landscapeploring" - GP 11

Trees, grass, shrubs + landscapeploring on Parcel 1

Parcel 6 10' if other than residential

Item 9 Ruffin agree add Plan A to GP 14

MPCC recommended this

everyone
agreed

Item 10 Ruffin agree BCC instruct MPCC

everyone
agreed

Item 11 Wiley

~~eliminate Parcel 1~~

Ruffin would agree to eliminate Parcel 1
retain setbacks ~~under~~ between parcels 1 & 2

→ everyone agreed

Suggestions

a. Ruffin C/O said doesn't ~~can~~ deal with the developments

→ everyone agreed to delete

b. Ruffin doesn't want this condition
taken re difficulty of enforcing

→ agreed that this needs to be compatibility but
difficult to put in writing & enforce

c. Ruffin ~~inserts fast food~~ main bldg

incorporate fast food in main bldg

have as suggestions re service station and require

fast food to be in main bldg

C/O wants, Ruffin not in agreement

d. Bill Wiley Ruffin agrees that height be limited to

60' in Parcel 1. 120' on Parcel 6

→ ~~120' only on parcels 2 & 3 60' on 1, 4, 5 & 6~~

everyone agreed

→ Parcel 6 small piece southwest of access road limit to 35'

(4)

e: everyone agreed that it could be deleted & will be addressed as associated item

f: not for developed

Item 1b & C "in only" close to intersection, eliminate opening to Plant "A"

Ruffa 2 way access on west opening ^{to west 100 feet} east opening in only.
 → everyone agrees → eliminate opening to Webb for Parcel 4
 → no agreement → access for all parcels thru Parcel 1 - no agreement
 → no construction → CTO will reconsider 1b

~~CTO will reconsider 4~~

Item Parcels 1 & 6 1.5 spaces per DU
 Parcel 7 2.0 spaces per DU
 → everyone agrees →

1.a. - ~~Parcel~~ Add to general provisions - also justest - also plat.

1c - ~~agree~~ ^{agree} eliminate in Test on Parcel 4
2 on Douglas 1st way on W. ~~100'~~ ^{100'}, other 1 way 2nd way

1b - no agreement

2. ^{agree} ~~Recommend~~ to be included in BCC matter.

3. Learn alone + out.

4. - ~~Half~~ ~~Parcel~~ - take returned.
Parcel ≈ 7
" $\approx 1\frac{1}{2}$
1+

5. OK.

6. Delete

7. Agree.

8. 25' on Parcel 1 ~~site~~
10' on " 6 other than Resid.,
Trees grow
shrub, island rafters

9. Agree

10. Agree add to m plot same as #2

11. ~~345~~ ~~4#~~
546

Switch 1

Draft matter

11. Agree ^{to} ^{between}
Keep set back ~~on~~ 1+2
+ allow 1 arm to 2, 3, 4, 5 & 6.
Cross

Delete d) — N/A.

b

b. Requires "~~no~~ midwestern commercial"
~~to~~ leave in as suggestion.

c. Just pools allowed only in major structure.
+ not free standing pools.
not in agreement.

~~to~~ (leave in as suggestion)

d. 60' height limitation
OK on Parcel 1

e. OK. 120' on 2+3

OK. 120' on 6 E of line
35' " 6 W of line

f.

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 28, 1982

TO E.H. Denton, City Manager
FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT DP-116 and Z-2388:
Southwest Corner of Douglas
and Webb Road



On Monday, April 19th CPO Neighborhood Council Area "H" reconsidered the captioned request for approval of the Maxwell Commercial C.U.P. and the related zone change. The Council voted 9-0 to no longer support the Maxwell Commercial C.U.P. application because the following CPO recommendations were not included in the C.U.P. approved by the MAPC on April 8th.

1. Traffic

- a. Complete access control west of parcel 6 and 7 to Bonnie Brae.
- b. Parcels 2,3,4, and 5 having no access to Douglas Avenue.
- c. Parcel 1 having only one access to Douglas.

2. Sanitary Sewer Service

The development should only use the 30" diameter War Industries Sewer. As indicated by the Sanitary Engineer, this sewer is the only one that has capacity for the ultimate development of the Maxwell C.U.P.

3. Fire Protection

The adoption of the Fire Department's recommendation for a "Looped" system and additional hydrants.

4. Two parking spaces per dwelling unit in Parcels 1,6, and 7, regardless of ownership.
5. Limit the number of buildings in Parcel 3 to three. Include parcel 3 under general provision number 15.
6. In Parcel #5 all personal services shall be incorporated under one building.
7. Incorporate under general provision number 6 that no portable signs should be allowed.
8. Provide a planting strip of 25 feet instead of 10 feet in parcels 1 and 6 regardless of residential or financial development. This recommendation would amend general provision number 11.
9. Amending general provision number 14 to read that Traffic Improvement Plan A should be accomplished prior to the development of more than 300,000 square feet.

E.H. Denton, City Manager
Maxwell C.U.P. Recommendations
April 28, 1982 - Page 2

10. The developer should incur the cost of improvements in public services (sanitary sewer, drainage, street improvements, traffic signalization etc.) necessitated by the development.
11. Delete Section D of Item 4 in the plan's General Provisions. This section refers to setbacks not being required if parcels 1,2,3,4,5, and 6 are developed under the same ownership.

Area "H" also requested that the MAPC consider the following suggestions and concerns:

- a) The development's impact on the Rock Road and Douglas, and H. cry and Webb intersections. Signalization required.
- b) Uniformity of architectural design for the development.
- c) Area residents and the Council are opposed to the establishment of service stations and fast food restaurants in the area.
- d) In residential areas it was considered that building height of 120 feet was excessive.
- e) No changes in the Capital Improvement Program should be made to accommodate improvements needed on Webb Road.
- f) The need for additional resources to provide basic police service to the new development.

Neighborhood Council Area "H" is especially concern that the following three recommendations be incorporated in the Community Unit Plan.

- Recommendation 1a. - Complete access control to the west of parcel 6 and 7 to Bonnie Brae.
- Recommendation 10 - The developer should incur the cost of improvements in services (sanitary sewer, drainage, street improvements, traffic signalization, etc.) necessitated by development.
- Recommendation 8 - Provide a planting strip of 25 feet instead of 10 feet in parcels 1 and 6 regardless of residential or financial development. This recommendation would amend general provision number 11.

E.H. Denton, City Manager
Maxwell C.U.P. Recommendations
April 28, 1982 - Page 3

Please provide the Council's recommendations to the City Commissioners when the request for approval is considered by them on May 4th.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP:dm

Noted:

Sarah Gilbert
CP Coordinator

cc: Robert Lakin, Director of Planning ✓

April 27, 1982

Board of City Commissioners
(through E. H. Denton, City Manager)
Robert A. Lakin, Director of Planning

Webb Road, South of Douglas to North of Kellogg -
CIP Amendment

Background

Before the Maxwell C.U.P., this department, together with the various County departments, undertook at the direction and request of the Board of City Commissioners, the preparation of a County Capital Improvement Program. Prior to this, the City and County entered a joint State design contract for a safety project for the Kellogg and Webb Road intersection. This design work is now underway with Poe and Associates. Last year, the County rebuilt Central and Webb Road. This leaves a remaining section between Central and Kellogg which needs to be improved to urban standards including channelization and signalization at Douglas and Rock Road.

Webb Road is a boundary with the Wichita City Limit on the west and the Beech Industrial District on the east. With the foregoing as background, the County CIP Administrative Committee, chaired by myself, included and approved a CIP project which was suggested to be funded as a City-County project on a 50-50 basis. It was suggested that Beech dedicate needed right-of-way and that the City assess a portion of the cost to the land south of Douglas which was to have direct access.

Maxwell C.U.P. In November, the MAPC heard and deferred a request for a 44 acre development south of Douglas and west of Webb Road known as the Maxwell tract. This project, with some 900,000 square feet of nonresidential use, was required to prepare a traffic study to help assess the development's impact on Webb Road and Douglas.

This study was reviewed in February and revised in March. On April 8, it was presented to MAPC. On that day, the MAPC approved the C.U.P. subject to Improvement Plan A (channelization, raised medial, accel-decel lanes, and signalization at the major entrance) of the traffic study and subject to platting and a number of other conditions. As with many other major developments, if approved by the Board of City Commissioners, we would secure petitions or other guarantees to insure the implementation of Plan A at the time of platting. It is assumed that the costs of such work would be assigned to the development with the cost of the basic arterial (Webb Road) being handled in a "normal manner".

Board of City Commissioners
April 27, 1982
Page 2

Problem

The issue is then one of coordination, timing and financing. The County has a 50-50 Webb Road project in their CIP. The City does not. The developer is being asked to add to what will be a regular urban arterial.

To take advantage of a joint project possibility, the City is asked to amend their CIP to provide for design in 1982 and construction in 1983.

To assist in financing this project, Mr. Shelor identified unused Urban Aid System money which has been unused by the County the last two years and which can be allocated (the last 18 months and the next 18 months) to a project of this type. This must be matched with 25 percent local money. Thus the maximum exposure for the City and County of the normal four-lane improved section would be 25 percent of total construction and administration cost of the project. Thus on a 50-50 basis, the City has an exposure of 12-1/2 percent. Assuming a 3/4 mile project at \$950,000, this would be a \$120,000 cost to the City. Since the City would normally assess the cost of a residential street to the Maxwell property, the special assessment can be used to reduce the money needed to meet the 25 percent match. Add to this the other improvements required of Maxwell (accel-decel, channelization) the SA portion may be sufficient to cover all local match except the cost to local governments for the State to administer the project (15%). Thus it would seem to be a very low dollar project depending on State approval of match items in the Maxwell improvements.

The CIP Committee of the City of Wichita has reviewed the above approach and recommended that the CIP be amended.

Recommendation

It is recommended that the City of Wichita CIP be amended to provide for the above described project (assuming Maxwell CUP approval and platting) and instruct the City Manager to negotiate a joint agreement with the County and return the project initiation and final financial considerations to Board of City Commissioners for final approval.

Robert A. Lakin
Director of Planning

RAL:rms

Board of City Commissioners
April 27, 1982
Page 3

cc: Board of County Commissioners (3)
City CIP Committee
Robert Finch, Deputy City Manager
Don Anderson, Director, Housing & Economic Development
Russell Brenner, Director of Administration
Glen Dockery, Research and Budget Officer
David Stowe, Director, Operation/Maintenance Department
Ray Bruggeman, Director of Engineering
Claud S. Shelor, Director, County Department of Public Works
Phil Ruffin, P. O. Box 17087, Wichita, KS 67217
Gary Wiley, Professional Engineering Consultants,
355 Ellis, 67211
Hugh S. Maxwell, 2381 Algonquin Road, Schenectady, NY, 12309
CPO Council Area "H"
Jim Gregory, Beech Aircraft Corp., 9709 East Central, 67206

ant

CAPITAL IMPROVEMENT PROGRAM
Sedgwick County 1982-1987

EVALUATION OF C.I.P. DOCUMENT AS IT RELATES TO THE FINANCING OF ROADWAYS,
BRIDGES AND PUBLIC BUILDINGS.

The projected six-year road improvement program consists of 36 specific projects requiring an estimated expenditure of \$20,223,000. The financing of the program is predicated upon:

1. The availability of \$13,067,000 in Federal Aid Secondary grants, together with \$7,156,000 in local effort revenue; or,
2. The assumption that if the \$13,067,000 in F.A.S. grants is not forthcoming, projects may be delayed or financial deficiencies satisfied by the issuance of G.O. bonds under K.S.A. (1981 Supp.) 68-584, or satisfied by other (unspecified) sources.

The prospect of raising an additional \$6,959,000 in local revenue over a six-year period is virtually nonexistent. In view of the demise of House Bill No. 2742, any local revenue which might be generated must be generated under and within the County's tax lid. K.S.A. 1981, Supp. 68-584 does not appear to be the proper vehicle to raise funds for highway improvements by the issuance of G.O. Bonds. The statute deals only in improvements to primary arterial highways in the county and connecting links within cities which have been designated as primary or secondary arterial highways. It is doubtful that the provisions of this statute can be liberally construed to cover the broad range of projects contemplated under the Capital Improvement Program. This statute was examined carefully before our introduction of House Bill No. 2742, and was found unsuitable for our purposes. Moreover, 68-584 limits the aggregate amount of bonds issued without an election to $\frac{1}{2}$ percent of the County's assessed tangible valuation, and even then, subjects the bond issue to a protest petition of only 2 percent of the County's qualified electors (not a serious challenge for a determined protest group).

*Nothing -
Tennis
and 10-10-10-10-10
had no
Wardlaw*

W/D

I submit that it is unlikely that the voters within the corporate limits of Wichita will vote favorably for bonds intended for highway construction or reconstruction within the unincorporated areas of the County. Ad valorem taxes levied upon properties within the City of Wichita comprise more than 70 percent of the total taxes levied by the County, and the deceptive argument that City taxpayers do not receive commensurate benefits from the taxes charged by the County - particularly in the areas of public works and law enforcement - has been used quite effectively by H.O.T. in its effort to defeat our highway and bridge bills. If it could be assumed that the voters would react favorably to a highway bond proposal, we have at our disposal sundry statutes that are better suited for our purposes than is 68-584. Additionally, K.S.A. 68-5,100 authorizes the County to levy up to 5 mills outside the tax lid for highway construction and maintenance - with voter approval, of course.

The bridge replacement portion of the C.I.P. document acknowledges the County's effort in the Legislature to strike the \$1 million annual limitation on bridge bonds, while offering as an alternative the implementation of the provisions of K.S.A. 68-1135. This statute authorizes an annual 2 mill tax levy for the creation of a special bridge fund. While the 2 mill levy would be exempt from the statutory levy limitations imposed by K.S.A. 1981, Supp. 79-1947, language similar to that contained in this statute may be found in numerous other statutes. It was concluded long ago that such language is irrelevant to the severe tax limitations imposed by the provisions of the Tax Lid Law (K.S.A. 79-5001, et seq.), and the suggested 2 mill special bridge fund levy would not be exempt from those provisions. With respect to existing law and the recent action of the Kansas Senate, it appears that Sedgwick County is limited to \$1 million in bond proceeds annually for the construction and reconstruction of the County's bridges.

It is also suggested in the C.I.P. document that a substantial portion of the proposed public building financing can be accumulated by levying a 1 mill tax annually for the purpose of creating a building fund. Here again, the language contained in K.S.A. 19-15,166 reads: "All such levies shall be in addition to all other levies authorized or limited by law and the tax limitations provided by article 19 of chapter 79 of the Kansas Statutes Annotated shall not apply to such levies" (emphasis supplied). The provision cited refers to the old statutory levy and aggregate levy limitations and in no way is it germane to the aggregate tax limitation imposed by article 50 of chapter 79 (the Tax Lid). Any tax levy for a building fund or for any other purpose authorized by statute is included in taxes levied under the Tax Lid unless the levy is specifically excluded from the Tax Lid's provisions. Conceivably, the construction of a new jail, civil preparedness building or expansion of the Coliseum could be realized under K.S.A. 19-15,166, however, through an intricate combination of bonds and fractional tax levies. Any such proposal would demand careful consideration and scrutiny by both the County's Legal Department and bond counsel.

As researched by:
Lew Korn
Department of Administration

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR ZONING
AND APPROVAL OF COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. Z-2388 & DP-116 CONSIDERED BY MAPC: 12-03-81 & deferred
RECONSIDERED BY MAPC: 4-08-82

REQUEST FOR: "AA" to "BB" & "LC" (as amended) and approval of
Maxwell Commercial C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"For the construction of shopping, Hotel/Motel, and Office Park."

GENERAL LOCATION: Southwest corner of Douglas and Webb Road.

LEGAL DESCRIPTION: (see excerpt from Planning Commission minutes
of December 3, 1981, and April 8, 1982)

APPLICANT: Hugh S. Maxwell, Executor for Mary Margaret Maxwell
Estate, 2381 Algorquin Rd., Schenectady, NY

AGENT FOR APPLICANT: Gary Wiley, Professional Engineering Consultants,
1410 E. English.

PROTESTORS (LIST AGEN1) IF ANY: Charlotte Kleffner, 8629 Stoneridge;
Sharon Ryan, 8324 E. Morris; Jeanette Reese, 139 Bonnie Brae; David J.
Aspelin, 28 Douglas Parkway.

SURROUNDING ZONING: North and West, "AA" & "BB"; East, "E"; south, "LC".

LAND USE: Existing, Undeveloped; North and West, Single-family & office;
East, Beech Aircraft; South, Motel, K-Mart, office & apartments.

CPO RECOMMENDATION: CPO Council Area "H" voted 6-0 to recommend
approval of the applications.

PLANNING COMMISSION RECOMMENDATION:

That the amended zone change request from "AA" to "BB" & "LC" be approved
subject to approval of the associated C.U.P. and the property being
platted within two years from the 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
the excerpt from Planning Commission Minutes of April 8, 1982.
Hansen moved, Chisholm seconded and it carried unanimously. Jones, Lofton
and Martens 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 Commis-
sion; 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 DECEMBER 3, 1981

- 7a. Case No. Z-2388 - Hugh S. Maxwell requests zone change from "AA" to "LC" for the East 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas; AND, the North half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County Kansas, except beginning at a point on the North line of Lot 1, Wiedemann Addition to Wichita, Kansas, a distance of 120 feet East of the West Line of Southeast Quarter of said Section 20; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to the place of beginning; and except beginning at the Northwest corner of the North half of the South half of said Quarter Section; thence East along the North line of the South half of the North half of said Quarter Section, 1322 feet more or less; thence Southwesterly 965 feet more or less, to a point 440 feet more or less East and 266 feet more or less North of the Southwest corner of the above described tract; thence Southwesterly 325 feet more or less to a point on the South line and 250 feet more or less East of the Southwest corner of the above described tract; thence West 230 feet more or less to the West line of said Quarter Section; thence North along the West line of said Quarter Section 663 feet more or less to the point of beginning. Generally located at the southwest corner of Douglas and Webb Road.
- 7b. Case No. DP-116 - Hugh S. Maxwell requests approval of Commercial Community Unit Plan for the East 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas; AND, The North Half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, except beginning at a point on the North line of Lot 1, Wiedemann Addition to Wichita, Kansas, a distance of 120 feet East of the West line of Southeast Quarter of said Section 20; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence west 906 feet to the place of beginning. Generally located at the southwest corner of Douglas and Webb Road.

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

COMMENTS:

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

In compliance with the provisions of Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of the Maxwell's Commercial C.U.P., located at the southwest corner of Douglas and Webb Road. Associated zone change Z-2388 is requesting a change from "AA" Singlefamily to "LC" Light Commercial for most of the same area. A portion of the C.U.P. is to remain "AA" Single-family and developed with residential uses. The C.U.P. proposes to develop a maximum of 915,918 square feet provided that any development over 450,000 square feet would

require the owners to identify and solve problems associated with large scale developments. Proposed uses for Parcel 1 include financial, office or apartments (120 dwelling units). Parcels 2 through 5 are intended for development with a shopping center, financial institution, hotel/motel, offices, retail sales, personal services and other similar uses. Parcel 5 also permits apartments at a density of 30 dwelling units per acre (the same as Parcel 1) or a maximum of 294 units. Parcel 6 is to remain zoned "AA" and would permit 26 townhouses or 72 garden apartments at a density of 7.2 dwelling units per acre.

Due to the close proximity of this C.U.P. to the Beech Airport, height limitations are governed by the Airport Zoning Ordinance which establishes height limits based on distance from the runways. The C.U.P. also places a maximum building height of 120 feet. Building coverage, setbacks, landscaping and other information relating to further development is shown on the plan.

2. Staff is generally supportive of the proposed uses, but has some concern about the amount of commercial uses that could be developed on this site. The impact of large developments, such as proposed by this C.U.P., on City services is a concern of staff. Generally, proposed developments of this size (Towne East or Towne West) are required to complete impact studies and to contribute to the costs of some improvements. This C.U.P. states that studies would not be required as long as development is less than 450,000 square feet. While staff tentatively agrees with that statement, it is felt that additional guidelines should be included that will assist the City in providing services in a cost effective manner while allowing the developer flexibility in meeting market demands.

The Woodlawn Development No. 15 Commercial C.U.P. at the northeast corner of 29th Street North and Rock Road was recently approved with a similar provision about additional studies. However, it also included a statement saying that the C.U.P. was general in character and that a detailed site plan would be submitted to the Director of Planning for review and approval prior to the issuance of building permits. By having City staff review site plans, it is easier to analyze impacts and to insure that City services are adequate to handle proposed development.

3. Another concern of staff is that 450,000 square feet of commercial and office uses could be developed on Parcels 2, 3 and 4 without eliminating the residential option on Parcels 1 and 5. This could result in total development of the site without any further study. One alternative would be to allow 300,000 square feet of development to occur on Parcels 2, 3 and 4 without any additional studies required. Parcel 1 could develop under the guidelines of the parcel description, provided that site plans are submitted for residential uses. Parcel 5 would not be allowed to develop until detailed site plans are submitted, at which time the need for additional studies would be determined.

Another alternative would be to restrict the amount of floor area permitted for commercial use to 200,000 square feet without requiring additional studies. The remaining 250,000 square feet could be developed with offices or a hotel/motel.

4. Due to existing ownerships and drainage areas, it will be difficult to provide access to Parcel 6. One possible solution would be to seek access through the Cloisters or the Pizza Hut property to the north. This would eliminate the need to serve Parcel 6 by a half mile long access easement from Webb Road.
5. As can be seen on the plan, there is a substantial amount of drainage on this site that will have to be addressed at the time of platting. Staff would encourage the applicant to contact the Department of Engineering to discuss potential drainage problems and solutions.
6. The Department of Engineering has indicated that sewer service for this area will have to connect with the War Industries Sewer, which may be more expensive than connecting with other sewers. Again staff would encourage the applicant to contact the Department of Engineering to discuss the sewer situation.
7. A recommendation of approval of the zone change by the Planning Commission should be subject to approval of the associated C.U.P. and 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.
8. Should the Planning Commission determine that the proposed C.U.P. is appropriate, the following are recommended conditions of approval:
 - a. The Plan shall be changed to show two (2) points of access to Douglas from Parcel 1.
 - b. Preliminary site plans for residential uses for Parcels 1, 5 and 6 shall be shown on the plan.
 - c. General Provision No. 13 shall be reworded as follows:
 - 13a. The C.U.P. document is general in character and will require submission of a detailed site plan and a landscape buffer plan were required for each parcel or portion thereof. This site plan will require administrative approval at the plan review stage prior to issuance of a building permit. The plan shall show land use relationships, access points and/or control, setbacks, interior circulation, parking, screening and other similar design considerations which may affect adjacent property or the general health and welfare of the public. The plan shall be submitted to the Director of Planning for review and approval.
 - 13b. This plan provides for the construction of up to 613,581 square feet of office, commercial, and related uses for Parcels 2, 3 and 4. Should the owners desire to construct over 300,000 square feet of such uses on Parcels 2, 3 and 4, the owner(s) shall identify problems created by the additional size and provide solutions to those problems (as well as other problems identified by City staff) satisfactory to the Director of Planning and other affected Departments within the City.

- 13c. Prior to the issuance of any building permits on Parcel 5, a detailed site plan shall be submitted to the Director of Planning, in order to determine if additional studies or improvements are needed prior to construction. If Parcel 5 is proposed for development in conjunction with Parcels 3 and 4, then Parcel 5 shall be substituted for Parcel 2 in General Provision No. 13b and Parcel 2 substituted for Parcel 5 in General Provision No. 13c.
- d. 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.
- e. 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 Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- f. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- g. 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 staff has been concerned about the proposed amount of square feet in this development, and after discussing it with staff, the applicant has reduced the amount that can be developed without doing studies. There have been some comments about the need for a traffic study and the City's Traffic Engineer is present to answer questions about the study. He said that the County currently has a project planned for next year to improve Webb Road from Central to a point 900 feet south of Douglas to four lanes. The City has a project to improve the Kellogg-Webb intersection which will go 600 feet north of Kellogg, which leaves a thousand foot section of Webb with no plans for improvement at this time. He said that the applicants are proposing a third moving lane, or decel lane, along Parcels 2 and 3. CHAMBERS pointed out that staff was still concerned about the amount of commercial proposed for this area. The applicants are also agreeable to a site plan review for any development. This will give staff the opportunity to assess the impacts. Regarding the sewer, CHAMBERS said that the Department of Engineering has indicated that there is a 30-inch line running along the western boundary of the C.U.P., and the developer will have to tie directly into that main. He said that there was capacity and this development would not create any additional problems. The applicant is aware and has been informed of the drainage problems in this area which will be handled at the time of platting. CPO Council Area "H" voted 8-0 to deny the applications because of the neighborhood opposition, and because some of the concerns have not been properly addressed. CHAMBERS stated that the staff was generally supportive of the applications but did have some concerns about the ability of Webb Road to handle the traffic to the site.

BILL McKINLEY, Traffic Engineer, stated that his Department does have a concern regarding the size of this property and the ability of Webb Road to handle the traffic. As has been pointed

out they do have a project for the Kellogg and Webb intersection. It is a safety project, and they are negotiating with the State to agree on a proposal to improve that intersection. It will take them about 600 feet north of Webb Road. The County does have a project that goes a few hundred feet south of Douglas. There is a thousand feet in the middle that they are concerned about. This development is proposed to be half the size of Towne East or Towne West, to possibly the total size of either one, depending on what is approved. MCKINLEY felt that it would be more appropriate that if a large total square footage was approved, that they have a private consulting traffic engineer prepare a traffic study for this site, such as was required at Towne East and Towne West. He said that Webb Road could be rebuilt and should be rebuilt to a minimum of four lanes with decel lanes and left turn bays. He did mention that there were problems on who could build it. At this moment only the County or the developer could build it. The Department of Engineering would recommend improving the street to an urban standard.

LAKIN commented on ways to build the road. He stated that the City could annex the total right-of-way and finance 100 percent of the roadway (Webb Road). They could require the developer, as a condition of the plat approval, to participate in the cost of that improvement, particularly if the City felt the development was inducing a special need for it. There also could be an intergovernmental agreement. The area to the east is an industrial development district and they also have the right to issue bonds and participate in costs.

EUGENE COOMBS, attorney, representing the applicant, stated that east of this tract there is light industrial; on the south there is light commercial that is developed; on the west there is residential; and on the north there is residential and office. This tract of land is an expensive and valuable piece of land. There has been a great deal of effort and work on the applicant's and staff's part in bringing it to this position. He said that the staff comments and requirements are satisfactory to the developer and the owner. They think it is a solution to this problem. The reason it is a solution is because of the expressions and ideas that have been stated here. On a development of this size, it is impossible for this Commission to take one look at this and vote that this is the way to do it or not to do it. He mentioned that traffic studies were expensive and the land is expensive. Someone has to pay the cost for all of this. The applicant recommended that the applications, with the restrictions that the staff has recommended, be approved.

C. T. SPINES, representing the Cloister Homeowners Association, stated that he has reviewed this development over the two and half years that it has been evolving. He felt that basically the overall outline fits the needs of their community and also the surrounding land uses. He said that he had one specific problem and that was with Parcel 6. An access through the Cloister is totally impossible. It is a private road, 24 feet wide and could not handle any additional traffic and that was what was intended when they built six residences on three acres. Pizza Hut has a corporate running track and exercise area in the southwest and it would be impossible for them to grant that type of access. In order to approve any type of development on Parcel 6, this Commission must find some definite way of egress and ingress other than through the Cloisters or through Pizza Hut. He felt that this development makes a lot of sense the way it is laid out.

BAYOUTH addressing the applicant, stated that the density in Parcel 6 seems to be about the only problem that he has heard today.

CHARLOTTE KLEFFNER, Chairman of CPO Council Area "H", stated that Area "H" voted to recommend denial of the C.U.P. and the associated zone change. She said that she was present to address the concerns raised by the Council and to strongly recommend that a comprehensive feasibility study be completed prior to considering the approval of this proposed development. As Mr. Coombs stated, the impact is not known. If 450,000 square feet was developed, a study would be required. It will be possible to get 915,000 square feet into this area, so they want the development to be done in a good and orderly manner. They feel strongly that a feasibility study needs to be made. Area "H" based their recommendation of denial on the neighborhood opposition and the concerns not addressed by the C.U.P. KLEFFNER mentioned other concerns such as traffic, water pressure, fire protection, sewer capabilities, drainage and screening and landscaping. She said that Area "H" was not opposed to commercial developments. They need to be assured that the area and its services can support another project of this magnitude. Area "H" has the most "fast food" establishments in Wichita, it has large and small developments, new and old developments, some attractive and some are not, some that are vacant, some that are overcrowded. They have various commercial businesses, but the one they do not have is a deluxe Neiman-Marcus, Crown Center type creative development. This is a desirable and attractive piece of land where development could be a tremendous asset to the City of Wichita. Area "H" has usually voted for approval of zone changes, but sometimes they have become concerned when the area did not develop as was proposed to the Council. KLEFFNER said that they wanted to strongly stress that more consideration be done in the planning stage before approval is granted.

BAYOUTH asked if the Council had a chance to read the staff recommendations.

KLEFFNER said that they had a large meeting the other evening. There were 64 people who signed their books and there were considerable more people present. They read the recommendations one by one to the group that was present.

JOHN MCKEAN, 24 Douglas Parkway, speaking in opposition, stated that the request for a zone change and the Maxwell community unit plan was too premature. He felt that the comprehensive study for traffic was very important. He mentioned that Douglas Parkway was becoming a very serious traffic problem with Pizza Hut and Beechcraft. He felt that adding curb cuts entering into Douglas would be a tragedy at this time. He said that the residents in the area would be most uncomfortable to see this development be given any permission to proceed without some real in-depth comprehensive studies. Because of the proximity of Towne East, Eastgate and the Crossroads shopping center, he questioned the need for additional commercial development. He said that landscaping was mentioned but ten feet of landscaping would not nearly be enough. MCKEAN said that the main thing that he was concerned about was trash. If this project is approved, the Forest Hills residents on Douglas Parkway respectfully ask that the developer and the City move the trees that are in Parcels 2, 3 and 4, particularly the evergreens, onto the Douglas Parkway for screening instead of destroying them as they have done in many other shopping areas in the City. He asked why the City did not consider this prime area for a park. The drainage is perfect for a lake.

DAVID ASPELIN, 28 Douglas Parkway, speaking in opposition, stated that his main concerns were the high density of the proposed shopping center and the lack of transition between the residential area on the north and the shopping center. He said

that he has lived in the area for about two years. He mentioned that the traffic to and from Beech did not move much faster than a crawl. The water pressure was another concern of Mr. Aspelin. The tie would come off of the 20-inch main and he did not feel that the area would have adequate water pressure. ASPELIN mentioned that the drainage was poor. He asked that curb cuts not be put on Douglas because of the bottleneck on Webb Road.

HENRY M. PACK, 8121 Mockingbird Lane, speaking in opposition, stated that he was a member of the Board of Directors of the Bonnie Brae Homeowners Association. He said that he supported some of the comments that were made and he would like to elaborate on the traffic issue. He felt that the traffic problem was far greater than what has been mentioned. Rock Road is now suffering from the traffic problems created by Towne East. PACK, speaking about the drainage, stated that Gypsum Creek runs down the east side of the Bonnie Brae area. It has been a source of problems numerous times in the past. He did not feel this area of town needed another shopping center.

GEORGE TROMBOLD, 144 Bonnie Brae, speaking in opposition, stated that any rezoning approval must be qualified so as to provide assurance of adequate protection of property owners with respect to several items. He mentioned items of control that he would like to see on the C.U.P. The items were flood control, sewer study and access to Douglas. He elaborated on each one. He urged that those items be covered in whatever documentation that is provided as the project progresses.

AUSTIN S. RISING, Vice President of Beech Aircraft, read the following statement to the Commission:

"Beech Aircraft appreciates this opportunity to contribute to the discussion of the Maxwell Community Unit Plan. At the outset, I'd like to say that Beech supports the eventual development of the Maxwell site. We encourage orderly and appropriate use of the land resources surrounding Beech property. We expect that development of this particular parcel of land will dispel the uncertainty which for many years has surrounded its eventual use.

In that context we support the request to change the existing zoning from "residential" to "light commercial" and look forward to having another neighbor to the west of our existing facilities. However, we do have some concerns which we would like to share with you. If the zoning of the area is changed as is requested it would permit many more dwelling units than existing zoning allows. Population density could increase dramatically. This might cause problems in the long term. Airports throughout the country are experiencing difficulties with the development of surrounding areas. Areas around airports are developed in large measure because of economic benefits they bring to the immediate vicinity and community as a whole. The people who subsequently move in have complaints about noise and air traffic. It must be made clear to the developers and potential tenants of this area that Beech intends to stay in Wichita and to expand its level of activities. I'm hopeful this board endorses that concept. Another area of concern is the capability of existing sewer, traffic, and surface water drainage systems to accommodate a massive new development of the type which brought about this zoning change request.

Our most serious concern involves the safety of the various flight operations in and around this area. With the possibility of tall buildings in the immediate area of Beech Field,

that concern is amplified. We have some 200 aircraft movements a day from Beech Field's three runways. One of those is a grass surfaced crosswind runway that ends near Webb Road across the street from the planned area of development. It is imperative that any proposed improvement on that property be within the existing ordinance regarding building heights near Beech's airport.

No one knows better than pilots flying in and out of Beech Field in all kinds of weather the specific conditions which must be met in the interest of their safety and that of their passengers. The area near Beech Field, which includes the following airports: Copeland, Jabara, McConnell, Cessna, Augusta, Cook, El Dorado, Graham, Sills, Pippin, Benton, and several others, is unique in its density and must be treated accordingly. We feel the existing airport zoning ordinance deals adequately and fairly with this peculiar situation. In that regard we specifically request an additional statement be incorporated into the General Provisions of the C.U.P. which addresses in writing this concern. If I may, we would recommend the additional provision would read as follows:

'Nothing in this Community Unit Plan shall take precedence over Chapter 28.08 on Airport Zoning in the Code of the City of Wichita, Pages 1063 through 1078, which zoning ordinance shall for all purposes establish the maximum height to which any buildings or any other structures may be erected on the land subject to the C.U.P.'

With that additional reassurance in writing that safe flight operations will not be adversely affected by future high rise developments on the Maxwell property, we would not oppose this Community Unit Plan."

RISING added that the staff has said to add the words "whichever is less" on the descriptions. He said that it their opinion that this wording still leaves something to be desired and it is subject to interpretation. He recommended that the change in the wording that he suggested be added.

WILSON asked if the applicants were proposing buildings higher than the limits that are shown on the drawings that they have submitted.

RISING said that what was proposed was a request for zoning and a community unit plan. They have not actually come in with specific buildings and where they will be located. However, the developer has been cooperative, and on several occasions has been over and shown some developments that they had been thinking about. In a number of those cases the buildings have been much higher than the current height limits and it is confusing. What Beech wants to do was to be sure, at this stage, that the wording on the C.U.P. ties right into the regulations, and it does not at this time, and that is why they have suggested the change.

JIM B. CROWE, 8126 Peach Tree Lane, stated that the C.U.P. was not 300,000 square feet, nor is it 450,000 square feet. It is 900,000 square feet. The developer is not going to get a C.U.P. of 915,000 square feet and not develop it. That is the reason the residents would like some studies done before the C.U.P. is approved. He asked what kind of density is allowed in Parcel 6.

GALBRAITH said that Parcel 6 would remain zoned single family which permits 7.2 dwelling units per acre. This would be 72 units in Parcel 6. The density of the developable area would be similar to the density in the "R-5" district.

CHAMBERS added that if Parcel 6 was zoned "R-5", 174 units would be permitted on the 2.7 acres that are developable.

JAKE HARTMETZ, 234 North Armour, speaking in opposition, stated that he was newly appointed to CPO Council Area "H", and he came to the meeting today to see how the process works. In sitting here, he had become concerned about two areas. He said that the developer is too agreeable to these changes and that concerns him. He said that he was familiar with some of Mr. Ruffin's developments and did not think that Ruffin was the developer for this particular piece of ground. He said that he had some real concerns about the development capability of this developer.

BAYOUTH commented that as far as Mr. Ruffin's other properties he did not develop them, he just purchased them and should not be blamed for the mistakes that were made there.

PETER OCHS, 22 Hawthorne, speaking in opposition, stated that he agreed with all of the concerns, but he felt that this should be developed light commercial in some areas. He asked that the Commission not agree to light commercial zoning on Parcel 1, but rather approve "A" or "RB", and gradually work their way into light commercial on Parcel 2.

COOMBS said that in answer to Rising's statement, they have spent quite a bit of time meeting with Beech prior to submitting this application. He said that originally the applicants wanted higher height restrictions and there was effort to change the ordinance. Now they will go along with the existing height limits and that is the reason that it is 120 feet, along with what the staff recommended. He said that Rising had just asked him if he could agree to the wording that he suggested. COOMBS said that he couldn't because his client was not present.

BAYOUTH asked if Coombs agreed with 28.08 of the Code. COOMBS said yes, they felt it was reasonable.

LAKIN stated that the problem with the C.U.P. was the language on the face of the C.U.P. If the staff's language and the language that Rising had suggested are incorporated it would accomplish the same thing that the applicants had submitted. LAKIN said that it was his understanding that it was the applicants' intent to conform to the existing ordinance.

KLEFFNER commented that the more she listens to the discussion, the more she is convinced that more details are needed, and she asked for a delay.

HANSEN stated that normally she was a very strong supporter of community unit plan concepts. She felt it gave the developer flexibility and can be an efficient and orderly way to develop land. She said that there were many unanswered questions regarding this C.U.P., and felt that it would be a terrific burden on staff to have them haggle on every single parcel as they are developed.

MOTION: Having considered the factors as contained in Policy Statement No. 10, taking into consideration the residential zoning and uses to the north and west; the impact of the proposed development on the street system and other city services; the opposition of neighborhood residents and the recommendation of denial by CPO Council Area "H"; I move that we recommend to the governing body that these applications be denied. Hansen moved, Wilson seconded.

WILSON commented that because the applicants agreed with staff does not necessarily mean that the Planning Commission agrees with staff. He said that he was not comfortable with the square footage.

BAYOUTH felt that this was the highest and best use for the land, and did not know what more they could ask the developer to do than to agree with staff.

LAKIN commented that he did not disagree with the land uses generally proposed for this site. The issue that has bothered staff has been the grossness of the project in terms of the quantity and the generality of the C.U.P.

CHISHOLM said that he was very familiar with this area and has worked on this particular parcel himself at various times. He said that he was most uncomfortable with approving the zoning change based on not requiring studies until a certain square footage is reached. He felt that that was too flexible. They need the studies in advance and need to know what is going to be required. CHISHOLM said that he did not like denial because he felt that this was the best use for the land.

SUBSTITUTE MOTION: That the Planning Commission defer this matter for 120 days. Cazal moved, Chisholm seconded and it carried with a vote of 5 in favor (Cazal, Chisholm, Bayouth, Goebel and Wilson) and 1 opposed (Hansen). Gardner, Jones, Lofton and Martens were absent.

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 8, 1982

ZONING:

DEFERRED BY PLANNING COMMISSION:

- 4a. Case No. Z-2388 - Hugh S. Maxwell requests zone change from "AA" to "BB" for the South 280 feet of the East 1340 feet of the North 1/2 of the South 1/2 of the Southeast 1/4 of Section 20, Township 27 South, Range 2 East of the 6th P.M., except the East 60 feet for road purposes; and beginning at the Northwest corner of the East 1340 feet of the North 1/2, South 1/2, of the Southeast 1/4 of Section 20, Township 27 South, Range 2 East of the 6th P.M.; thence South a distance of 665 feet more or less to the Southwest corner of said East 1340 feet of North 1/2, South 1/2, Southeast 1/4; thence West along the South line of the North 1/2, South 1/2 of said Southeast 1/4 a distance of 286 feet more or less; thence North 6 feet; thence West parallel with and 6 feet North of the South line of the North 1/2, South 1/2, of said Southeast 1/4 a distance of 774 feet more or less; thence Northeasterly to a point 257 feet North and 878 feet West of the Southwest corner of the East 1340 feet of the North 1/2, South 1/2 of said Southeast 1/4 a distance of 310 feet more or less; thence Northeasterly a distance of 968 feet more or less to the point of beginning. AND,

"AA" to "LC"

A tract of land in the Southeast 1/4 of Section 20, Township 27 South, Range 2 East of the 6th P.M., described as: The Northeast 1/4 of the Southeast 1/4 of said Section 20, except the West 23 acres thereof and the East 60 feet for road purposes. Also the East 1340 feet of the North 1/2, South 1/2 of the Southeast 1/4 except the South 280 feet, and the East 60 feet for road purposes in said Section 20. All generally located at the southwest corner of Douglas and Webb Road.

- 4b. Case No. DP-116 Hugh S. Maxwell requests approval of Commercial Community Unit Plan for the east 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 7th Principal Meridian, Sedgwick County, Kansas; AND. The North Half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, except beginning at a point on the North line of Lot 1, Wiedemann Addition to Wichita, Kansas, a distance of 120 feet East of the West line of Southeast Quarter of said Section 20; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to the place of beginning. Generally located at the southwest corner of Douglas and Webb Road.

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

COMMENTS:

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

In compliance with the provisions of Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of the Maxwell's Commercial C.U.P., located at the southwest corner of Douglas and Webb Road. Associated

zone change Z-2388 is requesting a change from "AA" Single-family to "BB" Office and "LC" Light Commercial for most of the same area. The applicant has submitted a letter amending the original zoning request to "BB" for Parcels 4 and 6. A portion of the C.U.P. is to remain "AA" Single-family and be developed with residential uses. The C.U.P. proposes to develop a maximum of 915,918 square feet provided that only up to 300,000 square feet can be developed prior to major improvements to Webb Road. Proposed uses for Parcel 1 now include financial, office or high-rise apartments (120 dwelling units). Parcels 2 and 3 could be developed with a hotel/motel complex and/or general commercial uses. The primary uses for Parcel 5 include office and financial and commercial uses such as barber/beauty shops, tailors, studios, etc., would be permitted in an office building or complex, not as free-standing uses. The only permitted use in Parcel 4 is office. Parcel 6 permitted uses include offices and apartments. Parcel 7 could be developed with townhouses or apartments at a maximum density of 5 dwelling units per acre.

2. The MAPC considered these cases on December 3, 1981. During that meeting, staff raised several questions about the amount of commercial square footage, drainage improvements, sewer capacity and the ability of Webb Road to adequately handle increased traffic. There were several neighborhood residents that also had questions about the impact that the proposed development would have on nearby property. During the 120 day deferral period the applicant has contacted several service companies in order to answer questions raised at the last meeting. The following is a list of comments received by staff from other City Departments and
 - The Drainage and Flood Control Engineer has approved the proposed drainage concept which is; that storm water runoff shall not exceed the rate of runoff if the site was undeveloped.
 - The Sanitary Engineer has indicated that there is capacity in the 30" War Industries Sewer for the maximum proposed development.
 - The Water Department has indicated that there is a 20" water line in Webb Road that will serve this site. There are plans to construct a pumping station, in 1983, that will increase the pressure in the 2" lines in Forrest Hills.
 - The Wichita Fire Department has indicated that the site can be adequately served with additional hydrants and a "looped" system.
 - K. G. & E. has stated that they can serve the site with no difficulty.
 - The Wichita Police Department has stated that their preliminary findings reflect that "any new development in this area would necessitate additional resources to provide basic police service".
3. A traffic study for this site was submitted to the City Traffic Engineer and MAPD at the end of February and was discussed at a meeting held between the applicant's engineer, the City's Traffic Engineer and MAPD. There was tentative approval of the improvements proposed by the study. The applicant's engineer was asked to modify some assumptions and to make some changes to the

proposed improvements to Webb Road. A revised traffic study was submitted proposing two alternatives for the improvements on Webb Road from Kellogg to Douglas. Both alternatives propose two through lanes in both directions, a center turning lane and a continuous accel/decel lane along the east side of the site. Traffic signals will be needed at Douglas and at the major opening to Parcels 3 and 4. The major opening to Parcel 2 will not be signalized. The difference between the two plans is that Plan A has a raised medial from Kellogg to Douglas that would permit left turns at six locations. Plan B only has raised medials at Kellogg and at Douglas which would permit left turns at seven locations. The Traffic Engineer has indicated that Plan A is the preferred plan due to safety. MAPD would concur with the Traffic Engineer and recommends that Plan A be approved with the revisions suggested in the Traffic Engineer's letter dated March 26, 1982. (The Traffic Study and the Traffic Engineer's letter to PEC are enclosed to the MAPC.)

There has been some preliminary discussion regarding the financing of the Webb Road improvements. The financing mechanism will need to be finalized and approved during the platting process. In addition, the right-of-way amounts, design criteria, etc., will be determined at the time of platting.

4. After reviewing the revised C.U.P. and comments from other City Departments, staff feels that the proposed project can be developed without significantly impacting nearby property adversely if the proposed improvements to Webb Road are made. The existing zoning and land uses in the area would tend to preclude most residential development on this site. Office and commercial uses would be compatible with the area provided that the site has adequate sewers, water, streets, etc., for the proposed intensity of development. From the comments received from other City departments and service providers it appears that the site can be adequately served. Specific details as to location, size, etc., of improvements will be resolved at the time of platting.
5. A recommendation of approval of the zone change by the Planning Commission should be subject to approval of the associated C.U.P. and the property being platted within two years from the 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.
6. Should the Planning Commission determine that the proposed C.U.P. is appropriate, the following are recommended conditions of approval:
 - a. "Parcel 4" shall be added to General Provision No. 9.
 - b. Improvements to Webb Road shall be in conformance with Improvement Plan A of the Revised Traffic Study dated March, 1982. The revisions (Items 3a, b, c and d) in

the Traffic Engineer's letter, dated March 26, 1982 shall be incorporated into the final design of the Webb Road Improvements.

- c. The following shall be added to General Provision No. 1; "If Parcel 1 is developed with apartments there shall be only one opening to Webb Road".
- d. 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.
- e. 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.
- f. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- g. The transfer of title of all or any portion of the land including 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 said that these cases were first considered last December and were deferred for additional study and comment. He said that since the last meeting the applicant has talked to the various utility companies that would provide service to this site. The drainage would be resolved at the time of platting and the developed runoff would not exceed the runoff if the site was undeveloped. There is adequate sanitary sewer capacity in the area. The Water Department has indicated that there is adequate water and that they would be constructing a pumping station next year. CPO Council Area "H" had a special meeting on March 29, and they voted 6-0 to recommend approval of the applications subject to a number of conditions. CHAMBERS stated that representatives from Beech had contacted the staff and would like a statement added that would read "height limitations shown on Exhibit A are based upon Chapter 28.08 of the Code of the City of Wichita, which was adopted on October 25, 1955". The staff agreed that the statement should be included to signify that this plan was based on the existing airport zoning ordinance, which relates to heights.

LAKIN stated that he would like to reserve some comment on the CPO proposals for later on in the hearing. Some of the conditions he could support.

GARY WILEY, Professional Engineering Consultants, representing the applicant, stated that there was considerable change in the C.U.P. since it was first presented in December. He pointed out that Parcel 4 had changed considerably in configuration and there is an immediate plan for construction of office buildings on that parcel.

DICK LINN, Professional Engineering Consultants, stated that one comment, 6b on the staff report, recommends that the improvements to Webb Road shall be in conformance with Improvement Plan A of the Revised Traffic Study, dated March 1982, including revisions 3a, 3b, 3c and 3d in the Traffic Engineer's letter dated March 26, 1982. He said that they had no problem with revision 3a since this is located beyond the limits of the C.U.P. and is located within the limits of Kellogg-Webb Road intersection improvement project. Comments 3b and 3c are design details and they have no problems with them. Comment 3c recommends the closing of the medial break for the second entrance to Parcel 3 due to possible overflow of left turning vehicles at the major entrance to Parcel 3. This major entrance provides access to Parcels 3, 4, 5, 6, and 7. They believe that it is highly desirable to have this overflow capability with an alternate entrance to these parcels.

GARDNER asked Linn to reiterate what Comment 3c was.

LINN stated that Comment 3c recommends that the raised median close the left turn into the second entrance onto Parcel 3. Immediately south of the second entrance is the major entrance to the site that provides the only access to Parcels 4, 5, 6, and 7 and is the main entrance to Parcel 3. They believe that it is highly desirable to have overflow left turn capability at an alternate entrance to these parcels. They felt that this feature is important due to the limited left turn storage provided at the major entrance. He said that the storage at that location is limited due to the raised median. Increased storage at this entrance is possible if Improvement Plan B were utilized. The developer requested that Improvement Plan B be recommended for approval based on, 1) the increased left turn storage to the major entrance of Parcel 3 and to the Beech entrance located on the east side of Webb Road immediately south of the south line of the C.U.P.; 2) that the continuous left turn lane provides overflow capability for left turn storage and allows traffic to disperse to intermediate entrances. The proposed traffic signals at the major entrance to Parcel 3 and the proposed signals at Douglas would be synchronized which will provides gaps in traffic flow permitting safe left turns into intermediate entrances. The continuous left turn lane does not have opposing left turn conflicts since there are no entrances to Beechcraft. 3) The developer desires to have Webb Road improved prior to major development within the C.U.P. General Provision number 14 limits the amount of development which can occur prior to solution of the traffic problem. Construction of Plan A prior to major development will establish median openings prior to planning and site design on the parcels within the C.U.P. Plan B will not require final site improvement design prior to the improvement of Webb Road. LINN pointed out that on Plan B there are raised medians at Kellogg to the south, and at Douglas Avenue to the north.

BILL MCKINLEY, Traffic Engineer, stated that Plan A or Plan B would work as Linn stated. Traffic Engineering has recommended Plan A. It provides a greater amount of safety. He said that there was some concern about the impact of Beechcraft traffic flow on the site at various times of the day, and they feel that the raised median is a powerful control and allows greater safety at the signal at Webb Road. He said that regarding the desire to have two possible left turn openings to Parcel 3, they could be provided in either plan. He said that if the engineer felt that the one major entrance would not handle the traffic and if it did develop to the point of maximum density and the traffic

generation rates were higher, there possibly might be a need for another opening. They also talked at one time about the possibility of having another way out. It would basically go up north to Douglas where at least Lots 1 and 2, and maybe Lots 3, 4, 5, 6, and 7 would have a way out to Douglas. That would probably require two crossings of some drainage ditches. He said that Traffic Engineering would recommend that if there was a request for signalization at the major intersection on Webb Road for Lots 3, 4, 5 and 6, that it would be at the developers expense. Also, if there is any connection between this proposal and the one at Douglas and Webb, that it be at the developers cost. They recommended channelization on Douglas at Rock Road and for the left turns.

BAYOUTH stated that with complete access control on the east side of Webb Road, the only advantage that he could see with the raised medians, was that the concrete companies could sell more concrete.

LAKIN said that he had commented at the TPO meeting that there was no program to make the improvements on Webb Road in the C.I.P. as of this date. The County C.I.P. did include a project of approximately one million dollars which would provide for the improvement of Webb Road from an area south of Central southerly towards the K-Mart entrance. From the K-Mart entrance on Webb south to Kellogg, and south to where the grade separation begins to go over the turnpike there is another project that is in the C.I.P. for both the City and the County. It is a Federal Safety Improvement Program and will result in improvements being made at the Kellogg and Webb intersection, much like the Greenwich Road and Kellogg project. The County improvements would be four lanes, but there would not be channelization and there would be a ditch section through this area. LAKIN said that it has been his recommendation to the developers, and would be his recommendation to the County, that the City and County jointly develop the Webb Road improvement project by matching up the existing improvements on the north end and the safety project on the south. The nature of that improvement should be a standard four lane street, with channelization at intersections such as Douglas and Kellogg. He said that his recommendation would be that it be a 50-50 proposition. In regard to additional improvements needed to handle the increased traffic from the Maxwell development, he would recommend that the developer bear the cost of extra channelization from Douglas to the K-Mart entrance, signalization and decel lane. It is the City's practice to assess abutting land when it has access for a portion of the normal street improvements. So Maxwell's property would pay the normal assessment for a major street. LAKIN said that there has been one additional element introduced in the last week or two, and that is that the County Engineer would like to have Webb Road put on the Federal Aid Urban System. If it is put on the System, that would allow the County to secure certain monies to assist in paying their 50 percent share. For a complex of this size, LAKIN felt that there should be a joint project because if the County proceeded to do just a "bread and butter" rural type project would be inadequate. He said that it was improper, in his judgment, for the City to be asked to make the total improvement because the land on the east side is in the County. Beechcraft is not annexable by the City and would not be part of the benefit district.

CAZEL stated that until he personally could see the problems on Webb Road being worked out, he would find it very difficult to support any major construction in that area.

CHARLOTTE KLEFFNER, Chairman of CPO Council Area "H", stated that the Council had had several discussions with community residents, the developers and several of the City staff. They had a special meeting March 29 to discuss just the Maxwell C.U.P. From this input they have based their recommendations. She said that many of their requests had been discussed and approved by the developer and the City staff, but they would like those recommendations in writing for clarification and to eliminate future confusion. KLEFFNER read the provisions recommended by the Council. She said that the developer has requested two openings to Webb Road from Parcel 1 and it should be decreased to one entrance onto Webb Road. The reason is that it is the smallest parcel and is also the closest to the Webb and Douglas intersection. She pointed out that regarding construction and improvement of Webb Road the County has said that it will take seven years to improve the four lane and the expense should go to the developer. She said that it had already been pointed out that the developer would be responsible for 25 percent. KLEFFNER said that the CPO was very concerned that this project did not take money away from other projects in their area. They have had a lot of trouble getting Central and Rock Road, Douglas and Rock Road, and 13th and Rock Road improved. They really did not want this situation taking precedent over those. They would like to have included in the C.U.P. a dedication of complete access control on the west. They would like no access from Parcels 2, 3, 4, 5 and 6 to Douglas. She said that regarding drainage the City stated that there would be a slow runoff. This needs careful monitoring during construction. They would like the item regarding setbacks between parcels removed. They would like two parking spaces per dwelling unit even if it is apartments. They would like for the area not to have portable signs. They requested a loop for the water system as stated in the letter from the Fire Department. On screening and landscaping, 25 feet, not ten, should be required for both parcels 1 and 6. She said that they were pleased that the amount of light commercial was reduced, but were insisting that Improvement Plan A be adopted. They asked that the buildings be limited to three on Parcels 2 and 3.

KLEFFNER mentioned that the one thing that is not in the provisions was the sewer. They have discussed it a lot. They would like for the costs of the sewer, road and the other items of improvement assessed to the developer. She said that she was extremely grateful to Lakin and McKinley for their information and generosity with their time.

SHARON RYAN, Second Vice Chairman of CPO Council Area "H", stated that when the developer first came to them, they did not have anything in the basket and have worked very hard to get the things that they wanted to do. One of the things that the Council recognizes is the applicant's right to develop his land. He does not have the right to develop at the expense of everybody else. She said that the feelings at the CPO Council were that the costs should be borne by the person that was going to make the money. She said that the neighbors wanted to control some of the access, especially onto Douglas. RYAN said that the people did not want a line of fast food, service station type of establishments in the area. She mentioned that the reason why the neighborhood wanted the provisions put in writing on the C.U.P. was because if they were not in writing they could not be enforced.

JEANETTE REESE, 139 Bonnie Brae, President of the Bonnie Brae Homeowners Association, stated that she was speaking today for the Board of Directors of the Bonnie Brae Homeowners Association. She said that this Association supports each of the recommendations of the CPO Council Area "H" as presented by Kleffner and Ryan. They are extremely concerned with the problems of traffic congestion on streets adjacent to the project and recommend that Improvement Plan A be approved. More specifically they do not want any entry into Bonnie Brae from the east, now or anytime in the future. CPO Council "H" has spent countless hours listening, learning and examining in detail this project. They have endeavored to do what is best for the residential areas affected by a commercial enterprise of this magnitude.

LINN wanted to clarify a few points raised by the Commission in connection with the proposed development and the timing of improvements on Webb Road. He said that they were limited to 300,000 square feet until Webb Road is improved. The initial development proposed at this time, was to construct one office building. It will take approximately a year to build, taking up approximately 35,000 square feet. If things went well with that, then construction of a second office building of 50,000 square foot has been mentioned. He said that the developer, through the platting process, would guarantee his share of the improvements and signalization. They would ask that those projects be put in the C.I.P.

CHAMBERS pointed out that the 300,000 square feet that is being discussed involves only Parcels 2, 3, 4, 5 and 6 and does not include Parcel 1.

KLEFFNER commented that they have been very much opposed to this. Without the recommendations from the CPO being incorporated she felt that many of them would be very opposed to the applications. They would also be opposed if they did not see some improvement done, especially along Webb Road.

DAVID J. ASPELIN, 28 Douglas Parkway, speaking in opposition, objected to the use of Parcel 1. He felt that the proposed 120 foot apartment building was too high and should be reduced. He also requested that the openings onto Douglas should be entry only.

HANSEN said that she would like to hear from Lakin on some of the items that CPO recommended. She wanted the pros and cons of General Provision 4d identified if Parcels 1, 2, 3, 4, 5 and 6 are developed jointly and setbacks are not required.

LAKIN said that it was a fairly standard provision that has been used to avoid having to come back for amendments to remove setbacks. If the parcels stay in the same ownership then the structures can be placed on the site without any great problem. He said that there was one item to the CPO that he would like to comment on and that was the landscaping requirement. CPO requested 25 feet which is larger than the 10-foot standard that the Commission has approved on most all other C.U.P.s. He pointed out that when you only have 10 feet of landscaping area to deal with, there are no berms.

BAYOUTH felt that the staff recommendations were adequate with the exception of item 6b. He felt that Improvement Plan B was adequate until Beech develops the land across the street. He said that the channelization at the intersection with the fifth lane was adequate since there was no real major traffic problem

to the east. He also felt that it was a workable plan at a cost that everyone could afford. If all of the recommendations made by CPO and others were complied with, this property could not be developed.

GARDNER said that as he read through the staff comments he had a question on item 4. It stated that, after reviewing the revised C.U.P. and comments from other City departments, staff felt that the proposed project could be developed without significantly impacting nearby property adversely, if the proposed improvements to Webb Road were made. He said that as he read that, it would appear that staff was suggesting that only 300,000 square feet could be developed or started before the improvements to Webb are completed.

LAKIN commented that if the improvements are under contract and it is going to be constructed, then there is no reason why the property owner could not be allowed to be under contract for construction of more flood area. He would not have to wait until the street is accepted and finished before a permit could be issued for the subsequent square footage.

GARDNER asked if Lakin saw any particular reason where the worst possible of alternatives would happen that would preclude the City annexing, Webb Road, such as financial considerations, in terms of how the costs of improvements to Webb were made. He asked Lakin if he saw anything to preclude the City Commission from being allowed to annex Webb Road through that stretch and including it in the City's road system and Capital Improvement Program for expeditious treatment to move that project forward as rapidly as possible.

LAKIN stated that there is nothing to prevent that. All of the road right-of-way could be annexed and all of the improvements could be financed by the City of Wichita if they so desired.

GARDNER asked Lakin, if, given the normal construction period of structures on improved property of this nature, was there any reason to prohibit the initiation of construction of portions of the 300,000 square foot at this point or in the near future.

LAKIN said no, he did not see a problem.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the mixed commercial, industrial and residential character of the general area; the light industrial zoning and uses to the east; the commercial zoning and uses to the south; the office zoning to the west; the suitability of the subject site for development with residential office and commercial uses; and the recommendation of approval by staff; I move that we recommend to the governing body that the amended zone change request from "AA" to "BB" & "LC" be approved subject to approval of the associated C.U.P. and the property being platted within two years from the 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 listed in the staff report except in item 6b, Improvement Plan B be approved, and that Lakin proceed as rapidly as he can to develop a joint improvement project to improve Webb Road. Bayouth moved, Cazal seconded.

AMENDED MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the mixed commercial, industrial and residential character of the general area; the light industrial zoning and aircraft landing field to the east; the retail sales, motel and commercial zoning to the south; the office zoning and uses to the west; the support of CPO Council Area "H", and the recommendation of approval by staff; I move that we recommend to the governing body that the amended zone change request from "AA" to "BB" & "LC" be approved subject to approval of the associated C.U.P. and the property being platted within two years from the 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. A general provision shall be added that reads as follows: "The height limitations shown on Exhibit A are based upon Chapter 28.08 of the Code of the City of Wichita that was adopted on October 25, 1955".
- b. General Provision No. 15 shall be reworded as follows: "The maximum number of buildings for Parcel 2 shall be limited to three provided that additional buildings may be added after a site circulation plan has been reviewed and approved by the Director of Planning".
- c. "Parcel 4" shall be added to General Provision No. 9.
- d. Improvements to Webb Road shall be in conformance with Improvement Plan A of the Revised Traffic Study dated March 1982. The revisions (Items 3a, b, and d) in the Traffic Engineer's letter, dated March 26, 1982, shall be incorporated into the final design of the Webb Road improvements.
- e. The following shall be added to General Provision No. 1; "If Parcel 1 is developed with apartments there shall be only one opening to Webb Road".
- 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.

Hansen moved, Chisholm seconded.

BAYOUTH asked Hansen why she felt that Plan A should be adopted.

HANSEN said that Traffic Engineering felt that it was better from a safety standpoint she accepted that.

BAYOUTH said that he did not agree because Lakin spoke about the medials at Towne East creating problems. He said that is because of the curbs cuts and traffic going into Bonnie Brae, but there is no problem there. He said that he might consider putting mountable medials there. BAYOUTH asked McKinley that if Plan A was changed to mountable medials such as at Rock Road and Harry, was it any different than a suicide lane or a chicken lane.

McKINLEY said that Traffic Engineering would prefer the mountable medials over the two-way left turn lanes. It has greater safety. However, they prefer the raised medials over the mountable medials.

GARDNER felt that it was worth pointing out that on Plan A the developer expressed a desire for an auxiliary point of access immediately north of their primary entrance on Webb. He asked if the substitute motion accommodated that with the raised medials.

HANSEN said yes it did.

LINN agreed with all of McKinley's comments on Plan A on the design concept with the exception of the point of entrance.

BAYOUTH and CAZEL withdrew their motion.

VOTE ON THE MOTION: It carried unanimously.
Jones, Lofton and Martens were absent.

April 9, 1982

Gary Wiley
Professional Engineering Consultants, P. A.
1440 East English
Wichita, Kansas 67211

Re: Z-2388 - "AA" to "BB" & "LC" &
DP-116 - Maxwell's Commercial
C.U.P. - both located on the
southwest corner of Douglas
and Webb Road

Dear Mr. Wiley:

At its regular meeting on April 8, 1982, the Metropolitan Area Planning Commission reconsidered the above-captioned cases. The action of the Planning Commission was to recommend that the amended zone change request from "AA" to "BB" & "LC" be approved subject to approval of the associated C.U.P. and the property being platted within one year from the 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. A general provision shall be added that reads as follows:
"The height limitations shown on Exhibit A are based upon Chapter 28.08 of the Code of the City of Wichita that was adopted on October 25, 1955".
- b. General Provision No. 15 shall be reworded as follows: "The maximum number of buildings for Parcel 2 shall be limited to three provided that additional buildings may be added after a site circulation plan has been reviewed and approved by the Director of Planning".
- c. "Parcel 4" shall be added to General Provision No. 9.
- d. Improvements to Webb Road shall be in conformance with Improvement Plan A of the Revised Traffic Study dated March, 1982. The revisions (Items 3a, b, and d) in the Traffic Engineer's letter, dated March 26, 1982 shall

be incorporated into the final design of the Webb Road Improvements.

- e. The following shall be added to General Provision No. 1; "If Parcel 1 is developed with apartments there shall be only one opening to Webb Road".
- 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.

It is necessary that we receive 10 corrected copies of the C.U.P. by Thursday, April 22, so that subject cases can be scheduled for consideration by the City Commission at their meeting of May 4, 1982. 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.

You will also need to correct Exhibit A to show the revised parcels.

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

Sincerely yours,

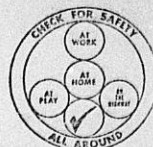
Arthur D. Chambers, AICP
Senior Planner

ADC:sad

cc: Eugene G. Coombs, Attorney, 421 East 3rd, Wichita 67202
Hugh S. Maxwell, 2381 Algonquin Road, Schenectady, New York 12309
Phil Ruffin, P. O. Box 17087, Wichita 67217
C. T. Spines, President, The Cloister Homeowners Assoc., Inc.,
1/2 Spines Real Estate Development, Fourth Financial Center,
Wichita 67202
John B. McKean, 24 Douglas Parkway, Wichita 67206
David J. Aspelin, 28 Douglas Parkway, Wichita 67206
Henry M. Pack, 8121 Mockingbird Lane, Wichita 67207
George J. Trombold, 144 Bonnie Brae, Wichita 67207
Austin Rising, Vice President, Beech Aircraft Corp., 9709 E. Central,
Wichita 67206
Jim B. Grove, 8126 Peach Tree Lane, Wichita 67207
Jake Hartmetz, 234 North Armour, Wichita 67206
Peter Ochs, 22 Hawthorne, Wichita 67206
Charlotte Kleffner, 8629 Stoneridge, Wichita 67206
Sharon Ryan, 8324 East Morris, Wichita 67207
Jeanette Rees, 139 Bonnie Brae, Wichita 67207
Jim Gregory, P. O. Box 85, Wichita 67201

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 7, 1982



TO Jack Galbraith, Chief Planner, Current Plans
FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT DP-116 and Z-2388: Southwest
Corner of Douglas and Webb Road

At a special meeting on Monday, March 29th and at its regular Monday, April 5th meeting, CPD Neighborhood Council Area "H" considered the captioned request for approval of the Maxwell Commercial C.U.P. and the related zone change request for "BB" Business District and "LC" Light Commercial, on property currently zoned "AA", Single Family.

At the March 29th special meeting Gary Snyder, Dick Linn, Gary Wiley and Brent Rensberg appeared before the Council to describe the changes made in the C.U.P. Twenty-five people attended the meeting on the cases. At the April 5th regular meeting Gary Snyder was present representing the applicant. Three area residents were present concerning the cases.

The Council voted 6-0 to recommend approval of the proposed Commercial C.U.P. and the associated zone change subject to the Planning Department staff suggestions and findings of fact and to incorporating the following recommendations in the Maxwell Commercial C.U.P.:

1. Traffic

- The adoption of improvement Plan A.
- The adoption of the Traffic Engineer's recommendations, as outlined in his letter of March 26th to Brent Rensberg of Professional Engineering Consultants. (MAPC members have received copies of the letter).
- Complete access control west of parcel 6 and 7 to Bonnie Brae.
- Parcels 2,3,4, and 5 having no access to Douglas Avenue.
- Parcel 1 having only one access to Douglas.

2. Sanitary Sewer Service

The development should only use the 30" diameter War Industries Sewer. As indicated by the Sanitary Engineer, this sewer is the only one that has capacity for the ultimate development of the Maxwell C.U.P.

3. Fire Protection

The adoption of the Fire Department's recommendation for a "Looped" system and additional hydrants.

4. Two parking spaces per dwelling unit in Parcels 1,6, and 7, regardless of ownership.
5. Limit the number of buildings in Parcel 3 to three. Include parcel 3 under general provision number 15.

Jack Galbriath, Chief Planner, Current Plans
DP-116 and Z-2388
April 7, 1982 - Page 2

6. In Parcel 5 all personal services shall be incorporated under one building.
7. Incorporate under general provision number 6 that no portable signs should be allowed.
8. Provide a planting strip of 25 feet instead of 10 feet in parcels 1 and 6 regardless of residential or financial development. This recommendation would amend general provision number 11.
9. Amending general provision number 14 to read that Traffic Improvement Plan A should be accomplished prior to the development of more than 300,000 square feet.

Area "H" also requests that the MAPC consider the following suggestions and concerns:

- a) The development's impact on the Rock Road and Douglas, and Harry and Webb intersections. Signalization required.
- b) Uniformity of architectural design for the development.
- c) Area residents and the Council are opposed to the establishment of service stations and fast food restaurants in the area.
- d) In residential areas it was considered that building height of 120 feet was excessive.
- e) No changes in the Capital Improvement Program should be made to accommodate improvements needed on Webb Road.
- f) The need for additional resources to provide basic police service to the new development.

Please provide copies of this memorandum to the members of the MAPC and City Commission when this case is considered by them.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

cc: Gary Wiley

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 8, 1982



TO Jack Galbraith, Chief Planner, Current Plans
FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT DP-116 and Z 2388: Southwest
Corner of Douglas and Webb Road

Please note the following additional recommendations that CFO Neighborhood Council Area "H" requested be incorporated in the Maxwell Commercial C.U.P.:

- The developer should incur the cost of improvements in public services (sanitary sewer, drainage, street improvements, traffic signalization, etc.) necessitated by the development.
- Delete Section D of Item 4 in the Plans General Provisions. This section refers to setbacks not being required if parcels 1, 2, 3, 4, 5, and 6 are developed under the same ownership.

Please attach this memorandum to Area "H" recommendations dated April 7, 1982.
Thank you.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP

Noted:

Sarah Gilbert/sm

Sarah Gilbert
CP Coordinator

cc. Gary Wiley



Southwestern Bell

Network Engineering
626 N. Broadway
Wichita, Kansas 67214
March 26, 1982

Mr. Dick Linn
Professional Engineering Consultants
1440 E. English St.
Wichita, Kansas 67211

Dear Sir:

Southwestern Bell is currently in the process of designing and building a major feeder relief job that will be able to provide facilities for initial development in this CUP. This project is scheduled for completion by the end of 1982. Any further feeder jobs will not take place until telephone facilities reach an 85% capacity. Our current forecast, taking current economic conditions into consideration, does not predict that we will reach this capacity until after 1985. Please be assured that forecasts are continually updated and any new major developments such as Maxwell's CUP are included in updated forecasts. On the average major feeder jobs take anywhere from 9 to 18 months to plan, design, and build. No subway structures will have to be built to provide additional telephone facilities, so any future jobs will include only placing and splicing cables. With advanced technology this interval is becoming shorter all the time.

Southwestern Bell has a responsibility to both public and private business interests to provide as much telephone facilities and service as requested. Southwestern Bell would welcome the excellent revenue sources future businesses locating in this CUP would provide. Thus our department is committed to the company to guarantee timely and sufficient telephone service.

Sincerely,

Dan Clevenger

Dan Clevenger
Ntwk. Svcs. Supv. - Distr.
Svcs. Engr. - Design

DIRECTORS

C. O. KNOP, P.E.
R. B. PEUGH, P.E.
C. J. FREUND, P.E.
W. H. KELTSER, P.E.
R. D. FLETCHER, P.E.
P. D. MIDDLETON, JR., P.E.
D. E. WALTZIE, P.E.
M. D. SCHOMAKER, P.E.



PROFESSIONAL
ENGINEERING
CONSULTANTS
LAND DEVELOPMENT
DIVISION
PROFESSIONAL ASSOCIATION

March 31, 1982

Mr. William G. McKinley
Traffic Engineer
Engineering Department
7th Floor - City Hall
455 N. Main
Wichita, Kansas 67202

RE: Maxwell Property Traffic Study
PEC File No. 36-78414-1014

Dear Bill:

We received your letter dated March 26, 1982 containing your review comments and recommendations with regard to the above-referenced Traffic Study and proposed improvement plans.

Your letter, and comments made during previous meetings, approve the study, the proposed Improvement Plan A (subject to certain modifications), and the access control provisions contained in the Community Unit Plan.

You recommend Improvement Plan A over Plan B because it provides greater safety. Both Plan A and Plan B will accommodate the traffic volumes to be generated by the proposed development.

Several of your comments relate to design details and should be considered during the detailed design of the approved Improvement Plan. Comment 3c recommends closing of the median break at the north entrance to Parcel 3 because of possible overflow of left turn vehicles at the major entrance to Parcel 3. This major entrance provides access to Parcels 3, 4, 5, 6, and 7. We think it is highly desirable to have this overflow capability and an alternate entrance to these parcels. This feature increases in importance due to the limited left turn storage into the major entrance. This storage is limited due to the raised median. Increased storage at this entrance is possible if Improvement Plan B is utilized.

The Developer requests that Improvement Plan B be approved based on the following reasons:

1. Increased left turn storage to the major entrance at Parcel 3 and to the Beech entrance located immediately south of the south line of the C.U.P.

-continued-

LOCATED AT:
355 ELLIS
WICHITA, KANSAS 67211
(316) 263-1107

FORWARD ALL MAIL TO:
1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691

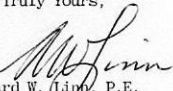
Page 2
36-78414-1014
McKinley

2. The continuous left turn lane provides overflow capability for left turn storage and allows traffic to disperse to intermediate entrances. The proposed traffic signals to be located at Douglas Avenue and at the major entrance to Parcel 3 will be synchronized which will provide gaps in traffic flow permitting safe left turns at intermediate entrances. The continuous left turn lane does not have opposing left turn conflicts since there are no entrances to the Beech property along this frontage.

3. The Developer desires to have Webb Road improved prior to major development of the C.U.P.. The C.U.P. General Provision #14 limits the amount of development which can occur prior to solution of the traffic problems. Construction of Plan A prior to major development will establish median openings prior to final site development planning and design. Plan B will not require final site improvement design prior to the improving of Webb Road.

If additional information is desired, please contact me.

Very Truly Yours,


Richard W. Linn, P.E.
Manager, Land Development

cc: Gary Snyder
Bob Lakin, MAPD

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE April 7, 1982



TO Jack Galbraith, Chief Planner, Current Plans

FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT DP-116 and Z-2388: Southwest
Corner of Douglas and Webb Road

At a special meeting on Monday, March 29th and at its regular Monday, April 5th meeting, CPO Neighborhood Council Area "H" considered the captioned request for approval of the Maxwell Commercial C.U.P. and the related zone change request for "BB" Business District and "LC" Light Commercial, on property currently zoned "AA", Single Family.

At the March 29th special meeting Gary Snyder, Dick Linn, Gary Wiley and Brent Remsberg appeared before the Council to describe the changes made in the C.U.P. Twenty-five people attended the meeting on the cases. At the April 5th regular meeting Gary Snyder was present representing the applicant. Three area residents were present concerning the cases.

The Council voted 6-0 to recommend approval of the proposed Commercial C.U.P. and the associated zone change subject to the Planning Department staff suggestions and findings of fact and to incorporating the following recommendations in the Maxwell Commercial C.U.P.:

1. Traffic

- The adoption of improvement Plan A.
- The adoption of the Traffic Engineer's recommendations, as outlined in his letter of March 26th to Brent Remsberg of Professional Engineering Consultants. (MAPC members have received copies of the letter).
- Complete access control west of parcel 6 and 7 to Bonnie Brae.
- Parcels 2,3,4, and 5 having no access to Douglas Avenue.
- Parcel 1 having only one access to Douglas.

2. Sanitary Sewer Service

The development should only use the 30" diameter War Industries Sewer. As indicated by the Sanitary Engineer, this sewer is the only one that has capacity for the ultimate development of the Maxwell C.U.P.

3. Fire Protection

The adoption of the Fire Department's recommendation for a "Looped" system and additional hydrants.

4. Two parking spaces per dwelling unit in Parcels 1,6, and 7, regardless of ownership.
5. Limit the number of buildings in Parcel 3 to three. Include parcel 3 under general provision number 15.

Jack Galbriath, Chief Planner, Current Plans
DP-116 and Z-2388
April 7, 1982 - Page 2

6. In Parcel 5 all personal services shall be incorporated under one building.
7. Incorporate under general provision number 6 that no portable signs should be allowed.
8. Provide a planting strip of 25 feet instead of 10 feet in parcels 1 and 6 regardless of residential or financial development. This recommendation would amend general provision number 11.
9. Amending general provision number 14 to read that Traffic Improvement Plan A should be accomplished prior to the development of more than 300,000 square feet.

Area "H" also requests that the MAPC consider the following suggestions and concerns:

- a) The development's impact on the Rock Road and Douglas, and Harry and Webb intersections. Signalization required.
- b) Uniformity of architectural design for the development.
- c) Area residents and the Council are opposed to the establishment of service stations and fast food restaurants in the area.
- d) In residential areas it was considered that building height of 120 feet was excessive.
- e) No changes in the Capital Improvement Program should be made to accommodate improvements needed on Webb Road.
- f) The need for additional resources to provide basic police service to the new development.

Please provide copies of this memorandum to the members of the MAPC and City Commission when this case is considered by them.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

cc: Gary Wiley

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 8, 1982



TO Jack Galbraith, Chief Planner, Current Plans
FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT DP-116 and Z 2388: Southwest
Corner of Douglas and Webb Road

Please note the following additional recommendations that CPO Neighborhood Council Area "H" requested be incorporated in the Maxwell Commercial C.U.P.:

- The developer should incur the cost of improvements in public services (sanitary sewer, drainage, street improvements, traffic signalization, etc.) necessitated by the development.
- Delete Section D of Item 4 in the Plans General Provisions. This section refers to setbacks not being required if parcels 1, 2, 3, 4, 5, and 6 are developed under the same ownership.

Please attach this memorandum to Area "H" recommendations dated April 7, 1982. Thank you.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP

Noted:

Sarah Gilbert/sm

Sarah Gilbert
CP Coordinator

cc. Gary Wiley

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 12-03-81 deferred
4-08-82

REVISED STAFF REPORT

Case No. DP-116 Request: Approval of the Maxwell
Z-2388 Commercial C.U.P.
"AA" to "BB" & "LC"

Location: Southwest corner of Douglas and Webb Road.

Size: DP-116 57.8 acres Dimension: 2210' x 2640' (irregular)
Z-2388 47.8 acres 1960' x 2210' (irregular)
Maximum Floor Area 915,918 square feet (392,700 office; 523,218 commerci
Maximum number of dwelling units 464

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA"
North	Single-family & office	"AA" & "BB"
East	Beech Aircraft	"E"
South	Motel, K-Mart, office & apartments	"LC"
West	Single-family & office	"AA" & "BB"

COMMENTS:

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

In compliance with the provisions of Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of the Maxwell's Commercial C.U.P., located at the southwest corner of Douglas and Webb Road. Associated zone change Z-2388 is requesting a change from "AA" Single-family to "BB" Office and "LC" Light Commercial for most of the same area. The applicant has submitted a letter amending the original zoning request to "BB" for Parcels 4 and 6. A portion of the C.U.P. is to remain "AA" Single-family and be developed with residential uses. The C.U.P. proposes to develop a maximum of 915,918 square feet provided that only up to 300,000 square feet can be developed prior to major improvements to Webb Road. Proposed uses for Parcel 1 now include financial, office or high-rise apartments (120 dwelling units). Parcels 2 and 3 could be developed with a hotel/motel complex and/or general commercial uses. The primary uses for Parcel 5 include office and financial and commercial uses such as barber/beauty shops, tailors, studios, etc., would be permitted in an office building or complex, not as free-standing uses. The only permitted use in Parcel 4 is office. Parcel 6 permitted uses include offices and apartments. Parcel 7 could be developed with townhouses or apartments at a maximum density of 5 dwelling units per acre.

2. The MAPC considered these cases on December 3, 1981. During that meeting, staff raised several questions about the amount of commercial square footage, drainage improvements, sewer capacity and the ability of Webb Road to adequately handle increased traffic. There were several neighborhood residents that also had questions about the impact that the proposed development would have on nearby property. During the 120 day deferral period the applicant has contacted several service companies in order to answer questions raised at the last meeting. The following is a list of comments received by staff from other City Departments and service providers.

- The Drainage and Flood Control Engineer has approved the proposed drainage concept which is; that storm water run off shall not exceed the rate of runoff if the site was undeveloped.
- The Sanitary Engineer has indicated that there is capacity in the 30" War Industries Sewer for the maximum proposed development.
- The Water Department has indicated that there is a 20" water line in Webb Road that will serve this site. There are plans to construct a pumping station, in 1983, that will increase the pressure in the 2" lines in Forrest Hills.
- The Wichita Fire Department has indicated that the site can be adequately served with additional hydrants and a "looped" system.
- K. G. & E. has stated that they can serve the site with no difficulty.
- The Wichita Police Department has stated that their preliminary findings reflect that "any new development in this area would necessitate additional resources to provide basic police service".

3. A traffic study for this site was submitted to the City Traffic Engineer and MAPD at the end of February and was discussed at a meeting held between the applicant's engineer, the City's Traffic Engineer and MAPD. There was tentative approval of the improvements proposed by the study. The applicant's engineer was asked to modify some assumptions and to make some changes to the proposed improvements to Webb Road. A revised traffic study was submitted proposing two alternatives for the improvements on Webb Road from Kellogg to Douglas. Both alternatives propose two through lanes in both directions, a center turning lane and a continuous accel/decel lane along the east side of the site. Traffic signals will be needed at Douglas and at the major opening to Parcels 3 and 4. The major opening to Parcel 2 will not be signalized. The difference between the two plans is that Plan A has a raised medial from Kellogg to Douglas that would permit left turns at six locations. Plan B only has raised medials at Kellogg and at Douglas which would permit left turns at seven locations. The Traffic Engineer has indicated that Plan A is the preferred plan due to safety. MAPD would concur with the Traffic Engineer and recommends that Plan A be approved with the revisions suggested in the Traffic Engineer's letter dated March 26, 1982. (The Traffic Study and the Traffic Engineer's letter to FEC are enclosed to the MAPC.)

There has been some preliminary discussion regarding the financing of the Webb Road improvements. The financing mechanism will need to be finalized and approved during the platting process. In addition, the right-of-way amounts, design criteria, etc., will be determined at the time of platting.

4. After reviewing the revised C.U.P. and comments from other City Departments, staff feels that the proposed project can be developed without significantly impacting nearby property adversely if the proposed improvements to Webb Road are made. The existing zoning and land uses in the area would tend to preclude most residential development on this site. Office and commercial uses would be compatible with the area provided that the site has adequate sewers, water, streets, etc., for the proposed intensity of development. From the comments received from other City departments and service providers it appears that the site can be adequately served. Specific details as to location, size, etc., of improvements will be resolved at the time of platting.
5. A recommendation of approval of the zone change by the Planning Commission should be subject to approval of the associated C.U.P. and the property being platted within one year from the 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.

6. Should the Planning Commission determine that the proposed C.U.P. is appropriate, the following are recommended conditions of approval:
 - a. "Parcel 4" shall be added to General Provision No. 9.
 - b. Improvements to Webb Road shall be in conformance with Improvement Plan A of the Revised Traffic Study dated March, 1982. The revisions (Items 3a, b, c and d) in the Traffic Engineer's letter, dated March 26, 1982 shall be incorporated into the final design of the Webb Road Improvements.
 - c. The following shall be added to General Provision No. 1; "If Parcel 1 is developed with apartments there shall be only one opening to Webb Road".
 - d. 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.
 - e. 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.
 - f. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
 - g. 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.

THE CITY OF WICHITA



DEPARTMENT OF ENGINEERING
CITY HALL - SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4501

RECEIVED

MAR 26 1982

METROPOLITAN PLANNING
ROUTE Art

March 26, 1982

Mr. Brent Remsberg
Professional Engineering Consultants
1440 East English
Wichita, Kansas 67211

Dear Brent:

We have reviewed your revised Maxwell Property Traffic Study and would like to make the following general comments with regard to the report:

1. In reviewing your write-up, we pretty much concur with your analysis and calculations although in a couple of places due to rounding the figures, we do not totally agree but they are within close enough proximity not to be concerned with the small difference. Possibly you might also want to include a couple of other major traffic generators in the area, such as K-Mart and Cross Towne East Shopping Center.
2. Normally when we are looking at the impact of a shopping center on the roadway system, we take the existing traffic volumes that are occurring today and project those traffic volumes to a design year, say 10 - 20 years in the future, at a growth rate that is realistic for the area. We then add to this calculated figure the impact of the shopping center. In your analysis, you used existing volumes without any growth rate and added the impact of the shopping center to the existing volumes.
3. In reviewing your plan entitled "Improvement Plan A", we would like for you to consider the following revisions:
 - a. The left turn northbound into the private access road to K-Mart should have a minimum left turn bay of 100' and the reverse curve could be a minimum of 80'.

Mr. Brent Remsberg
Professional Engineering Consultants

March 26, 1982

- b. At your major entrances to the shopping center which permit left turns northbound on Webb Road into the site, we would suggest adding a triangular raised island so that traffic making a left turn out of the site could look for a gap in traffic southbound and then store in the median area waiting for the gap in the traffic northbound.
 - c. Due to possible overflow of left turning vehicles at entrance 3, bypassing this entrance and using entrance 2, we would recommend the closing of the median break proposed for the entrance between 2 and 3. This entrance could still remain as a right in and out only.
 - d. Also the intersection of Douglas and Webb Road could be improved by introducing a triangular island to separate left turning vehicles from Douglas and Webb Road.
4. In reviewing "Improvement Plan B", we would not recommend this improvement plan as "Improvement Plan A" provides greater safety. However, if this plan was approved by the governing body, we would suggest that the raised median be shortened approximately 50' at the north end, north of Kellogg, thereby removing the 16' wide median and reducing it to an approximate 4' wide median.
 5. If parcel number 1 is developed apartments, we would recommend only one opening to Webb Road.
 6. As you are aware, the improvement plans for Kellogg and Webb Road contained within the proposed project being developed by Poe & Associates do not envision a dual left turn eastbound on Kellogg at Webb Road. Your report indicates that this would have to be incorporated into the proposed intersection plans in order to operate the center if it is developed to maximum density.

*So what
would be
the improvement?*

If you have any questions regarding these comments, please advise.

Yours truly,

William G. McKinley
William G. McKinley
Traffic Engineer

WGM:gr

cc: Robert A. Lakin, Director of Planning ✓
Clemencia Prieto, Administrative Aide



MEMO

TO: Clemencia L. Prieto PROJECT NO. 36-78414-1014
Human Resources Department PROJECT: Maxwell's C.U.P.
2nd Floor - City Hall
ATTN: _____ DATE: March 22, 1982

COPIES TO:

Jack Galbraith MAPD FROM: Dick Linn
Gary Snyder REFERENCE: Z-2388 and DP-116 Zone Change
Request and Community Unit Plan

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Attached are copies of the items listed below in response to several issues which were discussed at the MAPC hearing on 12-3-81. We anticipate the receipt of additional review comments prior to the March 29 meeting of CPO Council Area "H".

1. Copy of the Traffic Study.
2. Letter from W.E. Campbell, Deputy Chief, Wichita Fire Department regarding fire protection for the proposed development.
3. Letter from Donald E. Schneider, Sanitary Engineer, Engineering Department starting that capacity is available for the ultimate development of the C.U.P.
4. Letter from Robert L. Blevins, K.G. & E. with respect to electric service.
5. Letter from Chris Breitenstein approving the proposed drainage concept.
6. Letter from Ralph E. Walker, Director of Elementary Education, B.O.E. regarding school facilities.
7. Letter from C.M. Hicks, Deputy Chief, Operations Division, Wichita Police Department with respect to police service.

You have received comments from the Wichita Water Department regarding adequate water pressure and service for the proposed development.

A copy of the revised C.U.P. will be available prior to the C.P.O. Area "H" Council Meeting. We will be available at the meeting to review the C.U.P. and answer questions from the Council.

THE CITY OF WICHITA



POLICE DEPARTMENT
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

March 1, 1982

Richard W. Linn, P.E.
Manager
Land Development Division
Professional Engineering Consultants
355 Ellis
Wichita, Kansas, 67211

Dear Dick:

We have reviewed the need for basic police service that the new project on Webb Road would generate. It is our preliminary findings that any new development in this area would necessitate additional resources to provide just the basic police service. The demands are past saturation, due to development and annexation all through the City, not only on the east-side.

I am very pleased that consideration is being given to the problems that developments create for all City entities. You are commended.

Good luck with your project and if we can be of service in the future, don't hesitate.

Sincerely,

RICHARD E. LAMUNYON
Chief of Police

Sam Hicks
C. M. HICKS
Deputy Chief
Operations Division

CMH:nh

cc: CPO H
Charlotte Kleffner, Chairperson
8629 Stone Ridge
Wichita, Kansas, 67206

THE CITY OF WICHITA



FIRE DEPARTMENT
CITY HALL - TWELFTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(313) 266-4401

March 11, 1982

Mr. Dick Linn
Professional Engineering Consultants
1440 East English
Wichita, KS 67211

Dear Mr. Linn:

In reviewing the "Maxwells" C.U.P. at Webb Road, south of Douglas, the following statements are made relative to providing fire protection:

1. To provide proper water supply that will deliver required fire flow to all parcels, a "looped" system would be required. With proper location of hydrants, parcels one through five could be developed prior to the completion of a complete loop.

It is suggested that the water main be run near the west side of parcel #2 and the north side of parcel #5 and through parcel #6, as well as along the southern portion of the C.U.P., or along the ingress-egress easement, thereby insuring a complete loop and adequate fire flow capabilities for all areas. (There may be alternative methods of interconnecting the mains.)

2. A single means of access to parcel six and seven. Parcel #7 appears to be approximately 2,500 feet from Webb Road. An emergency access (alternate) would certainly be appropriate.

If you have any questions, please let me know.

Sincerely,

WICHITA FIRE DEPARTMENT

W. E. Campbell
Deputy Chief (Operations)

nb

THE CITY OF WICHITA



DEPARTMENT OF ENGINEERING
CITY HALL - SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4501

December 29, 1981

Mr. R.W. Linn
Professional Engineering Consultants
355 South Ellis
Wichita, KS 67211

Dear Mr. Linn:

Subject: Sanitary Sewer Service - Maxwells Commercial
C.U.P. on S.W. Corner of Webb Road and Douglas

I wish to provide the following information in reply to your memo to me dated December 21, 1981, on the above noted subject.

- 1.) The 18" diameter W.I.S. does not have capacity to serve the drainage basin in which it is located. This will necessitate construction of a parallel line at some time in the future when development north of Central occurs. This parallel sewer is in the Capital Improvement Program under Project No. S-42. Preliminary layout of this parallel line is such that would not provide additional sewer capacity to the subject Maxwell C.U.P.
- 2.) It may be possible to utilize the 18" diameter W.I.S. on a interim basis for a limited development in the Maxwell C.U.P. Additional information would be necessary, such as estimated peak flows from the proposed amount of interim development, before any determination can be made on the interim use of the 18" diameter W.I.S. Pipe conditions and existing flow conditions also would need to be determined downstream from the proposed interim connection to the 13" diameter W.I.S. for such an interim use.



THE CITY OF WICHITA 2

Mr. R.W. Linn
December 29, 1961

- 3.) Present flows from existing development in the War Industries Sewer District in combination with anticipated projected flows from future development in the War Industries Sewer District indicates capacity to be available in the 30" diameter War Industries Sewer for the ultimate development within the Maxwell C.U.P. consisting of one hotel or motel, various office and commercial buildings, and apartment buildings as you indicated to me in our previous conversations.

I presume this is the information your memo requested.

Very truly yours,

Donald E. Schneider

Donald E. Schneider, P.E.
Sanitary Engineer

/dla

cc: Jack Galbraith, Chief Planner
Clemencia Prieto, C.P.O.



KANSAS GAS AND ELECTRIC COMPANY

March 1, 1982

Mr. Gary Wiley
Professional Engineering Consultants
1440 East English
Wichita, Kansas 67211

Dear Gary:

This is to advise that K&E The Electric Company
anticipates no difficulty providing electric service to
Maxwell's, Community Unit plan at Douglas and Webb Road.

Sincerely yours,

Robert L. Blevins
Senior Estimator

RLB:pw

THE CITY OF WICHITA
OFFICE OF ENGINEERING

DATE FEBRUARY 9, 1982

Maxwell (3)P DM

TO ROBERT LAKIN, DIRECTOR OF PLANNING
FROM CHRIS J. BREITENSTEIN, DRAINAGE & FLOOD CONTROL
ENGINEER
SUBJECT MAXWELL'S C.U.P.



The proposed Drainage Concept (the detention of the difference between Pre and Post Development on Site) is approved at this time. At the time of platting, detailed Drainage Plans and Guarantees will be required.

CB
Chris J. Breitenstein, P.E.
Drainage & Flood Control
Engineer

/dla

cc: R.W. Linn, P.E.C. X
Carmenico Prieto, CPO Staff

WICHITA PUBLIC SCHOOLS
ADMINISTRATION BUILDING
428 South Broadway
WICHITA, KANSAS 67202

March 4, 1982

Elementary School Administration

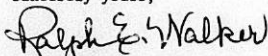
Mr. Gary L. Wiley
Land Development Division
355 Ellis
Wichita, Kansas 67211

Dear Mr. Wiley:

Marge Pickett of our Research Department has informed me of your plans for the construction of apartments in Maxwell's Addition. Considering the number and type of apartments, I believe the number of elementary school age children could be housed in Minneha Elementary School without overcrowding the facilities.

Please continue to keep Ms. Pickett informed as the project is developed. Let me know if additional information is needed.

Sincerely yours,


Ralph E. Walker, Director
Elementary Education

eg

RUFFIN
PROPERTIES

1725 E. Douglas
Box 17087
Wichita, Kansas 67217
316/265-7201

RECEIVED

MAR 23 1982

METROPOLITAN PLANNING
ROUTE _____

Mar. 19, 1982

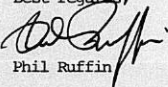
Mr. Jack H. Galbraith
Chief Planner
Metropolitan Planning Department
Tenth Floor-City Hall
455 N. Main
Wichita, Kansas 67202

RE: Z-2388 - "AA" to "IC" and DP-116-Maxwell's C.U.P.

Dear Mr. Galbraith:

As per the recent meeting held in your office, regarding the above referended zone change request and Community Unit Plan, I am in agreement with your suggestion to amend the zone change request from "IC" light commercial to "BB" office for parcels four (4) and six (6).

Best regards,


Phil Ruffin

cc: Gary Wiley
P.E.C.

Real Estate Developers and Investors

Commercial/Industrial

March 29, 1982

Laki }
Hallmark } MAPD
Chambers }

Bruggeman }
Lindebak } Engineer

Make County

Dick Linn }
Tary Willy } PEC

Jary Wiley

Brent

Dick Leno

Bill McKinley

Mike Lindahl

Jack Dalbrant

Art Chambers

meeting re Maxwell's CVP 3/10/82

McKinley agreed with generation rates but not distribution

McKinley & Brent are going to get together & work out traffic study

TRAFFIC STUDY

- If the proposed improvements to Webb won't adequately handle the potential traffic what will be done?
 1. Show how north/south roadway down west side would tie into Douglas and circulate traffic on site.
 - Number of access points to Webb
 - Show how traffic from this site will impact and be accepted by the improvements at Kellogg & Webb P&E Plan
 - Impacts at Central & Webb - prove that the intersection can handle additional traffic
 - Impacts at Douglas and Rock
 - McKinley's comments re 3 lane, medial breaks, raised medial, major entrance,
 - Peaking time assumptions - will be different depending on type of users
 - We need copies of Plan A revised
- CUP
- Reduction of amount of Floor area
 - Zone Parcels 1, 4 & 6 (possibly 5) BB instead of 2C
 - Add temporary deceleration 200' from major entrance to G.P. 14

- Restrict residential to high rise for Parcel 1
- Defers personal services for parcel 5 - may want to limit personal services to 10,000 sq feet
- Residential alternative should be shown separately
- minor changes - in letter summarizing the meeting

MAIN CHANGES TO DP 116 MAXWELL'S CUP

<u>First CUP</u>	<u>First CUP</u>	<u>Revised</u>
Floor Area (Approx)		
Office	89,000	592,000
Hotel/Motel-Commercial	827,000	288,000
	916,000	880,000
Number of Apartments	486	464
If apts are built, office (& commercial) floor area would be reduced up to:	303,000	303,000

Commercial uses are ~~not~~^{not} restricted to Parcels 2 and 3 along Webb Road. Office uses are the only permitted uses for three parcels (except for Parcel 6 which also permits apartments).
(4,5 & 6)

The applicants have added one opening to Webb.

Basically, the traffic study calls for four through lanes, a continuous left turn lane, and decel/accel lanes on the west side of Webb. It also recommends signals at the entrance to Parcels 3 and 4 and at Douglas.

The access on the south side of the CUP Has been moved north and is to be a private ingress/egress easement serving Parcels 3,4,5,6, & 7.

General Provision No. 14 provides that they can construct up to 300,000 on Parcels 2, 3, 4, 5, & 6 without "providing solutions" to traffic problems.

Also refer to Dick Linn's memorandum to Jack.

EL PA	same
ARMCO	TEXOKA
ARMCO	900 N. TYLER RD WICHITA
attorney for Armco	Jochims, Sargent & Blaes, P.A. 200 East First Street Wichita, Kansas 67202
APD	
M.A.P.D.	
MAPD	
	1909 E CARSON
	1406 WESTFIELD COURT WICHITA, KANSAS 67214
LONG ENGINEERING & CONSTRUCTION INC.	
MILLION CORP.	700 E. 29 th ST. No. WICHITA 67219
Don: Hazard Stallings	260 N. ROCK RD. #250 Wichita, 67206
P.E.C., P.A.	1440 E. ENGLISH WICHITA, KANSAS 67211

Karl Kennedy	Dept of Housing & Econ. Dev City
Phone:	
JOE M. POBACK	BOARD OF LAND USE ECON
Phone:	
JAMES L. GARDNER II	MAPC
Phone:	
Sam D. Schreck	PEC
Phone:	
A.T. Buntow	Bd of Land Use Econ
Phone:	
Phil Dietrich	Sedg. Co. Dept. of Public Works
Phone:	
PAUL B. GRAVES	DD of Land Use Econ
Phone:	
Martinez Hansen	MAPC
Phone:	
W. K. Chisholm	MAPC
Phone:	
STEVE LACKEY	CITY OF WICHITA ENG. DEPT.
Phone:	
PAUL B. GRAVES	"
Phone:	
MAX HUBBELL	CAMPBELL & CASTRO
Phone:	

Art Felt

TriMark of South Central Kansas

Sales Office
24 Douglas Parkway
Wichita, KS 67206
(316) 684-9459

JOHN MCKEAN

Production Office
684 Grandby Blvd., P.O. Box 10530
Wilmington, DE 19850
(302) 327-2141

March 8, 1982

Don Gragg
County Commissioner
525 North Main
Wichita, Kansas 67203

Dear Mr. Gragg:

I'm sure all of you have been furnished material on the Maxwell Community Unit Plan that will be presented to you in the next month or two.

As a concerned citizen and owner of property adjacent to the development, I want to be sure you are aware of the situation.

Two most important decisions need to be made. First, is there truly a need for this kind of development in an area already overcrowded; and, second, can the city and the county realistically handle the many problems of traffic, utilities and environmental impact.

I feel I can speak for most of the area residents in that we certainly do not want to be party to preventing anyone from developing his own property for the best possible return on his investment. Really, all we want is intelligent and constructive planning that will make the development complement the surrounding area.

Pizza Hut has demonstrated this attitude and, if similar concerns are followed, we will support a zoning change - but only if such assurance can be guaranteed.

We will continue to participate in the Council H meetings which we feel is an admirable and brave approach to proper planning.

If you care to discuss any of the various concerns we have brought to your attention, I will make myself available. My phone number is 684-9459.

Sincerely,

John McKean
John McKean

Welcome to Downtown Lens Club

April 8, 1982
Phil Ruffler

Addressing • Advertising • Direct Mail • Printing • Publishing

Z-2388)
&)
✓DP-116)

156 "Notice to Adjoining Property Owners" mailed 3-25-82
advising that these cases had been deferred for 120
days on 12-3-81, and that they have now been rescheduled
for the MAPC meeting on 4-8-82.

1 to CPO Office
1 to "NEIGHBORS"

158 TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 672021688

March 25, 1982

NOTICE TO ADJOINING PROPERTY OWNERS:

As a result of the Planning Commission deferring the following cases at their regular meeting on December 3, 1981 for a period of 120 days, this is to advise that the Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following items in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at its meeting beginning at 1:30 p.m., on Thursday, April 8, 1982, at which time you may appear either in person or by agent or attorney, if you so desire.

CASE NO. DP-116 - MAXWELL'S COMMERCIAL COMMUNITY UNIT PLAN

The east 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 7th Principal Meridian, Sedgwick County, Kansas; AND

The North Half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, except beginning at a point on the North line of Lot 1, Wiedemann Addition to Wichita, Kansas, a distance of 120 feet East of the West line of Southeast Quarter of said Section 20; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to the place of beginning. Generally located at the southwest corner of Douglas and Webb Road.

CASE NO. Z-2388

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

The East 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas; AND

The North Half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, except beginning at a point on the North line of Lot 1, Wiedemann Addition to Wichita, Kansas, a distance of 120 feet East of the West line of Southeast Quarter of said Section 20, thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to the place of beginning; and except beginning at the Northwest corner of the North half of the South half of said Quarter Section; thence East along the North line of the South half of the North half of said Quarter Section, 1322 feet more or less, thence Southwesterly 965 feet more or less, to a point 440 feet more or less East and 266 feet more or less North of the Southwest corner of the above described tract; thence Southwesterly 325 feet more or less to a point on the South line and 250 feet more or less East of the Southwest corner of the above described tract; thence West 250 feet more or less to the West line of said Quarter section; thence North along the West line of said Quarter section 663 feet more or less to the point of beginning. Generally located at the southwest corner of Douglas and Webb Road.

Jack H. Galbraith
Assistant Secretary

RECEIVED

MAR 2 1982

MEMO

METROPOLITAN PLANNING
ROUTE *art*



TO: Jack Galbraith

PROJECT NO. 36-78414-1014

MAPD

PROJECT: Maxwells C.U.P.

ATTN:

DATE: February 26, 1982

COPIES TO:

Clemencia L. Prieto

FROM: Dick Linn

Human Resources Department

REFERENCE: Review of revised C.U.P. (DP-116
and Z-2388)

City Hall 2nd Floor

455 N. Main Wichita 67202

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

The above-referenced C.U.P. and zone change request were considered by the MAPD at its regular meeting on December 3, 1981. Several issues were discussed and the action of the MAPC was to defer the cases to their meeting of April 8, 1982.

We have contacted several City Departments and other agencies to respond to the multitude of questions.

Listed below are the majority of issues discussed and comments on responses:

1. Intensity of Land Use - The revised C.U.P. reduces the proposed uses as follows:
 1. Eliminated L.C. uses on Parcel 4 and reduced the building area by 35,840 sq. ft.
 2. Eliminated Hotel/Motel use on old Parcel #5 (now #6).
 3. Eliminated Hotel/Motel use on new Parcel #5.
 4. Restricted L.C. uses on new Parcel 5 to financial and personal services.
2. Access to Douglas and Bonnie Brae - The C.U.P. will dedicate complete access control on the west, which will prohibit access to Bonnie Brae. Access to Douglas from Parcel 7 is not planned. Two openings to Douglas are proposed for Parcel #1.
3. Landscaping Adjacent to Douglas - The C.U.P. provides for a 10' wide planting strip adjacent to the 25' wide green strip in Douglas right-of-way.
4. Traffic Analysis - The Traffic Study has been submitted to Traffic Engineering and MAPD for review.
5. Improvements to Webb Road - The developer will guarantee the additional improvements for Webb Road required by this development plan.
6. Drainage - The drainage concept has been approved by the Department of Engineering. The developer will guarantee the construction of the required improvements.
7. Sewer Facilities - The Department of Engineering has stated that the existing 30" main sewer has additional capacity for the entire proposed development. The Developer will guarantee the sanitary sewer extension required for development of the site.

Page 2
Jack Galbraith, MAPD
36-78414-1014

8. Water Pressure - The Water Department has indicated that current projects under contract will provide adequate water service for the proposed development.
9. Height of Proposed Buildings - The building heights are specified in the C.U.P. and will conform to the limits regulated by the existing ordinance controlling flight zones.
10. More definitive land use probability - The revised C.U.P. is more restrictive in the proposed uses. The developer has plans for the development of Parcel 4 for office use only.

Additional concerns and questions have been raised by CPO Council Area H (fire protection, police protection, KG&E service, etc.). We will contact the various agencies to provide responses to these concerns of the Council. We will request to have this item scheduled on the CPO Council Agenda prior to the April 8, 1982 meeting of the MAPC.



PROFESSIONAL
ENGINEERING
CONSULTANTS
PROFESSIONAL ASSOCIATION

1440 EAST ENGLISH
WICHITA, KANSAS
ZIP CODE / 67211



Jack Galbraith
Chief Planner/MAPD
Tenth Floor - City Hall
455 N. Main
Wichita, Kansas 67202

THE CITY OF WICHITA
OFFICE OF ENGINEERING

DATE FEBRUARY 9, 1982

jc

TO ROBERT LAKIN, DIRECTOR OF PLANNING
FROM CHRIS J. BREITENSTEIN, DRAINAGE & FLOOD CONTROL
ENGINEER
SUBJECT MAXWELL'S C.U.P.



The proposed Drainage Concept (the detention of the difference between Pre and Post Development on Site) is approved at this time. At the time of platting, detailed Drainage Plans and Guarantee's will be required.

Chris J. Breitenstein
Chris J. Breitenstein, P.E.
Drainage & Flood Control
Engineer

/dla

cc: R.W. Linn, P.E.C.
Carmenicto Prieto, CPO Staff

RECEIVED

FEB 9 1982

METROPOLITAN PLANNING
ROUTE _____

THE CITY OF WICHITA



HUMAN RESOURCES DEPARTMENT
CITY HALL, SECOND FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4891

RECEIVED

FEB 5 1982
METROPOLITAN PLANNING
ROUTE *Ant File*

February 5, 1982

Hugh S. Maxwell
2381 Algonquin Road
Schenéctady, New York 12309

Dear Mr. Maxwell:

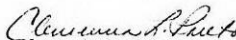
Enclosed is a letter from Charlotte Kleffner, Chairperson of the Citizen Participation Organization Neighborhood Council Area "H" expressing the Council and Neighborhood's concerns and recommendations to assure the most appropriate development of the Maxwell C.U.P.

The Council and area residents are aware of steps being taken to address the traffic, drainage and sewer capabilities concerns and have learned from the Water Department that water supply and pressure is adequate for the ultimate development of the Maxwell C.U.P.

Area "H" and the neighborhood would like to be kept informed on the traffic study's results and on your actions related to the other concerns expressed in the attached letter and in a memo sent to the Metropolitan Area Planning Commission dated December 2, 1981.

If you have any comments or questions please contact me at 316- 268-4516 or you may write to the Citizen Participation Office.

Sincerely,


Clemencia L. Prieto
Administrative Aide III

CLP:dm

Enclosure

THE CITY OF WICHITA



HUMAN RESOURCES DEPARTMENT
CITIZEN PARTICIPATION ORGANIZATION
CITY HALL - THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

February 2, 1982

Hugh S. Maxwell
2381 Algonquin Road
Schenectady, New York 12309

Dear Mr. Maxwell,

The Citizen Participation Organization Chairman of Area "H" addressed the December 3, 1981 meeting of the Metropolitan Area Planning Commission where the Maxwell Commercial CUP was considered. Two main points were addressed:

1. Recommend feasibility study
2. Deny recommendation for development

A review of these comments follows:

1. Recommend feasibility study: Area "H" strongly recommended a comprehensive feasibility study be completed prior to considering approval of the proposed development.

Mr. Eugene G. Coombs, stated the "impact is not known." This indicates it is essential to complete the study prior to the development.

If 450,000 square feet were developed at this time, a study would be required. This area has potential for 915,000 square feet; and in the Area "H" Council's opinion, the feasibility studies should be required to allow orderly development. We feel that a careful look at the surrounding neighborhood suggests that businesses in this area could experience failure unless developed with special planning for the future.

2. Deny recommendation for development was based on:
 - a. Neighborhood opposition (many spoke on this subject at the meeting.)
 - b. Concerns not addressed by the C.U.P.
 - Concerns which need city department input
 - Concerns which leave many unanswered questions
 1. Traffic - A study be required for Douglas, Webb, Kellogg area. Perhaps a plan for internal circulation should be developed rather than seven

THE CITY OF WICHITA 2

Hugh S. Maxwell
Schenectady, New York
Page 2

- openings into Webb - a public street - and two into Douglas - also a public street.
2. Sewer capabilities - City Engineers need to certify in writing adequate sewerage for the 950,000 square feet.
 3. Water pressure - The Water Department needs to study this concern for future adequacy when 950,000 square feet are developed.
 4. Drainage - Gypsum Creek in the area of flood control needs to be carefully considered by engineering department before construction. Those of us in areas of east Wichita, both residential and commercial, find drainage a severe problem not adequately addressed before construction took place.
 5. Fire and police protection -Area "H" has considerable commercial properties. Will this project strain these resources?
 6. Screening and landscaping - Choice property in Wichita (everyone thinks their property is choice!). This should be developed for the good of the development and the neighborhood. Landscaping should be required beyond the 10 feet strip. Landscaping should conform with Pizza Hut's landscaping on Douglas to act as screening and noise control.

Area "H" is not opposed to commercial development, but we need to be assured the area can support another project of this magnitude. We have our doubts. In the past few weeks, several more businesses in this area have closed.

Area "H" has every fast food in Wichita; it has large and small developments; new and old developments --some attractive physically, some not, some vacant, some overcrowded. We have various commercial businesses. Has a study been made as to the type of business that would be successful or is it up to whomever will lease the space? Area "H" has usually voted approval for zone changes. This project is one that needs more consideration in the planning stage before approval is granted.

Since December 3rd other concerns have surfaced, namely the availability of telephone lines, provisions to control air and noise pollution and the quality of the project and electrical capability to avoid brown outs in the area.

The Council will be meeting on March 1st with the neighborhood to have an update on the zone change request. This letter is our way of keeping you informed on Area "H"'s activities and of inviting you to attend the meeting or offer your comments in writing.

Sincerely,

Charlotte Kleffner
Charlotte Kleffner
Chairperson
CPO Neighborhood Council "H"

Hugh S. Maxwell
Schenectady, New York
Page 3

cc: Eugene G. Coombs, Attorney, 421 East 3rd Street, Wichita, Ks. 67202
Phil Ruffin, P.O. Box 17087, Wichita, Ks. 67201
Gary Wiley, Professional Engineering Consultants, P.A., 1440 East
English, Wichita, Ks. 67211
C.T. Spines, President, Cloister Homeowners Association, Inc.,
Spines Real Estate Development, Fourth Financial Center, Wichita, Ks. 67202
John B. McKean, 24 Douglas Parkway, Wichita, Ks. 67206
David J. Aspell, 28 Douglas Parkway, Wichita, Ks. 67206
Henry M. Pack, 8121 Mockingbird Lane, Wichita, Ks. 67207
George Trombold, 144 Bonnie Brae, Wichita, Ks. 67207
Austin Rising, Vice President, Beech Aircraft Corporation, 9709 East
Central, Wichita, Ks 67208
Jim B. Crowe, 8126 Peach Tree Lane, Wichita, Ks. 67207
Jake Hartmetz, 234 North Armour, Wichita, Ks. 67206
Jack H. Galbraith, Chief Planner, MAPD, City of Wichita, 67202 ✓
Metropolitan Area Planning Commission, City of Wichita, 67202

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE January 13, 1982



TO Robert Lakin, Director, Planning Department

FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT Maxwell C.U.P. - Southwest
corner of Douglas and Webb Road

At its January 4th meeting, the Citizen Participation Council Area "H" recommended that the City consider declaring the proposed Maxwell C.U.P. a special District, so that the cost of needed improvements in the area be assessed to the Maxwell C.U.P. only.

If you have any questions or comments on this recommendation, you may call me at 4516.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP:dm

Noted:

Sarah Gilbert/sm

Sarah Gilbert
CP Coordinator

RECEIVED
JAN 14 1982
METROPOLITAN PLANNING
ROUTE _____

THE CITY OF WICHITA

OFFICE OF ENGINEERING DEPARTMENT
Design

DATE January 5, 1982




TO Robert Lakin, Director of Planning

FROM Chris Breitenstein, Drainage & Flood Control Engr.

SUBJECT Hugh Maxwell Property

I have been informed by Charlie Brown of Professional Engineering Consultants that the Planning Commission, at the time a zoning change was requested for subject property, action was deferred and more engineering was requested to be conducted. Mr. Brown has submitted a letter and map stating in effect that the difference in pre-developed and post developed runoff would be detained on site. He would like to know if this is sufficient information at this time. I am attaching a copy of his letter for your information.


Chris J. Breitenstein, P.E.
Drainage & Flood Control Engineer

CJB:gf

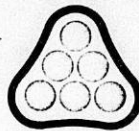
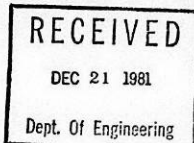
Attachment

cc: Charlie Brown
Professional Engineering Consultants
1440 E. English
Wichita, Kansas 67211

DIRECTORS

G. O. KNOP, P.E.
R. B. PEUGH, P.E.
C. J. FREUND, P.E.
W. H. KELTNER, P.E.
R. D. PLETCHER, P.E.
F. D. MIDDLETON, JR., P.E.
D. E. MALTBIE, P.E.
M. D. SCHOMAKER, P.E.

December 17, 1981



**PROFESSIONAL
ENGINEERING
CONSULTANTS**
LAND DEVELOPMENT
DIVISION
PROFESSIONAL ASSOCIATION

Mr. Chris Breitenstein, P.E.
Drainage Engineer
City Hall - 7th Floor
455 N. Main
Wichita, Kansas 67202

RE: Hugh Maxwell Property
PEC File No. 36-78414-1-1014

Dear Mr. Breitenstein:

As per our meeting on December 16, this letter will serve as a "Preliminary Drainage Concept" for the referenced project. Enclosed for your reference is a sketch of the subject property with a possible drainage system.

To date, we have analyzed the existing drainage basin for the 100-year storm and have developed the peak runoff. This includes drainage from tributary areas at Beech, Pizza Hut headquarters, Forest Hills Addition, and the Kellogg-Webb Road intersection area including development on the northwest corner of that intersection. The peak runoff expected after development of the subject property will also be determined. This could be done at this time, but we feel that a more accurate determination would be accomplished when more definite land uses and layouts are known during the platting phase.

The difference in the pre-developed and post-developed runoffs will be temporarily stored in a detention-retention pond system. These ponds will be similar to those shown on the enclosed sketch. Floodways and easements platted in the subject property and in P.H.I. Addition may be utilized for this purpose.

We trust that this is sufficient information for your review at this time. We request that all detailed designs, layouts, and calculations be performed during the platting phase. Please advise in writing if this is acceptable or if any additional data is needed.

Thank you for your consideration in this matter.

Very Truly Yours,

Charles S. Brown, P.E.
Project Engineer

cc: Gary Snyder/Phil Ruffin

LOCATED AT:
355 ELLIS
WICHITA, KANSAS 67211
(316) 263-1107

FORWARD ALL MAIL TO:
1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691

FROM

JWS

DATE

12-30-81

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input checked="" type="checkbox"/> Lakin	<input type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> Funk	<input type="checkbox"/> Lytle	<input type="checkbox"/> Stafford
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Commer
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input checked="" type="checkbox"/> Chambers	<input type="checkbox"/> Crook
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Garland
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudaik	<input type="checkbox"/> Nagley	<input type="checkbox"/> Singhal
<input type="checkbox"/> Holdeman	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Haas	<input type="checkbox"/> Shirkey	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart		
<input type="checkbox"/> Scott	<input type="checkbox"/> Losew		
	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vineon		
	<input type="checkbox"/> —		

<input type="checkbox"/> Note & Return	<input type="checkbox"/> Signature
<input type="checkbox"/> Handle	<input type="checkbox"/> Library
<input type="checkbox"/> All Staff	<input checked="" type="checkbox"/> Information
<input type="checkbox"/> Comment	<input checked="" type="checkbox"/> Files

REMARKS *Do not understand TP 3*

RECEIVED

DEC 29 1981

METROPOLITAN PLANNING

ROUTE

December 29, 1981

Mr. R.W. Linn
Professional Engineering Consultants
355 South Ellis
Wichita, KS 67211

Dear Mr. Linn:

Subject: Sanitary Sewer Service - Maxwells Commercial
C.U.P. on S.W. Corner of Webb Road and Douglas

I wish to provide the following information in reply to your
memo to me dated December 21, 1981, on the above noted
subject.

- 1.) The 18" diameter W.I.S. does not have capacity to serve the drainage basin in which it is located. This will necessitate construction of a parallel line at some time in the future when development north of Central occurs. This parallel sewer is in the Capital Improvement Program under Project No. S-42. Preliminary layout of this parallel line is such that would not provide additional sewer capacity to the subject Maxwell C.U.P.
- 2.) It may be possible to utilize the 18" diameter W.I.S. on an interim basis for a limited development in the Maxwell C.U.P. Additional information would be necessary, such as estimated peak flows from the proposed amount of interim development, before any determination can be made on the interim use of the 18" diameter W.I.S. Pipe conditions and existing flow conditions also would need to be determined downstream from the proposed interim connection to the 18" diameter W.I.S. for such an interim use.

Mr. R.W. Linn
December 29, 1981

- 3.) Present flows from existing development in the War Industries Sewer District in combination with anticipated projected flows from future development in the War Industries Sewer District indicates capacity to be available in the 30" diameter War Industries Sewer for the ultimate development within the Maxwell C.U.P. consisting of one hotel or motel, various office and commercial buildings, and apartment buildings as you indicated to me in our previous conversations.

I presume this is the information your memo requested.

Very truly yours,

Donald E. Schneider

Donald E. Schneider, P.E.
Sanitary Engineer

/dla

cc: Jack Galbraith, Chief Planner x
Clemencia Prieto, C.P.O.

Gresham Property -
Bill Otter called ^{jack} 12-28-51

20" in W.M. Rd -

21 at W.M. 10 miles: galon -
Bids have been let

30" South on W.M. to 13th St; then
24" to Central - this into 20"
line on Central.

Summer of 1983 - pumping station which will increase
pressure in 5" lines in Forest Hills

MEMO



TO: Don Schneider PROJECT NO. 36-78414-1014
Sanitary Engineer PROJECT: Maxwell's C.U.P.
ATTN: _____ DATE: December 21, 1981

COPIES TO:

Jack Galbraith, MAPD FROM: Dick Linn
Clemencia Prieto, Admin Aide REFERENCE: Z-2388 and DP-116 Maxwell's Commercial
CPO C.U.P. located at the southwest corner of Webb road
and Douglas.

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

On December 3, 1981 the Metropolitan Area Planning Commission considered the above-referenced zone change request and C.U.P.. Several issues were discussed and although these items are normally solved during the platting process, the action of the Planning Commission was to defer these cases to their April 8, 1982 meeting.

One of the items questioned was sewer capacity. The 18" diameter War Industries Sewer crosses the northwest corner of this property and the 30" diameter sewer main is located immediately west of the property and on the west side of Gypsum Creek.

Please review the proposed C.U.P. and provide your comments relative to sewer capacity and service for this development.

RECEIVED

DEC 23 1981

METROPOLITAN PLANNING
ROUTE *Act*

MEMO



TO: Bill Otten

Water Department

PROJECT NO. 36-78414-1014

PROJECT: Maxwell's C.U.P.

COPIES TO:

ATTN:

DATE: December 21, 1981

Jack Galbraith, MAPD

FROM: Dick Linn

Clemencia Prieto, Admin. Aide
CPO

REFERENCE: Z-238E and DP-116 Maxwell's Commercial
C.U.P. located at the southwest corner of Webb

Road and Douglas.

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

On December 3, 1981, the Metropolitan Area Planning Commission considered the above-referenced zone change request and C.U.P.. Several issues were discussed and although these items are normally solved during the platting process, the action of Planning Commission was to defer these cases for their meeting of April 8, 1982.

One of the items questioned was the adequacy of the water system and low pressure problems in the area. One of the residents in Forest Hills complained of low pressure and later stated that his block is served by a 2" main.

This property will be served by the 20" main located in Webb Road. Development of the property will be phased over a period of time and the first phase cannot be completed earlier than late 1982 or early 1983.

Please review the proposed C.U.P. and provide your comments relative to water service for this development.

COOMBS & STANDLEE CHARTERED
ATTORNEYS AT LAW
HERITAGE PLACE
421 E. THIRD - BOX 405
WICHITA, KANSAS 67201

EUGENE G. COOMBS
CHRISTOPHER G. STANDLEE

(316) 263-2261

December 9, 1981

Mr. Phil G. Ruffin
Town & Country Food Markets, Inc.
1725 East Douglas
Wichita, Kansas 67211

Dear Phil:

I know you have received a letter from Jack Galbraith of the Metropolitan Area Planning Commission with reference to the Maxwell's Commercial C.U.P. The matter has been deferred before the Metropolitan Area Planning Commission to April 8, 1982.

Jack Galbraith has requested the following:

1. We schedule a meeting with Mr. Galbraith during the next two weeks, (prior to December 30, 1981), to discuss what needs to be accomplished prior to the April 8, 1982, meeting.
2. We contact the City Engineering Department.
3. We contact the County Public Works.
4. We contact Beech Aircraft Corporation and both of the above in regard to street improvements on Webb Road.
5. We contact other City departments regarding the other issues raised at the Planning Commission meeting.

I would appreciate it if Gary would contact me upon receipt of this letter so we can schedule a meeting with Jack Galbraith. It might be advisable also to have P.E.C. present at this meeting.

Please let me know. Best regards.

Very truly yours,

COOMBS & STANDLEE, Chartered

Eugene G. Coombs
Eugene G. Coombs

EGC:ch

cc: Mr. Jack H. Galbraith
Mr. Gary Snyder

RECEIVED

DEC 10 1981

METROPOLITAN PLANNING

ROUTE

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

December 4, 1981

Eugene G. Coombs, Attorney
421 East 3rd
Wichita, Kansas 67202

Re: Z-2388 - "AA" to "IC" &
DP-116 - Maxwell's Commercial C.U.P.
Both located on the southwest corner
of Douglas and Webb Road

Dear Mr. Coombs:

At its regular meeting on December 3, 1981, the Metropolitan Area Planning Commission considered the above-captioned zone change request and C.U.P. After considerable discussion, and a number of issues being raised as to intensity of land use, access to Douglas and Bonnie Brae, additional landscaping adjacent to Douglas, the need for a traffic analysis, improvements to Webb Road, drainage, sewer facilities, water, height of proposed buildings, the appropriateness of residential uses next to Beech Aircraft and a desire for more definitive land use probability, the action of the Planning Commission was to defer these cases for 120 days to their meeting of April 8, 1982.

Due to the number of issues raised it may be beneficial to you and us to schedule a meeting during the next two weeks to discuss what needs to be accomplished over the next four months. We would also encourage you to contact the City Engineering Department, County Public Works and Beech Aircraft Corporation in regard to street improvements on Webb Road. You may also wish to contact other City departments regarding the other issues raised at the Planning Commission meeting. If you have any questions or wish to schedule a meeting, please call.

Sincerely yours,

Jack H. Galbraith
Jack H. Galbraith *JHG*
Chief Planner

JHG:sad

WICHITA - SEDGWICK COUNTY

cc: Hugh S. Maxwell, 2381 Algonquin Road, Schenectady, New York 12309
Phil Ruffin, P. O. Box 17087, Wichita 67217
Gary Wiley, Professional Engineering Consultants, P.A., 1440 East
English, Wichita 67211
C. T. Spines, President, The Cloister Homeowners Association, Inc.,
% Spines Real Estate Development, Fourth Financial Center, Wichita
67202

John B. McKean, 24 Douglas Parkway, Wichita 67206
David J. Aspelin, 28 Douglas Parkway, Wichita 67206
Henry M. Pack, 8121 Mockingbird Lane, Wichita 67207
George J. Trombold, 144 Bonnie Brae, Wichita 67207
Austin Rising, Vice President, Beech Aircraft Corporation, 9709 East
Central, Wichita 67206
Jim B. Crowe, 8126 Peach Tree Lane, Wichita 67207
Jake Hartmetz, 234 North Armour, Wichita 67206
Peter Ochs, 22 Hawthorne, Wichita 67206
Charlotte Kleffner, 8629 Stoneridge, Wichita 67206

STATEMENT
BEFORE THE
WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

DECEMBER 3, 1981

BY AUSTIN RISING, VICE PRESIDENT
BEECH AIRCRAFT CORPORATION
WICHITA, KANSAS

THANK YOU.

BEECH AIRCRAFT APPRECIATES THIS OPPORTUNITY TO CONTRIBUTE TO THE DISCUSSION OF THE MAXWELL COMMUNITY UNIT PLAN. AT THE OUTSET, I'D LIKE TO SAY THAT BEECH SUPPORTS THE EVENTUAL DEVELOPMENT OF THE MAXWELL SITE. WE ENCOURAGE ORDERLY GROWTH AND APPROPRIATE USE OF THE LAND RESOURCES SURROUNDING BEECH PROPERTY. WE EXPECT THAT DEVELOPMENT OF THIS PARTICULAR PARCEL OF LAND WILL DISPEL THE UNCERTAINTY WHICH FOR MANY YEARS HAS SURROUNDED ITS EVENTUAL USE.

IN THAT CONTEXT WE SUPPORT THE REQUEST TO CHANGE THE EXISTING ZONING FROM "RESIDENTIAL" TO "LIGHT COMMERCIAL" AND LOOK FORWARD TO HAVING ANOTHER NEIGHBOR TO THE WEST OF OUR EXISTING FACILITIES. HOWEVER, WE DO HAVE SOME CONCERNS WHICH WE WOULD LIKE TO SHARE WITH YOU. IF THE ZONING OF THE AREA IS CHANGED AS IS REQUESTED IT WOULD PERMIT MANY MORE DWELLING UNITS THAN EXISTING ZONING ALLOWS. POPULATION DENSITY COULD INCREASE DRAMATICALLY. THIS MIGHT CAUSE PROBLEMS IN THE LONG TERM. AIRPORTS THROUGHOUT THE COUNTRY ARE EXPERIENCING DIFFICULTIES WITH THE DEVELOPMENT OF SURROUNDING AREAS. AREAS AROUND AIRPORTS ARE DEVELOPED IN LARGE MEASURE BECAUSE OF ECONOMIC BENEFITS THEY BRING TO THE IMMEDIATE VICINITY AND COMMUNITY AS A WHOLE. THE PEOPLE WHO SUBSEQUENTLY MOVE IN HAVE COMPLAINTS ABOUT NOISE AND AIR TRAFFIC. IT MUST BE MADE CLEAR TO THE DEVELOPERS AND POTENTIAL TENANTS OF THIS AREA THAT BEECH INTENDS TO STAY IN WICHITA AND TO EXPAND ITS LEVEL OF ACTIVITIES. I'M HOPEFUL THIS BOARD

ENDORSES THAT CONCEPT. ANOTHER AREA OF CONCERN IS THE CAPABILITY OF EXISTING SEWER, TRAFFIC, AND SURFACE WATER DRAINAGE SYSTEMS TO ACCOMMODATE A MASSIVE NEW DEVELOPMENT OF THE TYPE WHICH BROUGHT ABOUT THIS ZONING CHANGE REQUEST.

OUR MOST SERIOUS CONCERN INVOLVES THE SAFETY OF THE VARIOUS FLIGHT OPERATIONS IN AND AROUND THIS AREA. WITH THE POSSIBILITY OF TALL BUILDINGS IN THE IMMEDIATE AREA OF BEECH FIELD, THAT CONCERN IS AMPLIFIED. WE HAVE SOME 200 AIRCRAFT MOVEMENTS A DAY FROM BEECH FIELD'S THREE RUNWAYS. ONE OF THOSE IS A GRASS SURFACED CROSSWIND RUNWAY THAT ENDS NEAR WEBB ROAD ACROSS THE STREET FROM THE PLANNED AREA OF DEVELOPMENT. IT IS IMPERATIVE THAT ANY PROPOSED IMPROVEMENT ON THAT PROPERTY BE WITHIN THE EXISTING ORDINANCE REGARDING BUILDING HEIGHTS NEAR BEECH'S AIRPORT.

NO ONE KNOWS BETTER THAN PILOTS FLYING IN AND OUT OF BEECH FIELD IN ALL KINDS OF WEATHER THE SPECIFIC CONDITIONS WHICH MUST BE MET IN THE INTEREST OF THEIR SAFETY AND THAT OF THEIR PASSENGERS. THE AREA NEAR BEECH FIELD, WHICH INCLUDES THE FOLLOWING AIRPORTS: COPELAND, JABARA, McCONNELL, CESSNA, AUGUSTA, COOK, EL DORADO, GRAHAM, SILLS, PIPPIN, BENTON, AND SEVERAL OTHERS, IS UNIQUE IN ITS DENSITY AND MUST BE TREATED ACCORDINGLY. WE FEEL THE EXISTING AIRPORT ZONING ORDINANCE DEALS ADEQUATELY AND FAIRLY WITH THIS PECULIAR SITUATION. IN THAT REGARD WE SPECIFICALLY REQUEST AN ADDITIONAL STATEMENT BE INCORPORATED INTO THE GENERAL PROVISIONS OF THE C.U.P. WHICH ADDRESSES IN WRITING THIS CONCERN. IF I MAY, WE WOULD RECOMMEND THE ADDITIONAL PROVISION

WOULD READ AS FOLLOWS:

"NOTHING IN THIS COMMUNITY UNIT PLAN SHALL TAKE PRECEDENCE OVER CHAPTER 28.08 ON AIRPORT ZONING IN THE CODE OF THE CITY OF WICHITA, PAGES 1063 THROUGH 1078, WHICH ZONING ORDINANCE SHALL FOR ALL PURPOSES ESTABLISH THE MAXIMUM HEIGHT TO WHICH ANY BUILDINGS OR ANY OTHER STRUCTURES MAY BE ERECTED ON THE LAND SUBJECT TO THE C.U.P."

WITH THAT ADDITIONAL REASSURANCE IN WRITING THAT SAFE FLIGHT OPERATIONS WILL NOT BE ADVERSELY AFFECTED BY FUTURE HIGH RISE DEVELOPMENTS ON THE MAXWELL PROPERTY, WE WOULD NOT OPPOSE THIS COMMUNITY UNIT PLAN.

THANK YOU LADIES AND GENTLEMEN.

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE December 2, 1981



TO Jack Galbraith, Chief Planner, Current Plans

FROM Clemencia L. Prieto, Administrative Aide III

SUBJECT DP-116 and Z-2388 - Southwest
corner of Douglas and Webb Road

The regular meeting of CPD Neighborhood Council "H" was to be held on December 7th, but took place one week earlier, on November 30th, to allow for the Council's and area residents' input on the above captioned request for approval of the Maxwell's C.U.P., prior to the MAPC December 3rd meeting.

Gary Wiley and Gary Snyder were present representing the applicant. More than sixty-five area residents attended the meeting in opposition to the proposed development.

The Council voted unanimously (8-0) to recommend denial of the proposed C.U.P. and the associated zone change for the following reasons:

1. The neighborhoods to the west and to the north (Bonnie Brae and Forest Hills) have stated a strong opposition to the proposed project as presented to them.
2. Because of the many concerns raised by a project of this magnitude that have not yet been properly addressed. (Specific concerns will be listed in this memorandum for your consideration.)

The Council appreciated the MAPD's staff report and their excellent job in bringing forward critical points for its consideration. The Council basically agreed with their comments, especially with item 13a. However, the Council recommended that a comprehensive feasibility study be done prior to considering approval of the proposed development for the following reasons: a) the potential development of the total area; b) to determine if there are adequate supportive services for the development of the area as planned; c) to identify problems and solutions to problems associated with large scale developments.

Following are the Council's concerns:

1. Traffic
 2. Sewer Capabilities
 3. Water Pressure
 4. Drainage
 5. Fire Protection
 6. Screening and Landscaping
1. Traffic - The Council questioned the Webb Road ability to handle the increased traffic without widening and improving the street.
 - Improvement at the intersection of Kellogg and Webb should be completed first, as proposed in the 1982-87 CIP.
 - The Council questioned the access to Parcel No. 6 and expressed opposition to placing an ingress-egress to the west or north of the parcel.
 - The Council questioned the benefit of the proposed two exits on Douglas and recommended that no access be provided on Douglas.

2. Sewer Capabilities - The Council questioned the adequacy of the War Industries Sewer to serve the proposed development, due to age of the sewer, and recommended that if necessary, the developer be required to replace it with no assessments to other property owners.
3. Water Pressure - The Council questioned the adequacy of the water system and noted the pressure was already low in adjacent neighborhoods.
4. Drainage - The developer should be required to give proper consideration to adequate drainage.
5. Fire Protection - The Council asked that adequate fire protection be considered.
6. Landscaping and Screening - The Council questioned the adequacy of the proposed planting strip (10 feet in width) to protect the character of the neighborhood to the north and suggested a shelter similar to the one provided by Pizza Hut west of the proposed development.
 - The Council stated concern on the future accumulation of trash in the residential neighborhood to the north and asked that protection be provided to the neighborhood.
 - The Council stated concern for the preservation of the Gypsum Creek trees and asked that they be used to landscape the area or the Parkway to the north. Landscaping should also be used to hide parking and screen trash.

On the proposed uses of the individual parcels, the Council had the following recommendations:

Parcel 1: Alternative A: Develop Parcel 1 with "AA" uses as allowed in the C.U.P. Alternative B: If the proposed application is granted, provide for appropriate landscaping to screen the development or use it as a buffer.

Parcel 2, 3, 4: Development of these parcels with "LC", Light Commercial District, excluding service stations, convenience stores and fast food restaurants.

Parcel 5: Development of the parcel with uses permitted in "BB", Office District.

Parcel 6: Development of the area under the density permitted in "R-5", General Residence District, not to exceed 17.4 dwelling units per acre. The Council recommended that mobile homes not be allowed in the area.

The Council asked that the questions concerning the development plan and the development's effects on the residential neighborhood to the west and north, and on the surrounding area should be addressed and answered prior to considering approval of the C.U.P. application.

Jack Galbraith, DP-110 and Z-2388
December 2, 1981
Page 3

Please provide copies of this memorandum to the members of the MAPC and City Commission when this case is considered by them. Thank you.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP:dm

Noted:

Sarah Gilbert

Sarah Gilbert
CP Coordinator

cc: Gary Snyder
June Turner
Gary Wiley

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 12-03-81

Case No. DP-116 Request: Approval of the Maxwell
Z-2388 Commercial C.U.P.
"AA" to "LC"

Location: Southwest corner of Douglas and Webb Road

Size: DP-116 57.8 acres Dimension: 2210' x 2640' (irregular)
Z-2388 47.8 acres 1960' x 2210' (irregular)
Maximum Floor Area 915,918 square feet
Maximum number of dwelling units 486

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA"
North	Single-family and office	"AA" & "BB"
East	Beech Aircraft	"E"
South	Motel, K-Mart, office and apartments	"LC"
West	Single-family and office	"AA" & "BB"

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

Platted: No

History: None

COMMENTS:

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

In compliance with the provisions of Section 28.04.190 of the Code of the City of Wichita, an application has been submitted requesting approval of the Maxwell's Commercial C.U.P., located at the southwest corner of Douglas and Webb Road. Associated zone change Z-2388 is requesting a change from "AA" Single-family to "LC" Light Commercial for most of the same area. A portion of the C.U.P. is to remain "AA" Single-family and developed with residential uses. The C.U.P. proposes to develop a maximum of 915,918 square feet provided that any development over 450,000 square feet would require the owners to identify and solve problems associated with large scale developments. Proposed uses for Parcel 1 include financial, office or apartments (120 dwelling units). Parcels 2 through 5 are intended for development with a shopping center, financial institution, hotel/motel, offices, retail sales, personal services and other similar uses. Parcel 5 also permits apartments at a density of 30 dwelling units per acre (the same as Parcel 1) or a maximum of 294 units. Parcel 6 is to remain zoned "AA" and would permit 26 townhouses or 72 garden apartments at a density of 7.2 dwelling units per acre.

Due to the close proximity of this C.U.P. to the Beech Airport, height limitations are governed by the Airport Zoning Ordinance which establishes height limits based on distance from the runways. The C.U.P. also places a maximum building height of 120 feet. Building coverage, setbacks, landscaping and other information relating to further development is shown on the plan.

2. Staff is generally supportive of the proposed uses, but has some concern about the amount of commercial uses that could be developed on this site. The impact of large developments, such as proposed by this C.U.P., on City services is a concern of staff. Generally, proposed developments of this size (Towne East or Towne West) are required to complete impact studies and to contribute to the costs of some improvements. This C.U.P. states that studies

would not be required as long as development is less than 450,000 square feet. While staff tentatively agrees with that statement, it is felt that additional guidelines should be included that will assist the City in providing services in a cost effective manner while allowing the developer flexibility in meeting market demands.

The Woodlawn Development No. 15 Commercial C.U.P. at the northeast corner of 29th Street North and Rock Road was recently approved with a similar provision about additional studies. However, it also included a statement saying that the C.U.P. was general in character and that a detailed site plan would be submitted to the Director of Planning for review and approval prior to the issuance of building permits. By having City staff review site plans, it is easier to analyze impacts and to insure that City services are adequate to handle proposed development.

3. Another concern of staff is that 450,000 square feet of commercial and office uses could be developed on Parcels 2, 3 and 4 without eliminating the residential option on Parcels 1 and 5. This could result in total development of the site without any further study. One alternative would be to allow 300,000 square feet of development to occur on Parcels 2, 3 and 4 without any additional studies required. Parcel 1 could develop under the guidelines of the parcel description, provided that site plans are submitted for residential uses. Parcel 5 would not be allowed to develop until detailed site plans are submitted, at which time the need for additional studies would be determined.

Another alternative would be to restrict the amount of floor area permitted for commercial use to 200,000 square feet without requiring additional studies. The remaining 250,000 square feet could be developed with offices or a hotel/motel.

4. Due to existing ownerships and drainage areas, it will be difficult to provide access to Parcel 6. One possible solution would be to seek access through the Cloisters or the Pizza Hut property to the north. This would eliminate the need to serve Parcel 6 by a half-mile long access easement from Webb Road.
5. As can be seen on the plan, there is a substantial amount of drainage on this site that will have to be addressed at the time of platting. Staff would encourage the applicant to contact the Department of Engineering to discuss potential drainage problems and solutions.
6. The Department of Engineering has indicated that sewer service for this area will have to connect with the War Industries Sewer, which may be more expensive than connecting with other sewers. Again staff would encourage the applicant to contact the Department of Engineering to discuss the sewer situation.
7. A recommendation of approval of the zone change by the Planning Commission should be subject to approval of the associated C.U.P. and the property being platted within one year 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.
8. Should the Planning Commission determine that the proposed C.U.P. is appropriate, the following are recommended conditions of approval:
 - a. The Plan shall be changed to show two (2) points of access to Douglas from Parcel 1.
 - b. Preliminary site plans for residential uses for Parcels 1, 5 and 6 shall be shown on the plan.
 - c. General Provision No. 13 shall be reworded as follows:

- 13a. The C.U.P. document is general in character and will require submission of a detailed site plan and a landscape buffer plan were required for each parcel or portion thereof. This site plan will require administrative approval at the plan review stage prior to issuance of a building permit. The plan shall show land use relationships, access points and/or control, setbacks, interior circulation, parking, screening and other similar design considerations which may affect adjacent property or the general health and welfare of the public. The plan shall be submitted to the Director of Planning for review and approval.
- 13b. This plan provides for the construction of up to 613,581 square feet of office, commercial, and related uses for Parcels 2, 3 and 4. Should the owners desire to construct over 300,000 square feet of such uses on Parcels 2, 3 and 4, the owner(s) shall identify problems created by the additional size and provide solutions to those problems (as well as other problems identified by City staff) satisfactory to the Director of Planning and other affected Departments within the City.
- 13c. Prior to the issuance of any building permits on Parcel 5, a detailed site plan shall be submitted to the Director of Planning, in order to determine if additional studies or improvements are needed prior to construction. If Parcel 5 is proposed for development in conjunction with Parcels 3 and 4, then Parcel 5 shall be substituted for Parcel 2 in General Provision No. 13b and Parcel 2 substituted for Parcel 5 in General Provision No. 13c.
- d. 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.
- e. 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.
- f. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- g. 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.

WICHITA-SEDGWICK COUNTY

DATE
November 17, 1981

METROPOLITAN AREA PLANNING DEPARTMENT

TO "THE FILES"
FROM Arthur D. Chambers, Senior Planner
SUBJECT DP-116 - MAXWELL'S C.U.P.

I met with Gary Wiley, Professional Engineering Consultants, and Gary Schneider, Ruffin Properties, Inc., regarding the proposed C.U.P. on the west side of Webb and south of Douglas. We discussed the need to set buildings over 55 feet in height farther back than the 65 foot setback line shown in Parcels 1 and 2 along Webb. It was suggested that buildings over 55 feet would have to set back an additional one foot for every additional foot in height. The setback along Douglas in Parcel 1 would be increased 1.5 feet for each one foot of height over 55 feet. I indicated that the suggestion would be satisfactory, provided that buildings over 55 feet in Parcel 1 were restricted to residential uses. In addition to the increased setbacks, it was agreed that generally heights would not exceed those set by the airport zoning ordinance and would not exceed 120 feet under any circumstances.

There was some discussion regarding the drainage dedications shown on the C.U.P. After Schneider stated that the drainage might be piped and/or the area reduced, I suggested that they include that area in the net acres. Final width, as well as whether it will be an easement or deduction, can be determined at the time of platting.

Considerable discussion took place regarding the amount of square feet permitted and what might be required of the applicant in the way of a traffic study, and other assessments of the impact on other city services. We discussed the fact that city staff would have to analyze the maximum proposed.

I gave them a copy of DP-111 - WOODLAWN DEVELOPMENT NO. 15, so they could review the wording regarding floating parcels, amount of floor area that could be developed without further studies, administrative approval of site plans, etc. Schneider indicated that, at a minimum they would request 450,000 to 550,000 square feet with no further studies required. I told them that I would have to check with other city staff. I also suggested that they may want to indicate the amount of square feet permitted for different land uses before indicating acceptance of any alternatives.

We also discussed access to the interior parcels. Generally, I indicated that final location of access easements would be determined at the time of platting.

Page Two
Memo to "THE FILES"
November 17, 1981

At the end of the meeting, I informed them that we would need to have the revised plan returned to us by Monday, November 23, since the MAPC mailout is on Wednesday, November 25, 1981.

Arthur D. Chambers
Arthur D. Chambers
Senior Planner

ADC:e1

Z-2388 }
& DP-116 } 156 "Notice to Adjoining Property Owners" mailed 11-19-81 for
the MAPC meeting for 12-3-81

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

159 TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 672021688

November 19, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, December 3, 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 MAXWELL'S COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

CASE NO. DP-116

The East 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas; AND

The North Half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, except beginning at a point on the North line of Lot 1, Wiedenmann Addition to Wichita, Kansas, a distance of 120 feet East of the West line of Southeast Quarter of said Section 20; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to the place of beginning. Generally located at the southwest corner of Douglas and Webb Road.

The 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-2388 ("AA" single family to "LC" light commercial) this C.U.P. would permit the development of this approximately 57.3 acre site with general office, a shopping center, apartments and single family uses.
2. Approximately 916,000 square feet of floor area could be developed for offices, shopping center and/or a hotel/motel on five parcels. Uses for Parcel 6 are restricted to apartments or townhouses.
3. Building height, setbacks, access controls, building coverage and other information regarding future development is shown in the plan.

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

The 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.

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

Robert A. Lakin
Secretary

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

November 19, 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 December 3, 1981.

CASE NO. Z-2333

Zone Change from the "AA" One Family Dwelling 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

1921 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. Z-2363

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

The East 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas; AND

The North Half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, except beginning at a point on the North line of Lot 1, Wiedemann Addition to Wichita, Kansas, a distance of 120 feet East of the West Line of Southeast Quarter of said Section 20; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to the place of beginning; and except beginning at the Northwest corner of the North half of the South half of said Quarter Section; thence East along the North line of the South half of the North half of said Quarter Section, 1322 feet more or less, thence Southwesterly 965 feet more or less, to a point 440 feet more or less East and 266 feet more or less North of the Southwest corner of the above described tract; thence Southwesterly 325 feet more or less to a point on the South line and 250 feet more or less East of the Southwest corner of the above described tract; thence West 250 feet more or less to the West line of said Quarter Section; thence North along the West line of said Quarter Section 663 feet more or less to the point of beginning.
Generally located at the southwest corner of Douglas and Webb Road.

November 6, 1981

Gary Wiley
Professional Engineering Consultants, P.A.
1440 East English
Wichita, Kansas 67211

Re: ✓ DP-116 - Maxwell's Commercial C.U.P.
Z-2388 - "AA" to "LC" - both located
on the southwest corner of Douglas
and Webb Road

Dear Mr. Wiley:

The above-captioned cases were on the Planning Commission agenda for yesterday's date. The action of the Planning Commission was to defer these cases to their meeting of December 3, 1981.

This meeting to be held at 1:30 p.m. in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad

cc: Hugh S. Maxwell, Executor for Mary M. Maxwell Estate, 2381 Algonquin
Road, Schenectady, New York 12309
Phil Ruffin, P. O. Box 17087, Wichita 67217

Beech Aircraft Corporation
Wichita, Kansas 67201
U. S. A.

October 12, 1981

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Dept.
455 N. Main 10th Floor
Wichita, Kansas 67202-1688

Re: DP-116 - Maxwells Commercial and Residential C.U.P.
and Z-2388 "AA" to "LC" - generally located on the
west side of Webb Road in an area south of Central.

Dear Mr. Lakin:

We have reviewed the proposed C.U.P. to the above referenced location and wish to note that these parcels fall within the air space of our runway number 3. Any buildings or structures within this area must comply with the existing airport zoning ordinance. To remove any question as to the allowable heights called out by the C.U.P. we make the following recommendations:

As part of the General Provisions include reference to City-County Zoning Ordinance Chapter 28.08, especially as it applies to the Beech Airport.

Also heights limitations called out in the C.U.P. on the various parcels leave some choices due to its wording which would be in violation of the code. We recommend the maximum top of building elevations as follows:

Re: Exhibit A as prepared by P.E.C., June 10, 1981, City Datum Elevations.

Parcel 1, Exhibit A - 270.6 ft. to 350.6 ft.

Parcel 2, Exhibit A - 195.6 ft. to 310.6 ft.

Parcel 3, Exhibit A - 198.0 ft. to 236.0 ft.

Parcel 4, Exhibit A - 217.0 ft. to 310.6 ft.

Parcel 5, Exhibit A - 255.6 ft. to 340.6 ft.

Parcel 6, Exhibit A - 340.6 ft.

RECEIVED

OCT 13 1981

METROPOLITAN PLANNING
ROUTE _____

Sheet No. 2

Beech Aircraft Corporation

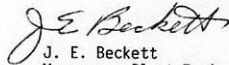
Mr. Robert A. Lakin
October 12, 1981

The base ground elevations vary in this area and so must be used with great care to establish building heights, top elevations of which should be as noted, with Beech Airport 1378.0 (MSL) equaling 190.6 ft. City Datum.

Please keep us informed of the time schedule for review of the Maxwell C.U.P.

Yours truly,

BEECH AIRCRAFT CORPORATION



J. E. Beckett
Manager - Plant Engineering

JEB/ds1

cc: Arthur D. Chambers
WSC/MAPD

Glenn Ehling
Beech Aircraft Corp.

MAXWELL PROPERTY TRIP GENERATIONS

Problem Statement:

Generate the expected Average Weekday Vehicle Trip Ends (AWDVTE) for the site using the ITE 1976 Trip Generation Report. Also, using the same reference, generate AM and PM peak hour volumes.

The AWDVTE is required for two alternate development plans.

Data:

The following data for the proposed development of the site has been furnished.

Alternate #1	Alternate #2
Hotel - 400 rooms	Hotel - 400 rooms
Condominiums - 175 DU's	Condominiums - 175 DU's
Shopping Center - 100,000 G. Sq. Ft.	Shopping Center - 100,000 G. Sq. Ft.
General Office - 300,000 G. Sq. Ft.	General Office - 300,000 G. Sq. Ft.
Apartments - 188 DU's	General Office - 113,000 G. Sq. Ft.
Office Park - 122,000 G. Sq. Ft.	Condominiums - 203 DU's

Method:

An appropriate reference section was selected for each land use, a rate obtained, and the AWDVTE and peak hour volumes were computed. A summary of these values is shown on the attached table.

Note that due to the nature of the data available, the volumes generated should be considered preliminary estimates.

SUMMARY OF TRIP GENERATION COMPUTATIONS

Land Use	Size	Rate/Day	AWDVTE	Peak Hour Vehicle Trip Ends				Reference Section
				AM/rate	AM/Trips	PM/rate	PM/trips	
Hotel	400 rooms	10.5	4,200	0.88	350	0.52	210	310
Condominiums	75 Dwell. Units	5.6	980	0.40	70	0.40	70	230
Shopping Ctr.	100,000 sq.ft.	0.4	6,040	--	--	5.0	500	820
General Office	300,000 sq.ft.	1.69	3,510	2.34	700	2.09	630	710
Apartments (Alt #1)	180 Dwell. Units	6.1	1,150	0.60	110	0.70	130	220
General Office (Alt #2)	113,000 sq.ft.	11.69	1,330	2.34	260	2.09	240	110
Office Park (Alt #1)	122,000 sq.ft.	20.65	2,520	2.63	320	2.38	290	750
Condominiums (Alt #2)	203 Dwell. Units	5.6	1,140	0.40	80	0.40	80	230
TOTALS (Alt #1)			18,400		1550		1830	
TOTALS (Alt #2)			17,200		1460		1730	

September 30, 1981

Mr. Austin Rising
Beech Aircraft Corporation
9709 E. Central
Wichita, Kansas 67206

Re: DP-116 - Maxwell's Commercial and Residential C.U.P.
and 2-2388 "AA" to "LC" - generally located on the
west side of Webb Road in an area south of Central

Dear Mr. Rising:

We have received a proposed C.U.P. of the above-referenced location. The C.U.P. includes approximately 42 acres of office and commercial uses and 10 acres of residential uses. Height limitations are shown on the attached plan. We have tentatively scheduled this C.U.P. and some changes for the NMAPC meeting of November 5, 1981. If you have any comments, we would appreciate receiving them by Friday, October 9, 1981.

If you have any questions, please call me at 268-4421.

Sincerely,

Arthur D. Chambers, AICP
Senior Planner

ADC:bb

Attachments

Beech Aircraft Corporation
Wichita, Kansas 67201
U. S. A.

EDWARD C. BURNS
PRESIDENT

September 24, 1981

Office of the City Manager	
<input checked="" type="checkbox"/> EHS	<input type="checkbox"/> SH
<input type="checkbox"/> RAL	<input type="checkbox"/> DF
<input type="checkbox"/> MEC	<input type="checkbox"/> MEC
SEP 25 1981	
<input checked="" type="checkbox"/> Copies To RAL	
<input type="checkbox"/> Send To [initials]	
<input type="checkbox"/> File [initials]	

Mr. E. H. Denton
Manager - City of Wichita
City Hall
455 N. Main
Wichita, KS 67201

Dear Mr. Denton:

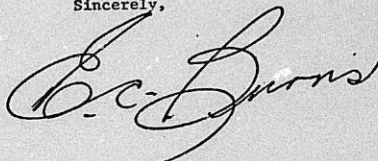
It has come to our attention that a draft revision of the Airport Hazard Zoning Regulation dealing with building heights around local airports is being considered. While the proposal, as I understand, is only in advance planning at this time, I want to bring to your attention that Beech Aircraft is strongly opposed to relaxation of existing standards.

On previous occasions, I have spoken to you, members of the Commission, and other city officials concerning the importance of protecting the approaches to Beech Aircraft runways.

Safety is one of our most important objectives for both the citizens of our community as well as those customers who buy our products. Our position is that any changes which may permit increased building heights, or otherwise obstruct safe access to Beech Aircraft's airport runways, must be avoided.

I will appreciate your most careful consideration to these matters.

Sincerely,



E.C. Burns:lh

cc: Mayor Bob Brown
O. A. Beech
Frank E. Hedrick

RECEIVED

SEP 28 1981

METROPOLITAN PLANNING
ROUTE []

A Raytheon Company

September 21, 1981

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

Arthur D. Chambers, Senior Planner

DP-116 - MAXWELL'S Commercial and Residential C.U.P.
Generally located on the west side of Webb Road, in
an area south of Central.

We have received a proposed C.U.P. at the above referenced
location. The C.U.P. includes approximately 42 acres of
office and commercial uses and 10 acres of residential uses.
We would appreciate receiving any comments you might have
regarding access, drainage, etc., by Tuesday, September 29,
1981. If you have any questions, please call.

Arthur D. Chambers
Senior Planner

ADC:el

*Sewer will connect via ~~industrial~~ sewer
may be more expensive than usual to
connect with sewer. Applicant should
check with Schneider
Can a plat with lots not having access
to public street?
Drainage? call Graves
Per Graves on 9/30/81*

*Map 6047B
Maxwell
DP 116
mrc
No 15 Tent
cont 2-2388*

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

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

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

a. ✓ Applicant Hugh S. Maxwell, Executor for Mary Margaret Maxwell Estate
2381 Algonquin Road
Address Schenectady, New York 12309 Phone 518-393-5133
✓ Agent Phil Ruffin

Address P.O. Box 17087 67217 Phone 265-7201

b. Applicant _____

Address _____ Phone _____

Agent _____

Address _____ Phone _____

c. Applicant _____

Address _____ Phone _____

✓ Engineer Professional Engineering Consultants, P.A. (Mary Wiley)

Address 1440 E. English 67211 Phone 263-1107

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

2. a. The applicant hereby requests Community Unit Plan approval on property

zoned "AA" & LC _____ and legally described as Lot(s) _____

_____, Block(s) _____,

Addition.

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

See Attached

*N AA+BB
S LC
E E
W AA+BB*

2. b. There are 57.8 acres (round to nearest tenth) in the above

described property.

3. The general location is (use appropriate section)

- a. at the Southwest corner of Douglas
and Webb Road; or
- b. on the _____ side of _____ (Avenue,
Street) between _____ (Avenue, Street) and
_____ (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.

Hugh S. Maxwell
By Phil Ruffin Authorized Agent (if any)
Phil Ruffin

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 10:45
(AM, ~~PM~~) on Sept 16, 1981 (Day, Month, Year). It has been
checked and found to be complete and accompanied by required documents and
the appropriate fee of \$ 414⁰⁰.

Richard D. Chambers Name
Surveyor Title

The East 575 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas

AND

The North Half of the South Half of the Southeast Quarter of Section 20, Township 27 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, except beginning at a point on the North line of Lot 1, Wiedemann Addition to Wichita, Kansas, a distance of 120 feet East of the West Line of Southeast Quarter of said Section 20; thence North 6 feet; thence East 906 feet; thence South 6 feet; thence West 906 feet to the place of beginning.

OK for legal

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
5	7	Forest Hills	✓✓ Norman D. Cota (Deceased) and Alice R. Cota, #24 Cypress Drive, 67206
6	7	"	✓✓ Robert S. Lightner, #26 Cypress Drive, 67206
7	7	"	✓✓ Audine McCutcheon & Charles F. Stitzel, #28 Cypress Drive, 67206
8	7	"	✓✓ Viola Howey & Earleane Howey Edwards, #4 Hawthorne Road, 67206
9	7	"	✓✓ Larry W. Crites and Marilyn K. Crites, #33 Laurel Drive, 67206
10	7	"	✓✓ Donald D. Wood and Judith C. Wood, #31 Laurel Drive, 67206
11	7	"	✓✓ Larry Joe Grimes and Jonna Paulette Grimes, #29 Laurel Drive, 67206
12	7	"	✓✗ Joel Carry Tinsmon and Anne Tinsmon, #27 Laurel Drive, 67206
			<i>✓ Recent to Home add: # Stagecoach Rd. 67230</i>
5	8	"	✓✓ Donald L. Ecker and Mary Ann Ecker, #26 Laurel Dr., 67206
6	8	"	✓✓ Dale E. Anders and Dagnija M. Anders, #28 Laurel Dr., 67206
7	8	"	✓✓ Robert Lee Riggs, Jr. and Ellen P. Riggs, #30 Laurel Drive, 67206
8	8	"	✓✓ James M. Thompson and Barbara K. Thompson, #32 Laurel Dr., 67206
9	8	"	✓✓ John D. Philbrick and Norma L. Philbrick, #34 Laurel Drive, 67206
10	8	"	✓✓ Corwin D. Lindstrom and Nancy R. Lindstrom, #36 Laurel Drive, 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
11	8	Forest Hills	Clifford C. Cook and Diana J. Cook, #10 Hawthorne, 67206
12	8	"	Donald R. Spies and Victoria J. Spies, #27 Beech Rd., 67206
13	8	"	Otis Hadley and Rowena Hadley, #25 Beech Rd., 67206
14	8	"	Keith R. Eilerts and Lydia W. Eilerts, #23 Beech Rd., 67206
15	8	"	Gertrude P. McCartor, #21 Beech Rd., 67206
16	8	"	Ida E. Doolittle, #19 Beech Road, 67206
2	9	"	Daniel S. Garrity and Rose Stanley Garrity, #18 Beech Road, 67206
3	9	"	James Patrick Burke (Deceased) and Patricia S. Burke, #20 Beech Road, 67206
4	9	"	C. Gerald Tanner and Ethel M. Tanner, #2 Plum Lane, 67206
5	9	"	M. Ralph Baehr and Dorris A. Baehr, #4 Plum Lane, 67206
6	9	"	Glenn E. Sheppard and Marjorie W. Sheppard, #8 Plum Lane, 67206
7	9	"	Tommy L. Harrington and Linda J. Harrington, #10 Plum Lane, 67206
8	9	"	Kurt F. Schwabauer and Gloria I. Schwabauer, Address Un- known
9	9	"	Leroy E. Bowery and Marcelline C. Bowery, #21 Sequoia Dr., 67206
10	9	"	William H. McDaniel and Kata McDaniel, #19 Sequoia Dr., 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
11	9	Forest Hills	✓ ✓ Gilbert H. Urick, Jr. and Lucy C. Urick, #17 Sequoia Dr., 67206
1	10	"	✗ K. Maxine Gibson, Address Unknown
2	10	"	✓ ✓ Vernon F. Miller and Dolores J. Miller, #22 Beech Road, 67206
3	10	"	✓ ✓ Max A. Lovett and Margaret Kay Lovett, #12 Hawthorne Road, 67206
4	10	"	✓ ✓ Samuel C. Barrie and Agatha Mae Barrie, #14 Hawthorne Road, 67206
5	10	"	✓ ✓ E. R. Webster and Flossie L. Webster, #16 Hawthorne Rd., 67206
6	10	"	✓ ✓ Jack Pharo and Lillie Holtke Pharo, #18 Hawthorne Rd., 67206
7	10	"	✓ ✓ Mildred M. Case & Madelyn Joyce Case, #20 Hawthorne Road, 67206
8	10	"	✓ ✓ Peter L. Ochs and Deborah K. Ochs, #22 Hawthorne Rd., 67206
9	10	"	✗ Maurice O. Knepp and Patty J. Knepp, Address Unknown
10	10	"	✗ James H. Elvins and Sally M. Elvins, Address Unknown
11	10	"	✓ ✓ Layman L. Clark and Lena Ann Clark, Box 18125, 67218
12	10	"	✓ ✓ Daniel Lewis Sizemore and Norma Jean Sizemore, 8600 Lakeland Ct., 67207
1	11	"	✓ ✓ Norbert J. Mersman and Joan M. Mersman, #30 Cypress Dr., 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
2	11	Forest Hills	✓ ✓ Everett S. Higgins (Deceased) and Winnie Mae Higgins, #1 Hawthorne Road, 67206
3	11	"	✓ ✓ Lowell H. Hinners and Madelyn Hinners, #3 Hawthorne Road, 67206
4	11	"	✓ ✓ Jerry L. Cade and Karen S. Cade, #5 Hawthorne Rd. 67206
5	11	Returned to Rent Hs. 203 N. Rock Rd, 67206	✓ ✗ William B. Bearss and Vivian Frances Bearss (Deceased), #7 Hawthorne Road, 67206
6	11	"	✓ ✓ Gregory F. Wilhite and Susan G. Wilhite, #9 Hawthorne Road, 67206
7	11	"	✓ ✓ F. W. Phillips and Arline R. Phillips, #11 Hawthorne Road, 67206
8	11	"	✓ ✓ Donald E. Kelly and Nora L. Kelly, #13 Hawthorne Road, 67206
9	11	"	✓ ✓ LaVetta M. Coleman, #15 Hawthorne Road, 67206
10	11	"	✓ ✓ Lawrence A. Pickarts and Mary T. Pickarts, #17 Hawthorne Road, 67206
11	11	"	✓ ✓ Donald William Pinsker and Carol Jeanette Pinsker, #19 Hawthorne Road, 67206
12	11	"	✓ ✓ David J. Aspelin, #28 Douglas Parkway, 67206
13	11	no other address	✗ ✗ Roy Crail (Deceased) and Marguerite Crail, #26 Douglas Parkway, 67206
14	11	"	✓ ✓ John B. McKean and Eleanor McKean, #24 Douglas Parkway, 67206
15	11	"	✓ ✓ Harold Irving Harp and Dorothy Jean Harp, #22 Douglas Parkway, 67206

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
16	11	Forest Hills	Elvin W. Cramer and Ruth Cramer, #20 Douglas Parkway, 67206
17	11	"	Marshall Evan Martin and Kathryn J. Mitchell, #18 Douglas Parkway, 67206
18	11	"	E. E. Merry and Verna Mae Merry, #16 Douglas Parkway, 67206
19	11	"	George M. Crandall and Nancy M. Crandall, #14 Douglas Parkway, 67206
20	11	"	E. S. Ansel (Deceased) and Carrie L. Ansel, #12 Douglas Parkway, 67206
21	11	"	Ruperto D. Mendiones and Lillian Marlene Mendiones, #10 Douglas Parkway, 67206
22	11	"	Donald F. Hansen and Ileen G. Hansen, #8 Douglas Parkway, 67206
23	11	"	Lawrence O. Herbert and V. Valoise Herbert, #32 Cypress Drive, 67206
Part of Lot 1, beg on W ln at a pt 430.43' N of the SW cor of sd lt.; th N 0° 10'04" W on sd W ln 300' to a cor in sd W ln; th N 73°19'49" E on the Wly ln of sd Lot 1 125.63' to a cor in sd Wly ln; th N 65° 21'40" E on the Wly ln of sd Lot 1 32.62'; th S 23° 05'55" W 380.11' to p.o.b.		PHI Addition	The Cloister Homeowners Association, Inc., c/o Spines Real Estate Development, Fourth Financial Center, 67202
A part of Lot 1 beg at the NW cor of sd lt; th S 0°09' 01" E on the W ln of sd lt 389.26' to a cor in sd W ln of sd lt; th N 65°21' 40" E, 109.88'; th N 0°09' 01" W 343.48', more or less to the N ln of sd lt; th S 89°58'59" W on sd N ln 100' to p.o.b.		"	Jean K. Garvey Revocable Trust, c/o Jean K. Garvey, 8427 E. Douglas, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1,	except those portions described in the two immediately previous entries	Phi	City of Wichita, a Municipal Corp., 455 N. Main, 67202
1 & 2		Cross Town East	Vernon J. Jacobs, 5517 E. 61st St. N., 67220
1		R. V. C.	Residence Venture Corp. 240 N. Rock Road, 67206
2		<i>Recant to 257 Edge more, 67218</i>	Ray W. Brown, 513 S. Pershing, 67218; Kenneth C. Peters, 1410 Stratford Ln., 67206; Robert E. Peters, 1106 N. Armour, 67206
Part of Lot 1,	beg at NW cor; th S 290'; th E 25'; th N 290' to N ln of Lot 1; th W to beg.	F. N. I. C.	First National Bank in Wichita as Trustee, 101 N. Main, 67202
2		"	Same as above
Tract beg at SE cor of Lot 1;	th NEly with an angle to the left of 74° 55' 30" along the Turnpike r/o/w, 549.21'; th with an angle to the left of 15° 16' 30", 72.59' more or less to N ln of Lot 1; th W alg N ln 321.92'; th S 602.5' more or less to the N ln of Highway 54, being the S ln of Lot 1; th E 177.23' to beg.	Wiedemann	Kelway, Inc., 1007 E. 2nd, 67214
1,	except that portion described immediately above	"	East Wichita Partners, c/o G. Craig Lord, Four Penn Center Plaza, Philadelphia, Penn. 19103
1	1	Lankin	Arthur Lankin, 953 S. Greenwich Road, 67207
1	1	Lankin 2nd	Same as above
1		East Turnpike Entrance	Seldin Development and Management Inc., 13057 West Center Road, Omaha, Nebraska

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1 & 2		Weaver-Reimold ✓	Executive Inn, Inc., 8401 E. Kellogg, 67207 ✓
1	1	Replat of Block 1 of Sunny-brook	William Levitt (Deceased)
		Sunny-Brook	Socony Mobil Oil Address Unknown
		Block 2, beg at intersection of S ln of frontage road to S ln of Kellogg & th E ln of Mansfield Dr.; th SWly along E ln of Mansfield Dr. 75'; th SEly to a pt on the W ln of Eastern Ave., which pt is 120' S of th S ln of th frontage road; th N along th W ln of Eastern Ave. 120'; th W to beg.	
		Block 2, except that portion described immediately above "	John W. Hill, William A. Hays, Russell C. Knotts, 959 Stoney Creek Rd., Worthington, Ohio, 43085 ✓
1		Dry	J. R. Dry, Verda S. Dry, J. R. Dry, Jr. Address Unknown ✓
1		Ruth	United Life & Accident Insurance Co., #2 White St., Concord, New Hampshire ✓
		2, except the E 174.4' & exc. the N. 100' "	Texaco, Inc., 8301 Oak Knoll, 67207 ✓
		2, except that part platted as Dry Add. & except the S 150' of the W 150' "	C. L. Finley and Jane Finley, 7700 E. 13th, Apt. #31, 67206 ✓
		3 except the N 100' & except the W 155.7' "	Gary K. Edminster, 5908 S. 107th E., Derby, 67037 ✓
		W 155' of Lot 3 & th N 100' except the W 155' of Lot 3, together with all of Lot 4 "	Pacific Motels, a general partnership, Arthur H. Bailey and Donald R. Dreiske, Partners, 8300 E. Kellogg, 67207 ✓
1	1	Bonnie Brae 3rd	Jean K. Garvey, 8427 E. Douglas, 67207, ✓ Jean K. Garvey Revocable Trust, c/o Jean Garvey, 8427 E. Douglas, 67207 ✓

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
4	7	Bonnie Brae	Archie J. Stover (Deceased) and Marie H. Stover, 8301 Peachtree Lane, 67207
5	7	"	Clark V. Britton, Jr. and Regina J. Britton, 8307 Peachtree Lane, 67207
6	7	"	B. S. Breckbill and Phyllis Breckbill, 8315 Peachtree Lane, 67207
7	7	"	Charles B. Myers and Hazel G. Myers, 8321 Peachtree Lane, 67207
8	7	"	Paul L. Cook and Dorothy Cook, 405 Bonnie Brae, 67207
1	8	"	Union National Bank of Wich- ita, Trustee for Cy L. Finley, 150 N. Main, 67207
2	8	"	Steve M. Longan and Ronda S. Longan, 8407 Peachtree Lane, 67207
3	8	"	Douglas J. Moshier and Carolyn S. Moshier, 8415 Peachtree Lane, 67207
4	8	"	Doyle E. Meade & Jeanne S. Meade, 8421 Peachtree Lane, 67207
1	9	"	John E. Havel and Janice A. Havel, 302 Bonnie Brae, 67207
2	9	"	Nolan H. Jackson and Sylvia L. Jackson, 308 Bonnie Brae, 67207
3	9	"	Marvin Edward Elliott and Mildred May Elliott, 8404 Peachtree Lane, 67207
4	9	"	Leo J. Johnson and Carolyn K. Johnson, 8418 Peachtree Lane, 67207
5	9	"	Charles Evenson and Emma Jean Evenson, 315 West Parkway South, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
6	9	Bonnie Brae	Leonard R. Dennis and Kathleen Dennis, 307 West Parkway South, 67207
7	9	"	Howard G. Leikvold and Virginia A. Leikvold, 8417 Willowbrook Rd., 67207
6	10	"	Edwin E. Vigneaux and Nancy L. Vigneaux, 8232 Peachtree Lane, 67207
7	10	"	Douglas W. Buchan, 8302 Peachtree Lane, 67207
8	10	"	Louis P. Latimer and Lois M. Latimer, 8308 Peachtree Lane, 67207
9	10	"	V. S. Hass (Deceased) and Alma E. Hass, 8314 Peachtree Lane, 67207
10	10	"	Kenneth G. Fuson and Betty L. Fuson, 8320 Peachtree Lane, 67207
11	10	"	Raymond H. Rutherford and Susan R. Rutherford, 315 Bonnie Brae, 67207
12	10	"	Donald F. Scherer and Mary Jane Scherer, 8327 Willow- brook Road, 67207
13	10	"	Howard A. McFarland and Vera V. McFarland, 8321 Willow- brook Road, 67207
14	10	"	H. Lindley Cox and Margaret C. Cox, 8315 Willowbrook Rd., 67207
15	10	"	Max L. Herzet and Jacqueline M. Herzet, 8307 Willowbrook Rd. 67207
16	10	"	Victor West and Julie G. West, 8301 Willowbrook Rd., 67207
17	10	"	Barbara J. Redburn and Howard R. Redburn, 8233 Willowbrook Rd., 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
5	12	Bonnie Brae	Orville K. Anderson and Betty Jo Anderson, 8226 Morningside Dr., 67207
6	12	"	John H. Chaney and Hazel A. Chaney, 8232 Morningside Dr., 67207
7	12	"	Cyril R. Jones and Cleo C. Jones, 8236 Morningside Dr., 67207
8	12	"	Lawrence Thomason and Velma V. Thomason, 245 Lochinvar Dr., 67207
9	12	"	George B. Wills and Doris I. Wills, 239 Lochinvar Dr., 67207
10	12	"	George A. Roy and Hazel A. Roy, 233 Lochinvar Dr., 67207
11	12	"	Raymond J. Winter and Isabelle R. Winter, 227 Lochinvar Dr., 67207
12	12	"	James R. Barr and Joanne P. Barr, 221 Lochinvar Dr., 67207
3	13	"	W. A. Greenfield and Grace M. Greenfield, 214 Lochinvar Dr., 67207
4	13	"	Vaughan O. Stevens and Grace I. Stevens, 220 Lochinvar Dr., 67207
5	13	"	Richard R. Thompson and Elisabeth S. Thompson, 226 Lochinvar Dr., 67207
6	13	"	Frank N. Kik and Phyllis Ann Kik, 232 Lochinvar Dr., 67207
7	13	"	Thomas R. Shockey and Mar- garet Ann Shockey, 238 Lochinvar Dr., 67207
8	13	"	Howard R. Tuttle and Maxine B. Tuttle, 244 Lochinvar Dr., 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
9	13	Bonnie Brae	A. W. Walker and Kathryn J. Walker, 250 Lochinvar Dr., 67207
10	13	"	Robert C. Schoepfel and Rita L. Schoepfel, 256 Lochinvar Dr., 67207
11	13	"	David W. Boyles and Catherine H. Boyles, 263 Bonnie Brae, 67207
12	13	"	Larry G. Bell and Doris E. Bell, 257 Bonnie Brae, 67207
13	13	"	Richard A. Wohlgemuth and Marcille A. Wohlgemuth, 251 Bonnie Brae, 67207
14	13	"	Robert C. Faris and Margorie M. Faris, 245 Bonnie Brae, 67207
15	13	"	William R. Futo and Doris Jean Futo, 239 Bonnie Brae, 67207
16	13	"	George W. Miller and Mary C. Miller, 233 Bonnie Brae, 67207
17	13	"	Glenn E. Bish and Zora L. Bish, 227 Bonnie Brae, 67207
18	13	"	Charles L. McAfee and Helen J. McAfee, 221 Bonnie Brae, 67207
19	13	"	Carl A. Hurty and Lila M. Hurty, 215 Bonnie Brae, 67207
11	15	"	Joseph W. Hickey and Irene M. Hickey, 214 Bonnie Brae, 67207
12	15	"	Norman J. Pfeiffer and Norma R. Pfeiffer, 220 Bonnie Brae, 67207
13	15	"	Armin L. Brandhorst and Gladys E. Brandhorst, 226 Bonnie Brae, 67207

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
14	15	Bonnie Brae	Robert W. McNeely and Delores L. McNeely, 232 Bonnie Brae, 67207
15	15	"	James Clifford Routh (Deceased) and Gladys E. Routh, 238 Bonnie Brae, 67207
16	15	"	Albert L. Gosman and Marguerite E. Gosman, 244 Bonnie Brae, 67207
17	15	"	Dale E. Schoenleber and Dorothy A. Schoenleber, 250 Bonnie Brae, 67207
18	15	"	Norman G. Neugebauer and Betty J. Neugebauer, 256 Bonnie Brae, 67207
19	15	"	Rick Hill and Cynthia J. Hill, 262 Bonnie Brae, 67207
20	15	"	Leslie Ralph Gilstrap and Carrie Lynn Gilstrap, 268 Bonnie Brae, 67207
21	15	"	Doyle C. Haberly and Naida M. Haberly, 8416 Willowbrook Road, 67207
		"	Jean K. Garvey, Revocable Trust, 8427 E. Douglas, 67207
		"	Jerald R. Jones, 250 N. Rock Road, Suite 140, 67206

Part of Block 18 beg on E ln of sd Blk 18, 400' N from SE cor; th W at rt angles from sd E ln 75'; th with a deflection angle to the left 21°03' 108.11' more or less to the Wly ln of sd Blk 18; th NEly on sd Wly ln 297.87' more or less to th NW cor of sd Blk 18; th E NEly on th Nly ln of sd Blk 18, 8.74', more or less to th NE cor; th S on th E ln of sd Blk 18, 209.19', more or less to p.o.b.

Part of Blk 18 beg on th SWly ln of sd Blk 18, 66' NWly of th Sly cor of sd Blk 18; th NWly alg sd SWly ln 81'; th N 19°46' 15" E 101.51'; th N 89°49'56" E to a pt 54'9" W of th E ln of sd Blk 18; th S 0°10'04" E to a pt on th SWly ln of sd Blk 18, 66' NWly of th Sly cor of sd Blk 18 and th p.o.b.

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
Part of Block 18 beg at th Sly cor of sd Blk 18 on th SWly ln of sd Blk; th N 0° 10'04" W 178' along th E ln of sd Blk; th S 89°49'56" W 54'9"; th S0°10'04" E to a pt on th SWly ln of sd Blk, 66' NWly of th p.o.b.; th SEly along sd SWly ln of sd Blk 66' to p.o.b.	Bonnie Brae	H. James Menehan and Betty B. Menehan, 8917 E. Douglas, 67207
Commons areas of the Cloisters Townhouse Development situated on Block 18, except those portions described in the last three entries immediately previous	"	The Cloister Homeowners Association, Inc., c/o Spines Real Estate Development, Fourth Financial Center, 67202
Unit A-1	The Cloisters, a Townhouse Development situated on Part of Block 18, Bonnie Brae Addition and Part of Lot 1, PHI Addition	H. James Menehan and Betty B. Menehan, 8917 E. Douglas, 67207
Unit A-2	"	Bill B. Spencer and Wanda M. Spencer, 8915 E. Douglas 67207
Unit B-1	"	Jack Spines Jr., and Jane T. Spines, 8911 E. Douglas, 67207
Unit B-2	"	Charles P. Garretson, 8909 E. Douglas, 67207
Unit C-1	"	Heinz K. Grohs and Mary D. Grohs, 8907 E. Douglas, 67207
Unit C-2	"	H. Dean Ritchie, 8905 E. Douglas, 67207
<u>Tracts</u>		
SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 21-27-2E		Beech Aircraft Corp, 9709 E. Central, 67206
W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec 21-27-2E		Same as above
E 17 acres of NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 20-27-2E		Mary Margaret Maxwell (Deceased)

Tract

A tract beg at NW cor of SE $\frac{1}{4}$ of Sec 20-27-2E; th N 89°58'59" E on the N ln of th SE $\frac{1}{4}$ a distance of 393'; th S 0°09'11" E 439.26'; th S 65°21'40" W 299.37'; th S 73°19'49" W 125.63' more or less to the W ln of the SE $\frac{1}{4}$; th N 0°10' 04" W 600' more or less to beg.

Property Owner

D Jean K. Garvey Revocable Trust, 8427 E. Douglas, 67207

N $\frac{1}{2}$ of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec 20-27-2E except a tract beg on N ln of Wiedemann Addition, 120' E of W ln of SW $\frac{1}{4}$; th N 6'; th E 906'; th S 6'; th W 906' to beg

X Mary Margaret Maxwell (Deceased)

A tract in SE $\frac{1}{4}$ of Sec 20-27-2E beg at pt on th N ln of Lot 1, Wiedemann Addition, 120' E of W ln of the SE $\frac{1}{4}$; th N 6'; th E 906'; th S 6'; th W 906' to beg

D Kelway Inc., 1007 E. 2nd, 67214

N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec 29-27-2E except the W 716.48' of th N 690'; and except land taken for U. S. Highway 54 & Kansas Turnpike and except those portions platted as East Turnpike Entrance Addition and East Turnpike Entrance 2nd Addition

X George M. Davison (Deceased)

page 15

We hereby certify the foregoing to be a true and correct list of the property owners within a 1,000 foot radius of

A tract beginning at the NE corner of the SE $\frac{1}{4}$ of Section 20, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence south along the east line of said SE $\frac{1}{4}$ bearing S 0°01'27" W a distance of 1993.57 feet; thence bearing N 89°59'54" W along the north line of FNIC and Wiedemann Additions a distance of 2652.12 feet; thence bearing N 0°10'28" W along the east line of Bonnie Brae Addition a distance of 663.06 feet to the SW corner of PHI Addition; thence along the south line of PHI Addition bearing N 89°56'00" E a distance of 1326.88 feet to the SW corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section 20; thence continuing along the south line of PHI Addition bearing S 89°59'57" E a distance of 754.82 feet to the SE corner of PHI Addition; thence bearing N 0°04'44" W along the east line of PHI Addition a distance of 1328.90 feet to a point in the north line of the SE $\frac{1}{4}$ of said section 20; thence along said north line bearing N 89°59'56" E a distance of 575.11 feet to the point of beginning, EXCEPT THEREFROM a tract beginning at a point on the north line of Lot 1 Wiedemann Addition, a distance of 120 feet east of the west line of the SE $\frac{1}{4}$ of Section 20; thence north 6 feet; thence east 906 feet; thence south 6 feet; thence west 906 feet to the point of beginning

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 15th day of September, 1981, at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By

Mary Soble
Vice-President

Order No. 302029

GE

Bob:

I understand P.E.C. is working with Ruffin on a proposal. They know it violates the present airport zoning ordinance. Wiley has advised Art that a request will be made of the Department to revise the airport zoning ordinance and increase the heights of structures permitted at this location.

It is our understanding that P.E.C. has talked to Beech, that they did not necessarily object to what is proposed or the heights being increased as they rarely use the runway #3.

This is all second hand information from Wiley through Art.

JHG

Beech Aircraft Corporation

Wichita, Kansas 67201
U. S. A.

AUSTIN RISING
VICE PRESIDENT

July 20, 1981

Mr. Phil G. Ruffin
Ruffin Properties
1725 E. Douglas
P. O. Box 17087
Wichita, KS 67217

Dear Mr. Ruffin:

The Beech Plant Engineer, Jim Beckett, has informed us that he has been shown a rendering by your architect, Gary Snyder, represented by the attached blue-line print of your planned development off the end of Beech Runway #3.

We are concerned because the development as planned violates the existing airspace height regulations as stated in the City-County Code for Airport Zoning, Chapter 28.08.

Safety is one of our most important objectives. It is extremely important that there be no violations of these airspace requirements.

Sincerely yours,

Austin Rising
Vice President

AR.ms

Attachment

CC: Mr. Gary Snyder, Architect
Mr. Robert A. Lakin, Director of Planning
Metropolitan Area Planning Commission

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JUL 21 1981

METROPOLITAN PLANNING

ROUTE

A Raytheon Company

FORM 9-021

PAYMENT NOTICE
City of Wichita

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

DESCRIPTION AMOUNT

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY

10-84

CORPORATE
HILLS 

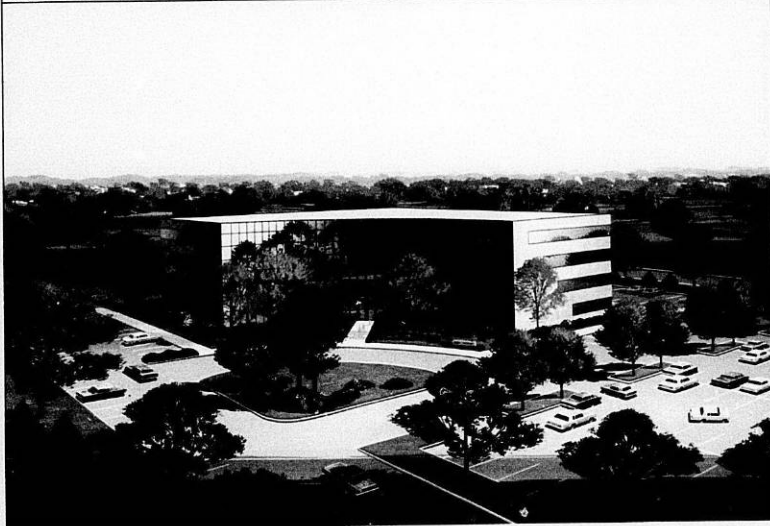
RUFFIN
PROPERTIES

Gary Snyder
Director of Real Estate

1522 Florence
P.O. Box 17087
Wichita, KS 672

316/942-7940

ONE HUNDRED WEBB BUILDING



**CORPORATE
HILLS** 

**101 S. WEBB ROAD
WICHITA, KANSAS**

LOCATION

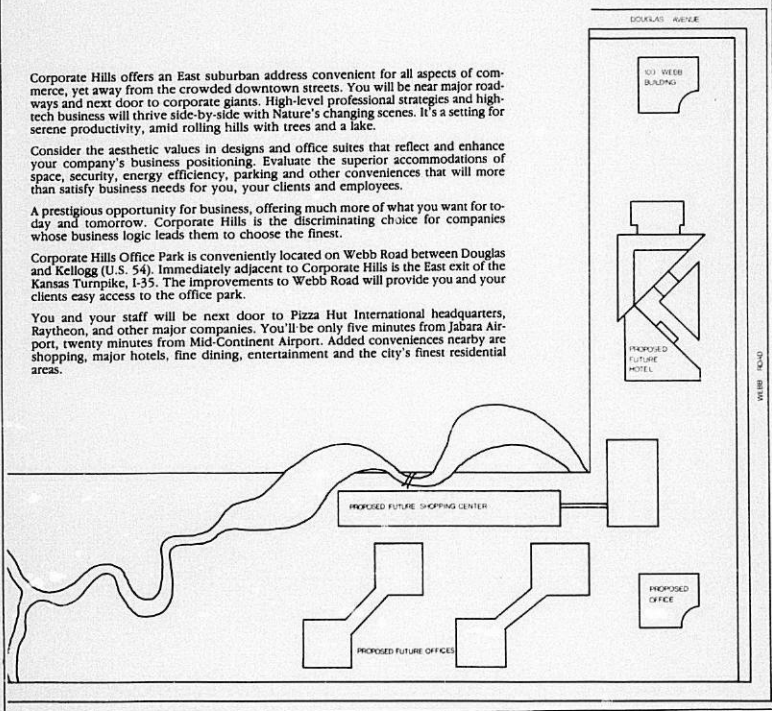
Corporate Hills offers an East suburban address convenient for all aspects of commerce, yet away from the crowded downtown streets. You will be near major roadways and next door to corporate giants. High-level professional strategies and high-tech business will thrive side-by-side with Nature's changing scenes. It's a setting for serene productivity, amid rolling hills with trees and a lake.

Consider the aesthetic values in designs and office suites that reflect and enhance your company's business positioning. Evaluate the superior accommodations of space, security, energy efficiency, parking and other conveniences that will more than satisfy business needs for you, your clients and employees.

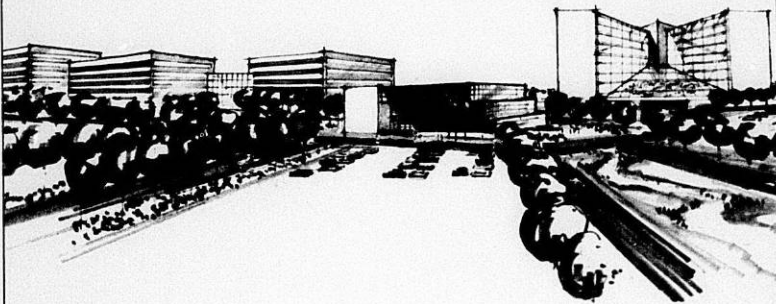
A prestigious opportunity for business, offering much more of what you want for today and tomorrow. Corporate Hills is the discriminating choice for companies whose business logic leads them to choose the finest.

Corporate Hills Office Park is conveniently located on Webb Road between Douglas Avenue and Kellogg (U.S. 54). Immediately adjacent to Corporate Hills is the East exit of the Kansas Turnpike, I-35. The improvements to Webb Road will provide you and your clients easy access to the office park.

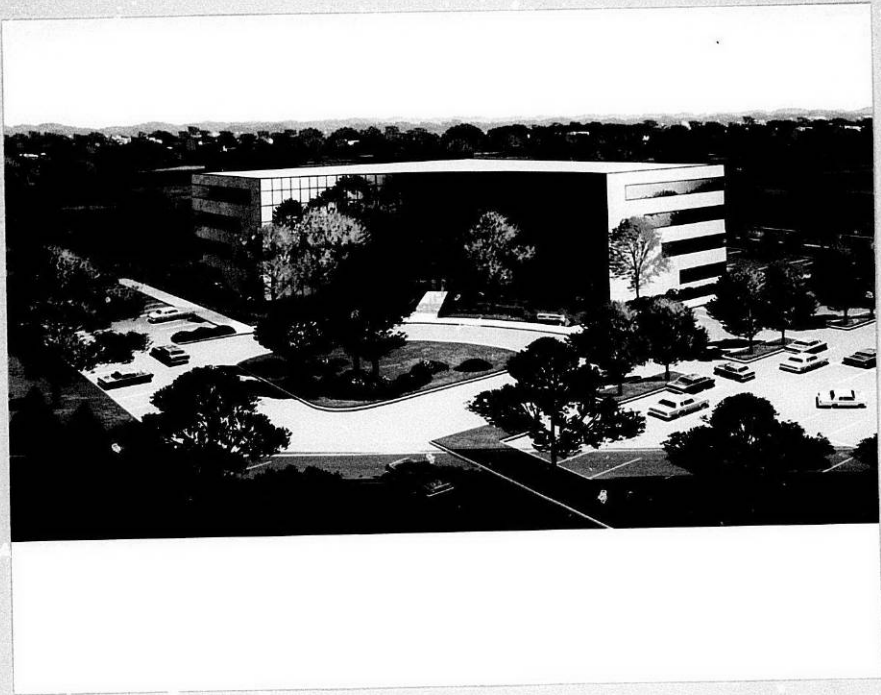
You and your staff will be next door to Pizza Hut International headquarters, Raytheon, and other major companies. You'll be only five minutes from Jabara Airport, twenty minutes from Mid-Continent Airport. Added conveniences nearby are shopping, major hotels, fine dining, entertainment and the city's finest residential areas.



FUTURE DEVELOPMENT



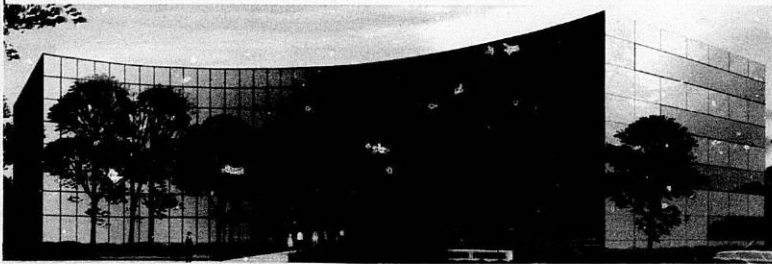
City sections adjacent to Corporate Hills had a population growth in the past 10 years of 104% by 1980. Wichita business growth has always had a strong eastward movement. The area of Corporate Hills allows for construction of other offices, shopping center, commercial and hotel development. Make your choice now from the 1,000,000 square feet in development. You can expect a multitude of conveniences and luxuries heretofore unmatched in Wichita, Kansas. Corporate Hills Office Park is a real "estate."



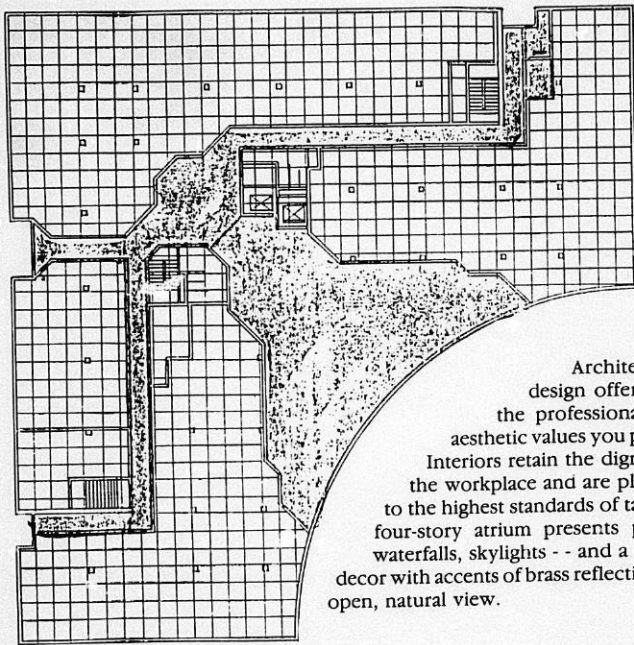
OFFICE PARK

CORPORATE HILLS

Our research shows that business and professional leaders seek the concept we have developed in Corporate Hills Office Park: superb quality in a choice business location.

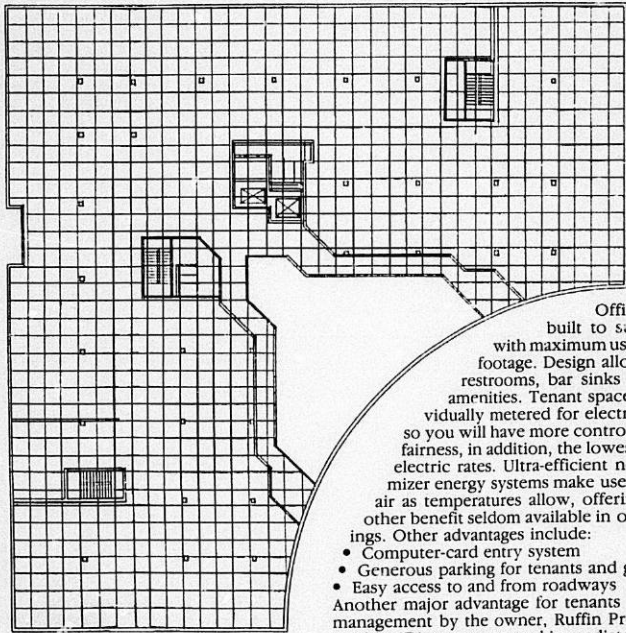


FIRST LEVEL FLOOR PLANS



Architectural design offers you the professional and aesthetic values you prefer. Interiors retain the dignity of the workplace and are pleasing to the highest standards of taste. A four-story atrium presents plants, waterfalls, skylights - - and a classic decor with accents of brass reflecting the open, natural view.

SECOND-FOURTH LEVEL FLOOR PLANS



Offices can be built to suit tenants with maximum use of square footage. Design allows executive restrooms, bar sinks and other amenities. Tenant spaces are individually metered for electrical usage, so you will have more control and more fairness, in addition, the lowest available electric rates. Ultra-efficient new economizer energy systems make use of outside air as temperatures allow, offering still another benefit seldom available in other buildings. Other advantages include:

- Computer-card entry system
- Generous parking for tenants and guests
- Easy access to and from roadways

Another major advantage for tenants is building management by the owner, Ruffin Properties of Wichita. Direct contact and immediate attention, with none of the delays of out-of-town management.

DP116



**PROFESSIONAL
ENGINEERING
CONSULTANTS**
PROFESSIONAL ASSOCIATION

**MAXWELL PROPERTY
TRAFFIC STUDY**

**FEBRUARY, 1982
REVISED MARCH, 1982**

1440 EAST ENGLISH
WICHITA, KANSAS 67211
(316) 262-2691

THE CITY OF WICHITA



DEPARTMENT OF ENGINEERING
CITY HALL - SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 266-4501

March 26, 1982

Mr. Brent Remsberg
Professional Engineering Consultants
1440 East English
Wichita, Kansas 67211

Dear Brent:

We have reviewed your revised Maxwell Property Traffic Study and would like to make the following general comments with regard to the report:

1. In reviewing your write-up, we pretty much concur with your analysis and calculations although in a couple of places due to rounding the figures, we do not totally agree but they are within close enough proximity not to be concerned with the small difference. Possibly you might also want to include a couple of other major traffic generators in the area, such as K-Mart and Cross Towne East Shopping Center.
2. Normally when we are looking at the impact of a shopping center on the roadway system, we take the existing traffic volumes that are occurring today and project those traffic volumes to a design year, say 10 - 20 years in the future, at a growth rate that is realistic for the area. We then add to this calculated figure the impact of the shopping center. In your analysis, you used existing volumes without any growth rate and added the impact of the shopping center to the existing volumes.
3. In reviewing your plan entitled "Improvement Plan A", we would like for you to consider the following revisions:
 - a. The left turn northbound into the private access road to K-Mart should have a minimum left turn bay of 100' and the reverse curve could be a minimum of 80'.

DP/16

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MAR 26 1982

METROPOLITAN PLANNING
ROUTE Art

THE CITY OF WICHITA 2

Mr. Brent Remsberg
Professional Engineering Consultants

March 26, 1982

- b. At your major entrances to the shopping center which permit left turns northbound on Webb Road into the site, we would suggest adding a triangular raised island so that traffic making a left turn out of the site could look for a gap in traffic southbound and then store in the median area waiting for the gap in the traffic northbound.
 - c. Due to possible overflow of left turning vehicles at entrance 3, bypassing this entrance and using entrance 2, we would recommend the closing of the median break proposed for the entrance between 2 and 3. This entrance could still remain as a right in and out only.
 - d. Also the intersection of Douglas and Webb Road could be improved by introducing a triangular island to separate left turning vehicles from Douglas and Webb Road.
4. In reviewing "Improvement Plan B", we would not recommend this improvement plan as "Improvement Plan A" provides greater safety. However, if this plan was approved by the governing body, we would suggest that the raised median be shortened approximately 50' at the north end, north of Kellogg, thereby removing the 16' wide median and reducing it to an approximate 4' wide median.
 5. If parcel number 1 is developed apartments, we would recommend only one opening to Webb Road.
 6. As you are aware, the improvement plans for Kellogg and Webb Road contained within the proposed project being developed by Poe & Associates do not envision a dual left turn eastbound on Kellogg at Webb Road. Your report indicates that this would have to be incorporated into the proposed intersection plans in order to operate the center if it is developed to maximum density.

If you have any questions regarding these comments, please advise.

Yours truly,

William G. McKinley
William G. McKinley
Traffic Engineer

MAXWELL PROPERTY TRAFFIC STUDY

FEBRUARY, 1982
REVISED MARCH, 1982

PREPARED BY

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
WICHITA, KANSAS



I. INTRODUCTION

This report addresses the impact to traffic flow on the adjacent street system caused by the development of a 52 acre tract of land known as the Maxwell Property. It is assumed that development of the site will take place in accordance with the information set forth in "Maxwell's Community Unit Plan" dated February 16, 1982, by reference, is also made a part of this report.

Webb Road and Douglas Avenue are the only arterials providing direct access to the site, consequently they will be impacted more significantly than other arterials in the area. Kellogg Avenue, which lies approximately 600 feet south of the site, will also be affected as will Central Avenue. Any increase in traffic at Central and Webb can easily be handled due to the recent improvement of this intersection.

Three existing major traffic generators are located within the immediate study area. Beech Aircraft Company, Pizza Hut, Inc., and the Forrest Hills residential development each contribute to the existing traffic flows. Figure 1 shows the existing 4:30 to 5:30p.m. volumes. At present the p.m. peak occurs between 3:30 and 4:30 primarily because of shift change traffic at Beech Aircraft, another peak can be expected to occur during the normal 4:30 to 5:30 peak period once the Maxwell Property is fully developed.

The prediction of traffic impacts is a three part process. First, a trip generation analysis is performed to determine the volumes which can be expected based upon land use. Trip distribution, or the assignment of the predicted volumes to the street system, is the second step. Finally qualitative assessment of the impact is made using conventional capacity analysis techniques and design concept lane configurations.

II. LAND USE AND TRIP GENERATION

The number of trips forecasted to be generated by the development were computed from rates obtained in an Institute of Transportation Engineers informational report entitled "Trip Generation". This reference contains trip generation rates for a variety of land uses. For purposes of this report, only the average and maximum rates were tabulated. Although minimum rates are available, they were not considered relevant to this study. However, it should be realized that at this time the chances of the trip rate being either minimum or maximum are equal.

Since several land use options are permissible for each of the seven parcels noted on the C.U.P., two overall land use options were selected for evaluation; each representing a realistic concept. Land Use Options No. 1 and No. 2 are shown in Tables 1A and 1B respectively.

Land Use Option No. 1 represents the most intense use with respect to trip generation. The trip generation rates, trip ends per day, and P.M. peak period volumes are shown in Table 1A for each parcel. Note that both average and maximum figures are presented.

Option No. 2, Table 1B, represents a lower intensity of use with respect to trip generation.

Upon preliminary review by City of Wichita Traffic Engineering and Planning staff members, one trip generation rate for each parcel was agreed upon. This rate, shown in Table 1C, being the average of the maximum and average rates shown in Table 1A.

III. TRIP DISTRIBUTION AND CAPACITY ANALYSIS

The volumes derived from the trip generation analysis were assigned to drive exits which were located according to parcel traffic demands, the developments probable internal traffic flow pattern and spacing considerations. Directional distribution was based upon existing traffic flow patterns. It is reasonable to expect that traffic destined to or exiting Parcel 1 or Parcel 2 would use only the drives provided to these sites. The assumption was made that the entrance to Parcel 3 however would be required to accommodate all of the traffic from Parcels 3, 4, 5, 6, and 7.

Figure 2 shows the traffic volume assignments for the adjusted trip generation rates, Table 1C.

Two capacity analysis techniques were employed. For the major intersections at Webb and Douglas and Webb and Kellogg a Critical Lane Analysis was used. A method presented in HRB Report 212 called Capacity at Unsignalized Intersections was used for evaluating the major entrances into the development. The results of these evaluations are presented in Table 2.

RECOMMENDATIONS AND CONCLUSIONS

It is quite apparent from the capacity analysis that Webb Road must be improved to accommodate the additional volumes generated by the Maxwell Development.

Two concept plans have been prepared illustrating the extent of the improvement required to accommodate the volumes generated.

Both plans involve the total reconstruction of Webb Road from a point north of Douglas to Kellogg. The plans differ only in the median design.

Improvement Plan "A", Figure 3, illustrates the use of raised channelization to create left turn bays at the major intersections and entrances. Plan "B", Figure 4 shows a concept with a continuous left turn lane. This lane would be interrupted at the public intersection approaches where a section of raised median is desirable to provide positive traffic control at the intersection proper.

Along with the geometric improvements proposed, there will be the need to signalize the intersection at Douglas Ave and Webb Road and the major entrance into parcel 3. The signal required at Douglas and Webb should be installed concurrently with the geometric improvements. The signal at the major entrance into parcel 3 may not be necessary until the site is fully developed. However, provisions should be made to interconnect these two signals to achieve their maximum benefit. Properly coordinated, they would be capable of not only controlling the traffic at the intersections proper, but would also provide gaps in the traffic between the two intersections which would improve the operation of the minor entrances.

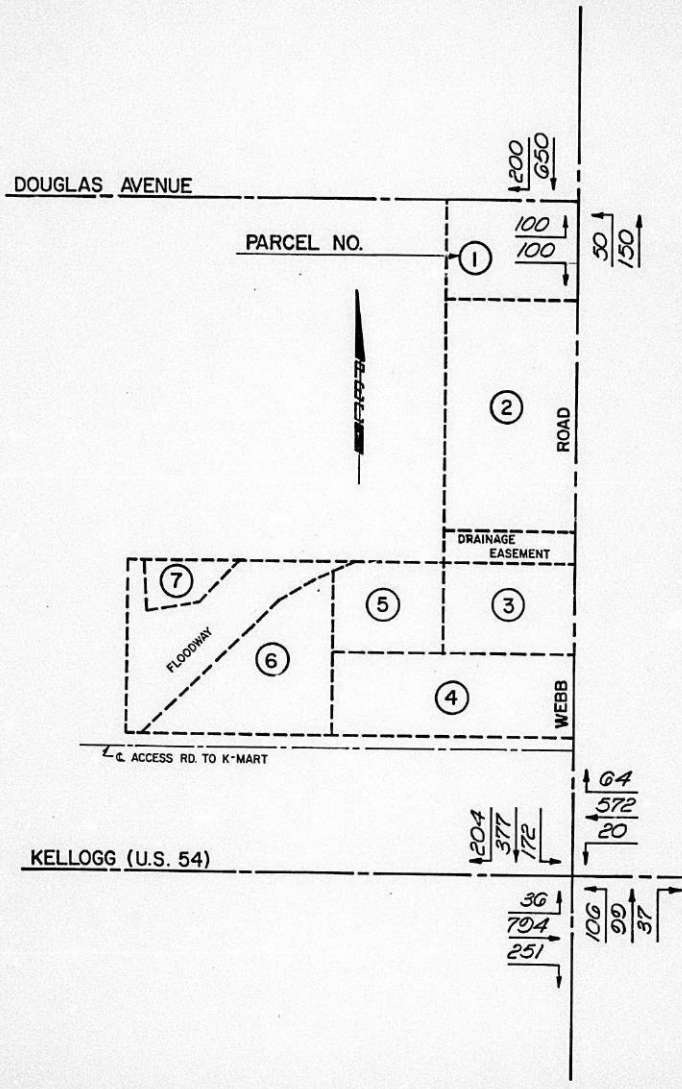


FIGURE 1 - EXISTING 4:30 - 5:30 PM TRAFFIC VOLUMES

TABLE 1 A

TRIP GENERATION ANALYSIS - LAND USE OPTION NO. 1

Parcel	Proposed Land Use	Size	Trip Gen. Rates (Daily)		Trip Gen. Rates - Peak *				Trip Ends per day		Trip Ends / Peak Hour *			
			Avg.	Max.	Avg.		Max.		Avg.	Max.	Avg.		Max.	
					In	Out	In	Out			In	Out	In	Out
1	General Office	89,000 GSF	11.69	43.50	0.19	1.48	0.43	3.19	1,040	3,870	17	132	38	284
2	Retail	194,400 GSF	60.40	103.70	2.60	2.90	4.50	5.00	11,740	20,160	505	564	875	972
3	Retail	93,472 GSF	60.40	103.70	2.60	2.90	4.50	5.00	5,650	9,690	243	270	420	467
4	General Office	143,360 GSF	11.69	43.50	0.19	1.48	0.43	3.19	1,680	6,240	27	212	62	457
5	General Office	146,497 GSF	11.69	43.50	0.19	1.48	0.43	3.19	1,710	6,370	28	217	63	467
6	General Office	213,500 GSF	11.69	43.50	0.19	1.48	0.43	3.19	2,490	9,290	41	316	92	681
7	Town House (Condo.)	50 D.U.	5.60	5.60	0.30	0.10	0.80	0.50	280	280	15	5	40	25

* PM Peak Hour is 4:30 to 5:30 PM

TABLE 1 B
TRIP GENERATION ANALYSIS – LAND USE OPTION NO. 2

Parcel	Proposed Land Use	Size	Trip Gen. Rates (Daily)		Trip Gen. Rates – Peak *				Trip Ends per day		Trip Ends / Peak Hour *			
			Avg.	Max.	Avg.		Max.		Avg.	Max.	Avg.		Max.	
					In	Out	In	Out			In	Out	In	Out
1	Town House (Condo.)	120 D.U.	5.60	5.60	0.30	0.10	0.80	0.50	672	672	36	12	96	60
2	Hotel	400 rms.	9.58	11.00	0.43	0.43	0.67	0.67	3,830	4,400	172	172	268	268
3	Office Park	93,472 GSF	20.65	30.30	0.33	1.84	1.00	3.24	1,930	2,830	31	172	93	303
4	Office Park	143,360 GSF	20.65	30.30	0.33	1.84	1.00	3.24	2,960	4,340	47	264	143	465
5	Office Park	146,497 GSF	20.65	30.30	0.33	1.84	1.00	3.24	3,025	4,440	48	270	146	475
6	Office Park	213,500 GSF	20.65	30.30	0.33	1.84	1.00	3.24	4,410	6,470	70	393	214	692
7	Town House (Condo.)	50 D.U.	5.60	5.60	0.30	0.10	0.80	0.50	280	280	15	5	40	25

* PM Peak Hour is 4:30 to 5:30 PM

TABLE 1 C
TRIP GENERATION ANALYSIS – ADJUSTED RATES

Parcel	Proposed Land Use	Size	Trip Gen. Rates (Daily)	Trip Generation Rates *		Trip Ends Per Day Adjusted	Trip Ends / Peak Hour *	
				Peak Adjusted			Adjusted	
			Adjusted	In	Out	In	Out	
1	General Office	89,000 GSF	27.6	0.31	2.34	2,460	28	208
2	Retail	194,400 GSF	82.05	3.55	3.95	15,950	690	768
3	Retail	93,472 GSF	82.05	3.55	3.95	7,670	332	369
4	General Office	143,360 GSF	27.6	0.31	2.34	3,960	45	335
5	General Office	146,497 GSF	27.6	0.31	2.34	4,040	45	343
6	General Office	213,500 GSF	27.6	0.31	2.34	5,890	66	500
7	Town House (Condo)	50 units	5.6	0.55	0.30	280	28	15

* PM Peak Hour is 4:30 to 5:30 PM

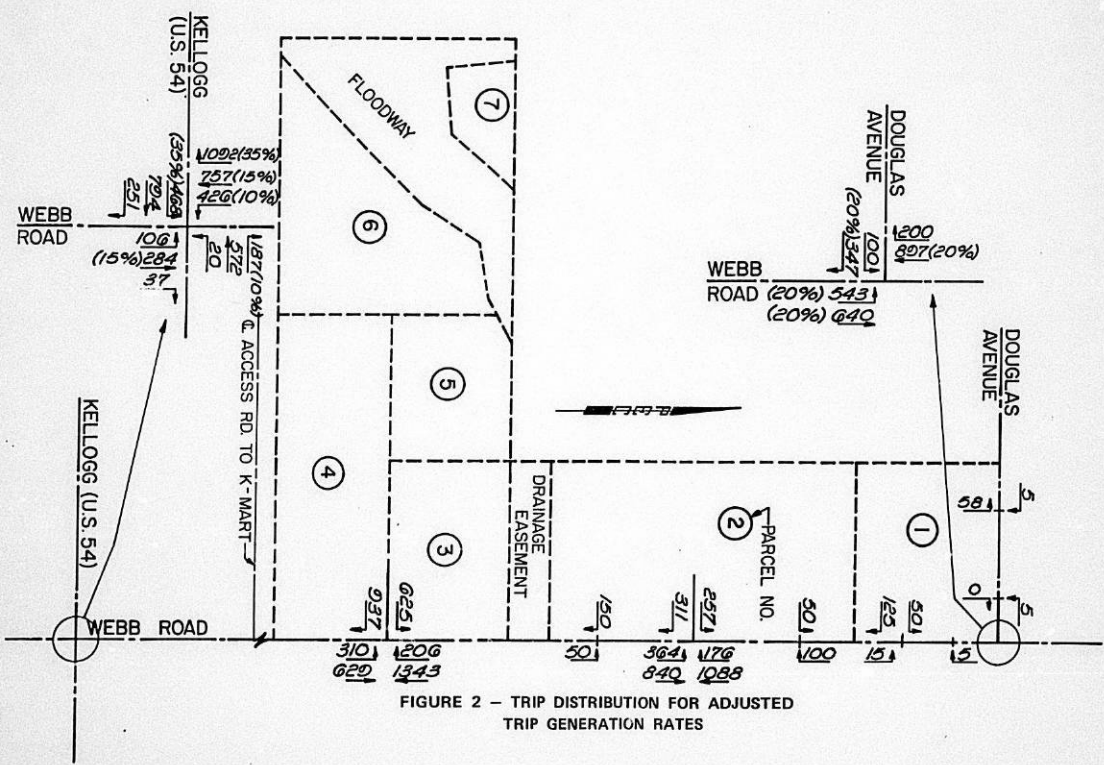


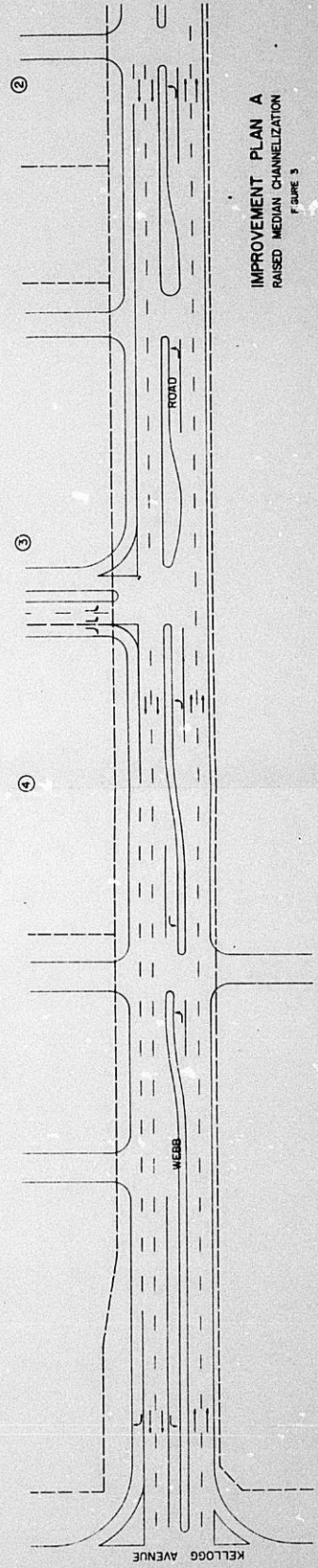
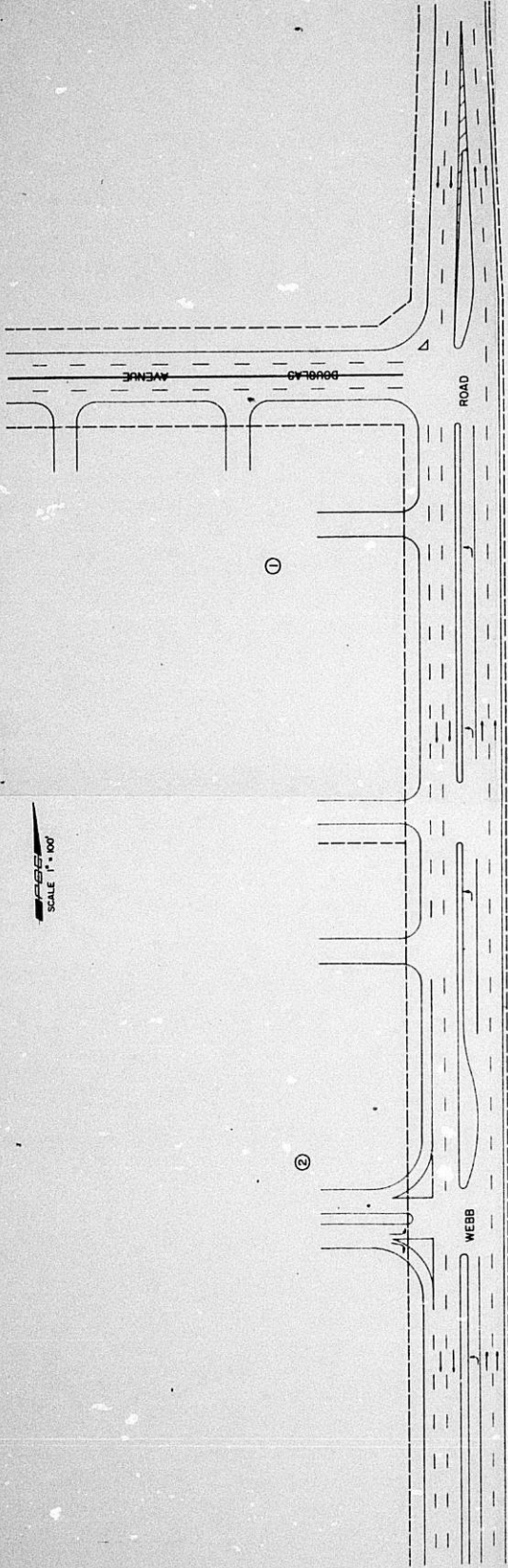
FIGURE 2 - TRIP DISTRIBUTION FOR ADJUSTED TRIP GENERATION RATES

**TABLE 2
CAPACITY ANALYSIS SUMMARY**

LOCATION	TRIP GEN. RATE	DESCRIPTION OF GEOMETRICS	METHOD OF ANALYSIS (1)	OVERALL LEVEL OF SERVICE	REMARKS
Webb & Douglas	Adjusted	Left turn bay – south approach Free Right – north approach Two thru lanes on Webb – both directions	2	C	Assumed signalized with 3-phase controller
Major Entrance Into Parcel 2	Adjusted	Decel lane with free right – in Left turn bay – in Separate left turn bay – out Free right with accel lane – out	1	E	
Major Entrance Into Parcel 3	Adjusted	Decel lane with free right – in Left turn bay – in Dual left turn bay – out Free right with accel lane – out	1	E	Signalization required; Resultant level of Service D
Webb & Kellogg	Adjusted	Two thru lanes each approach Free right east, west, & north approaches Dual left turn lanes – west approach Single left turn lane – all other approaches	2	B	Assumed signalized with 8-phase controller; with variable phase selection

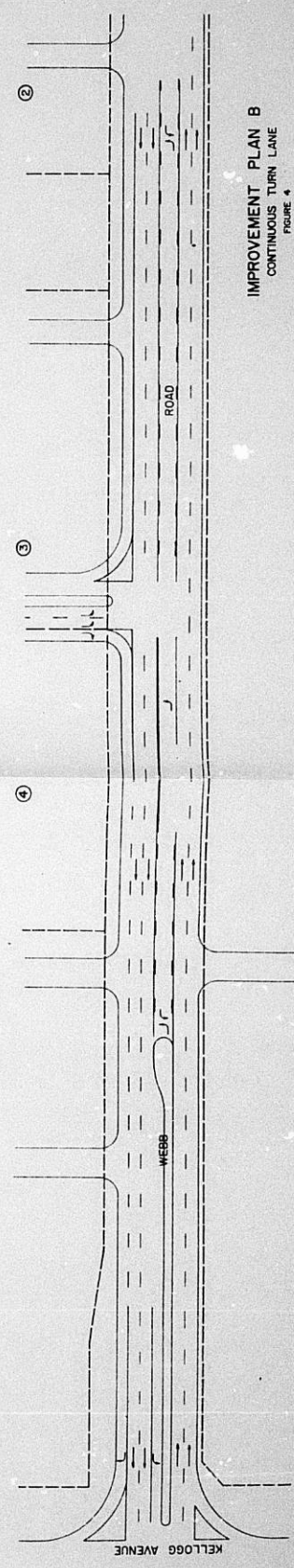
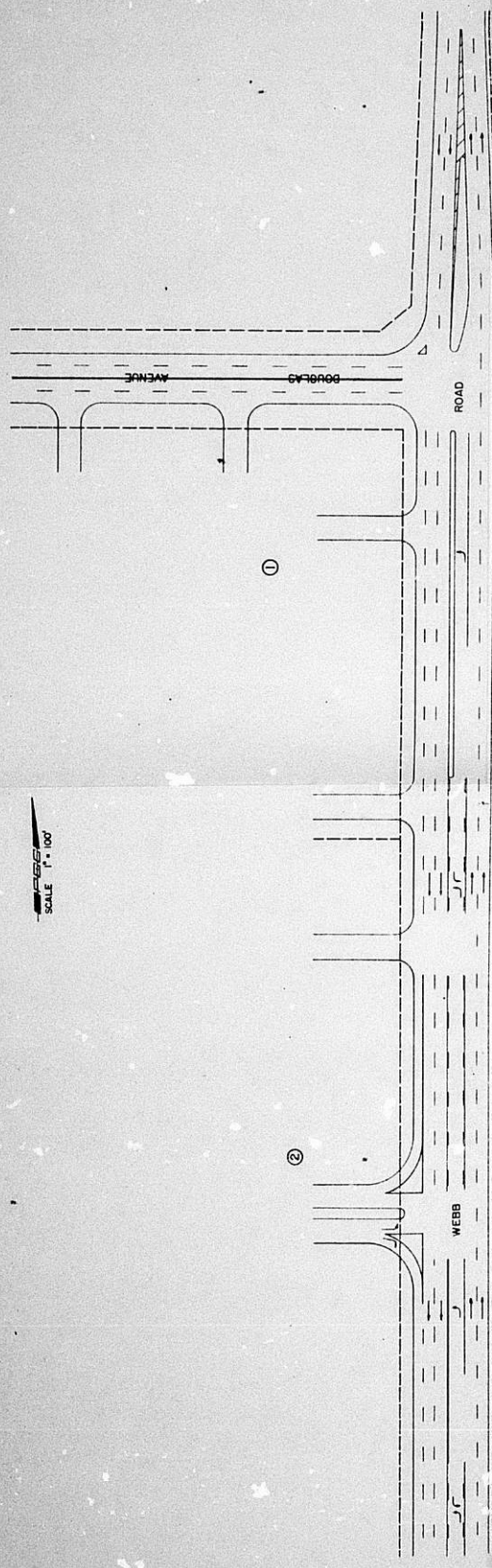
(1) 1 – HRB interim report No. 212, Unsignalized Intersections
2 – Critical Lane Analysis

SCALE 1" = 100'



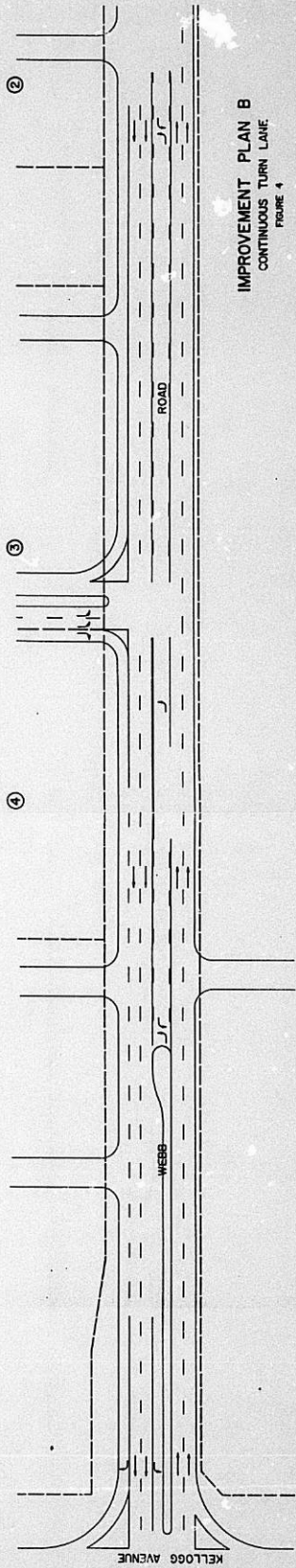
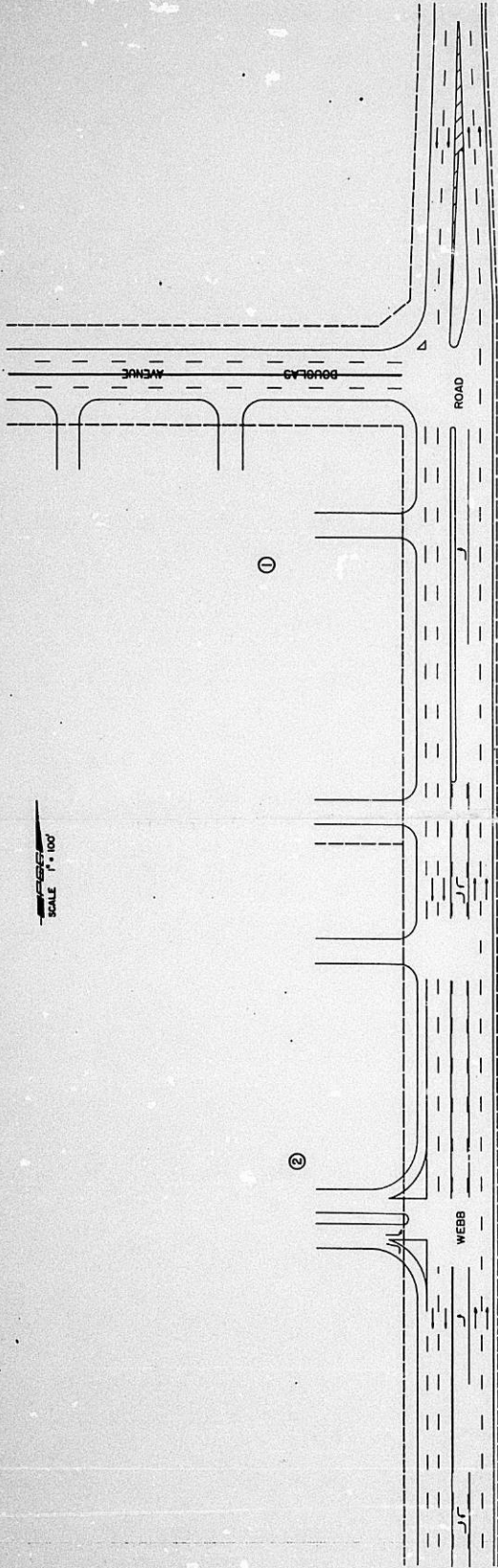
IMPROVEMENT PLAN A
RAISED MEDIAN CHANNELIZATION
FIGURE 3

SCALE 1" = 100'



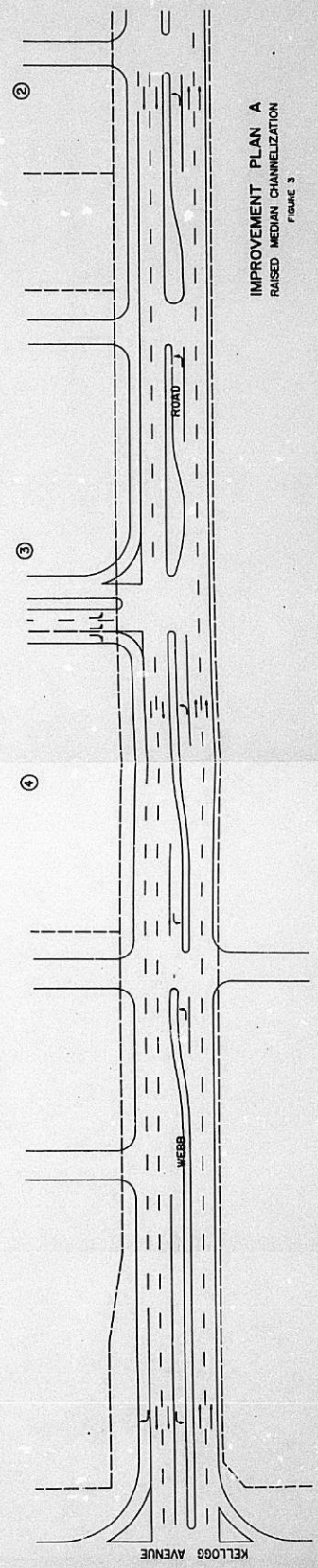
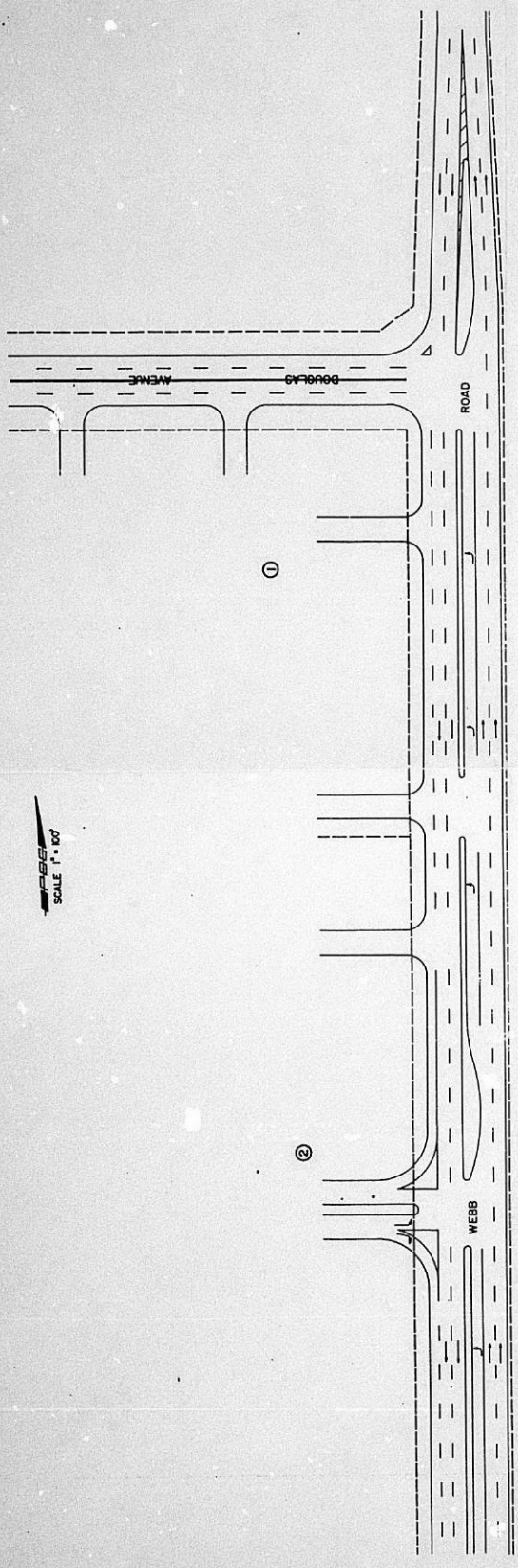
IMPROVEMENT PLAN B
CONTINUOUS TURN LANE
FIGURE 4

SCALE 1" = 100'



IMPROVEMENT PLAN B
CONTINUOUS TURN LANE
FIGURE 4

PBS
SCALE 1" = 100'



IMPROVEMENT PLAN A
RAISED MEDIAN CHANNELIZATION
FIGURE 3

KELLOGG AVENUE

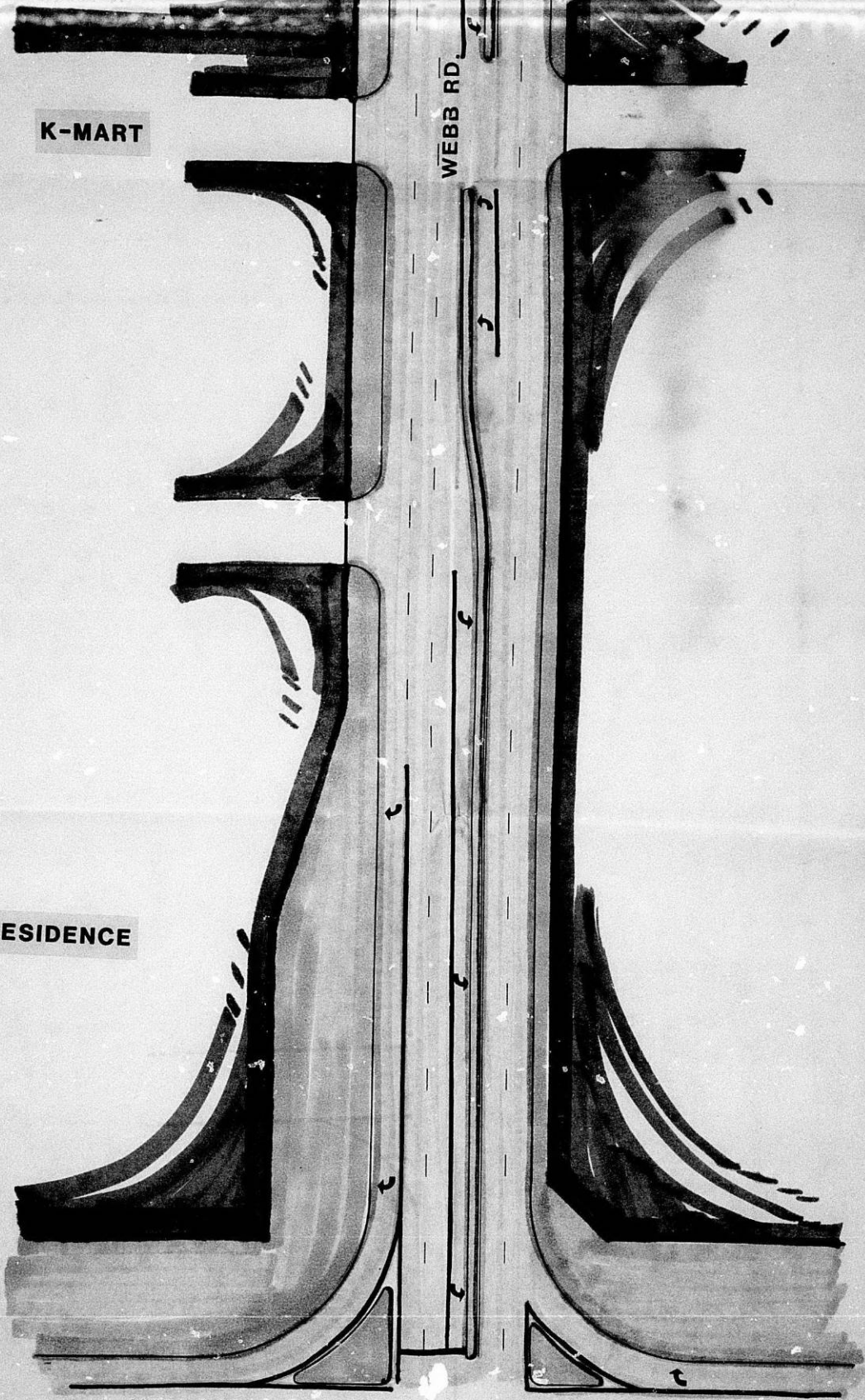
K-MART

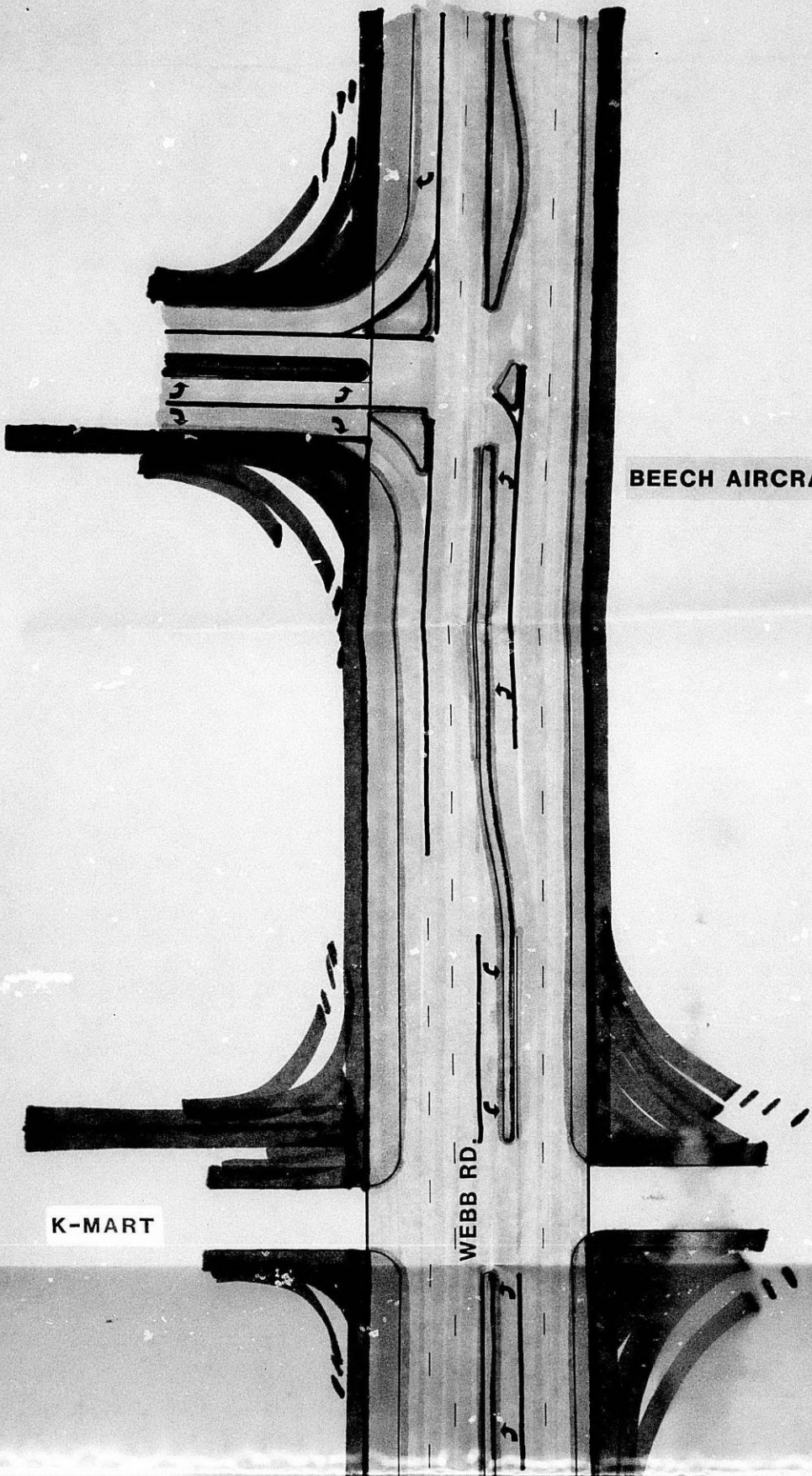
WEBB RD.

THE RESIDENCE

KELLOGG

US 54



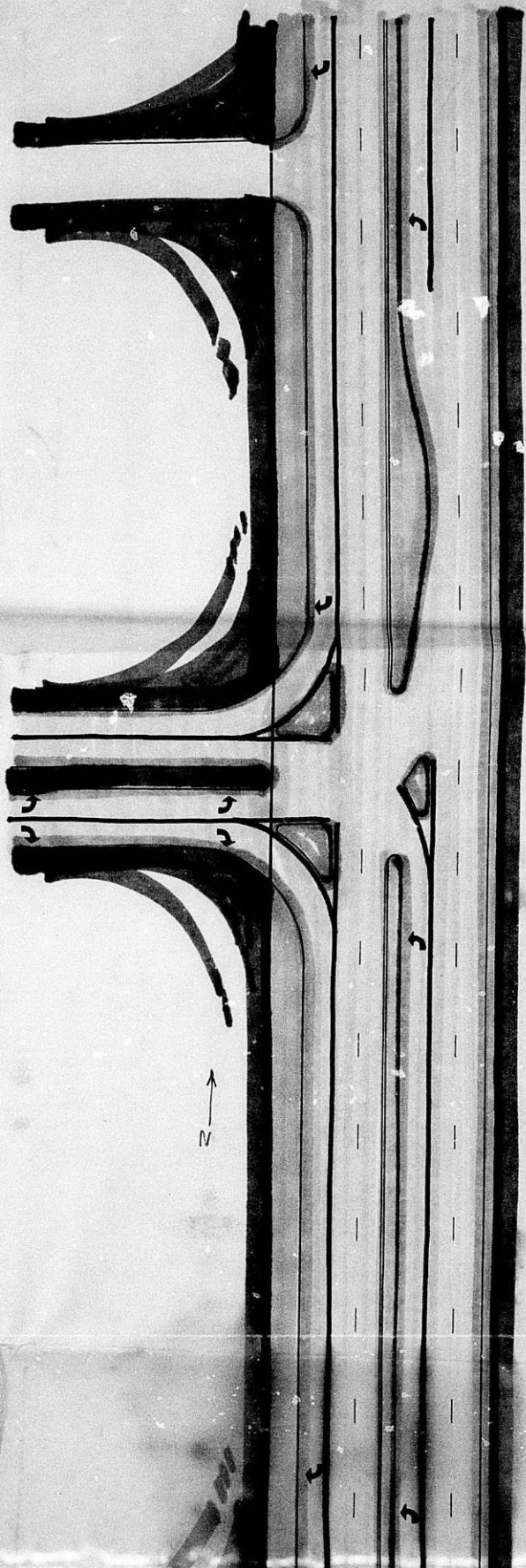


K-MART

WEBB RD.

BEECH AIRCRAFT

1911
WEBB RD.



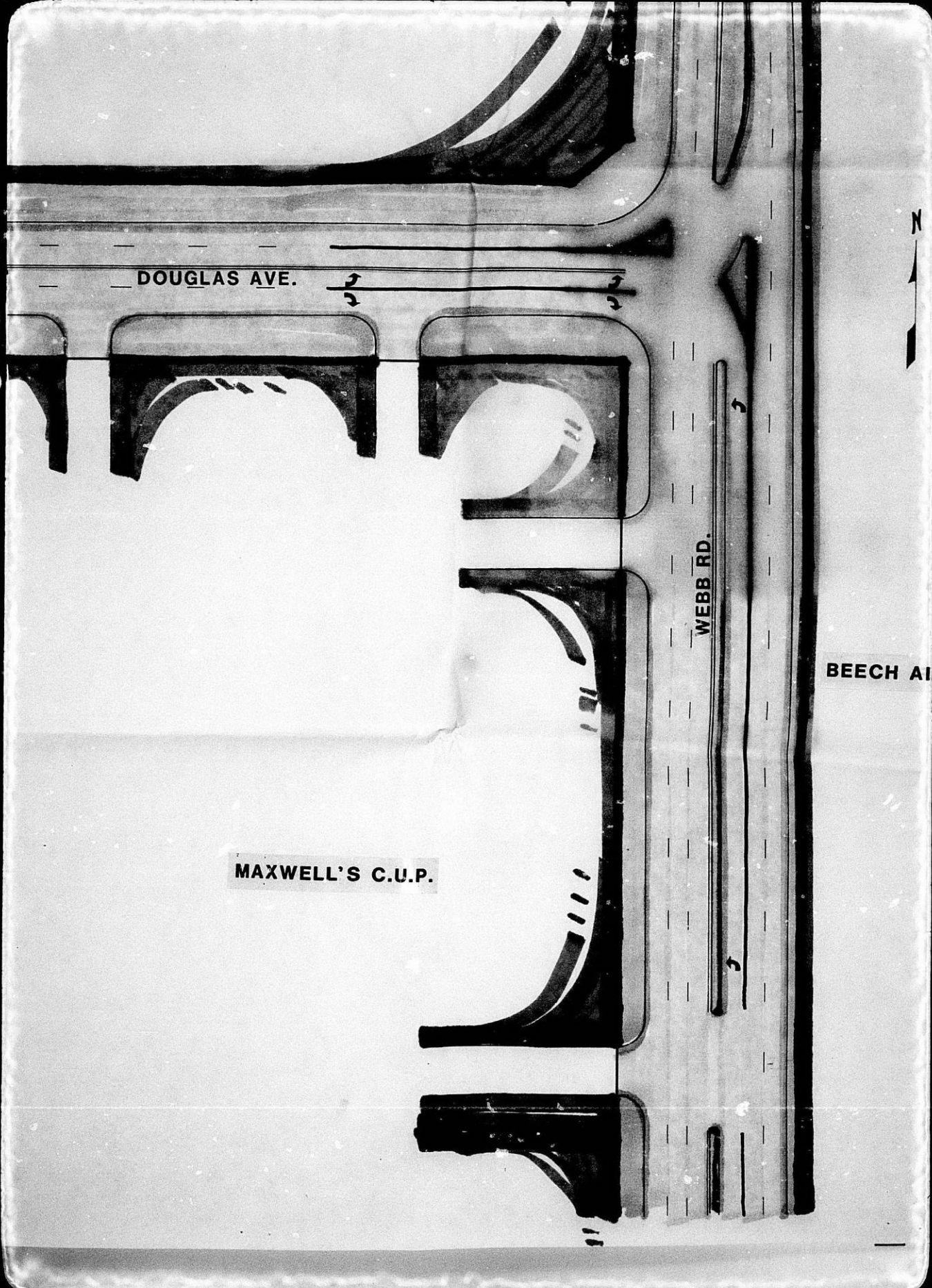
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DOUGLAS AVE.

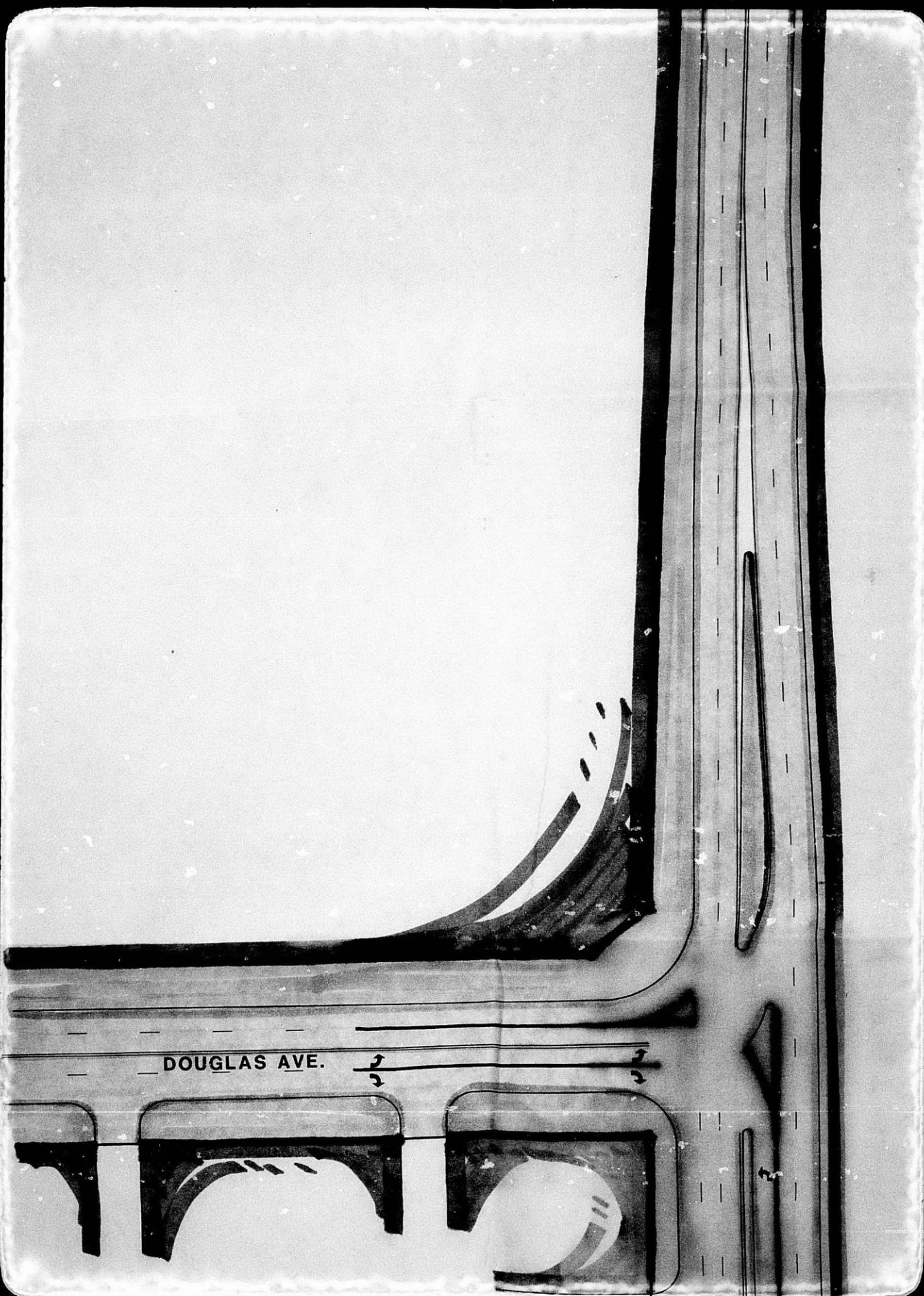
MAXWELL'S C.U.P.

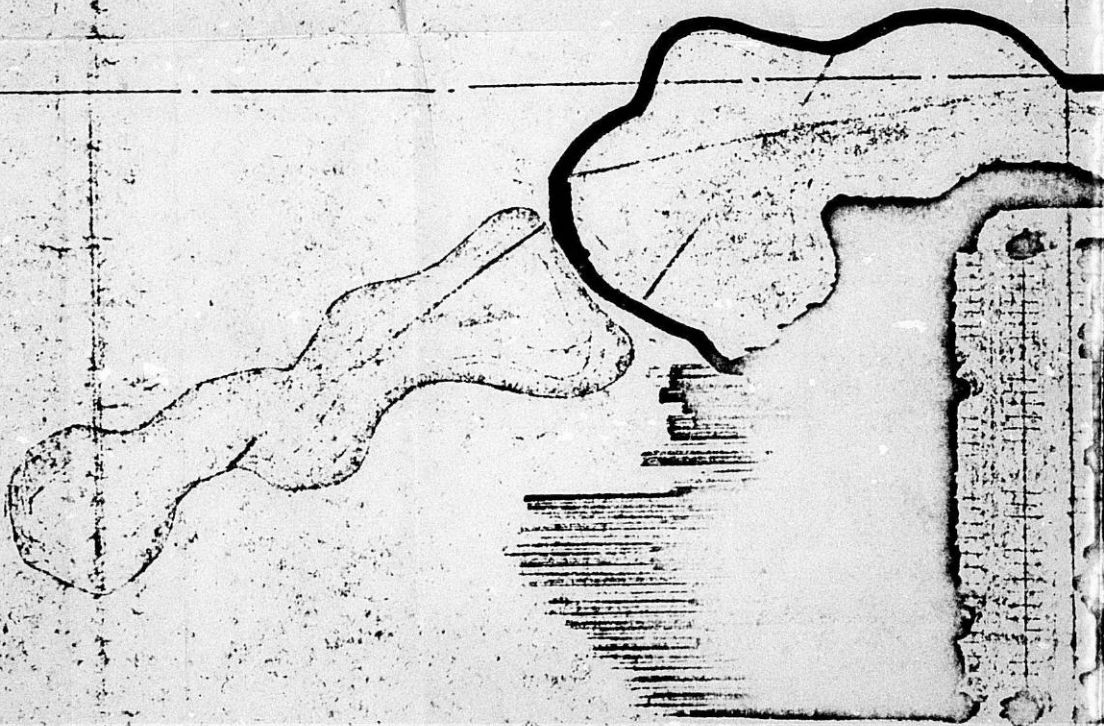
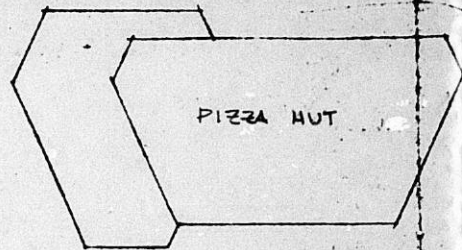
WEBB RD.

BEECH AVE



DOUGLAS AVE.

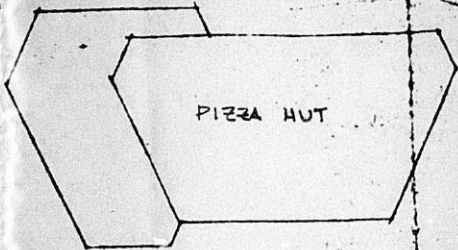




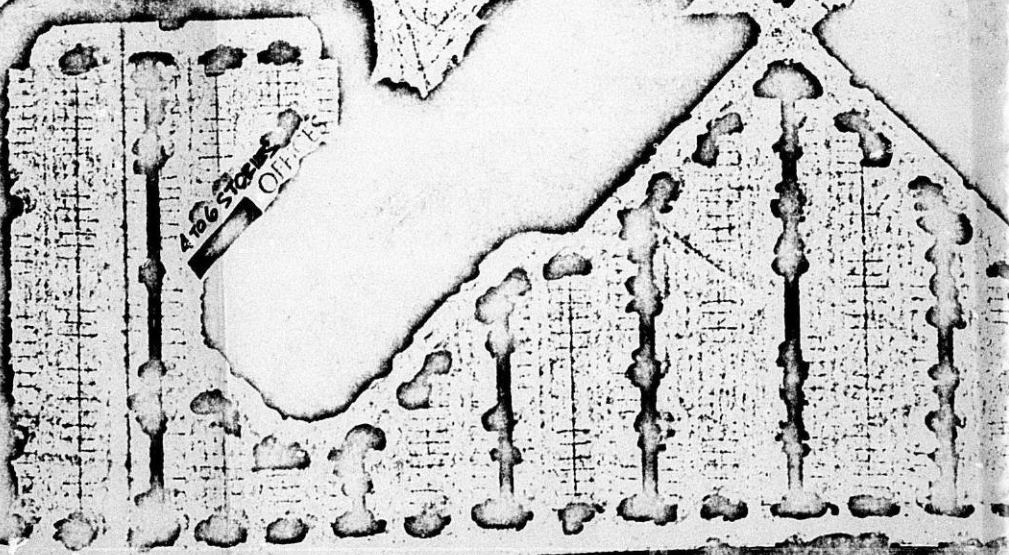
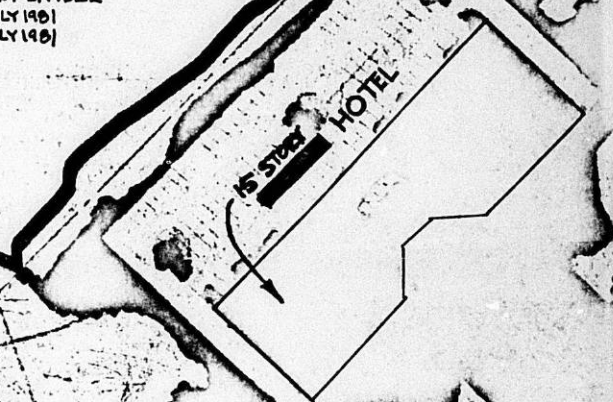
SITE PLAN

1" = 100'

Robson, Kuhnel & Spangenberg A.I.A. Arch



NO. OF STORIES PER GARY SNYDER
VERBAL 14 JULY 1981
PHONECON 16 JULY 1981

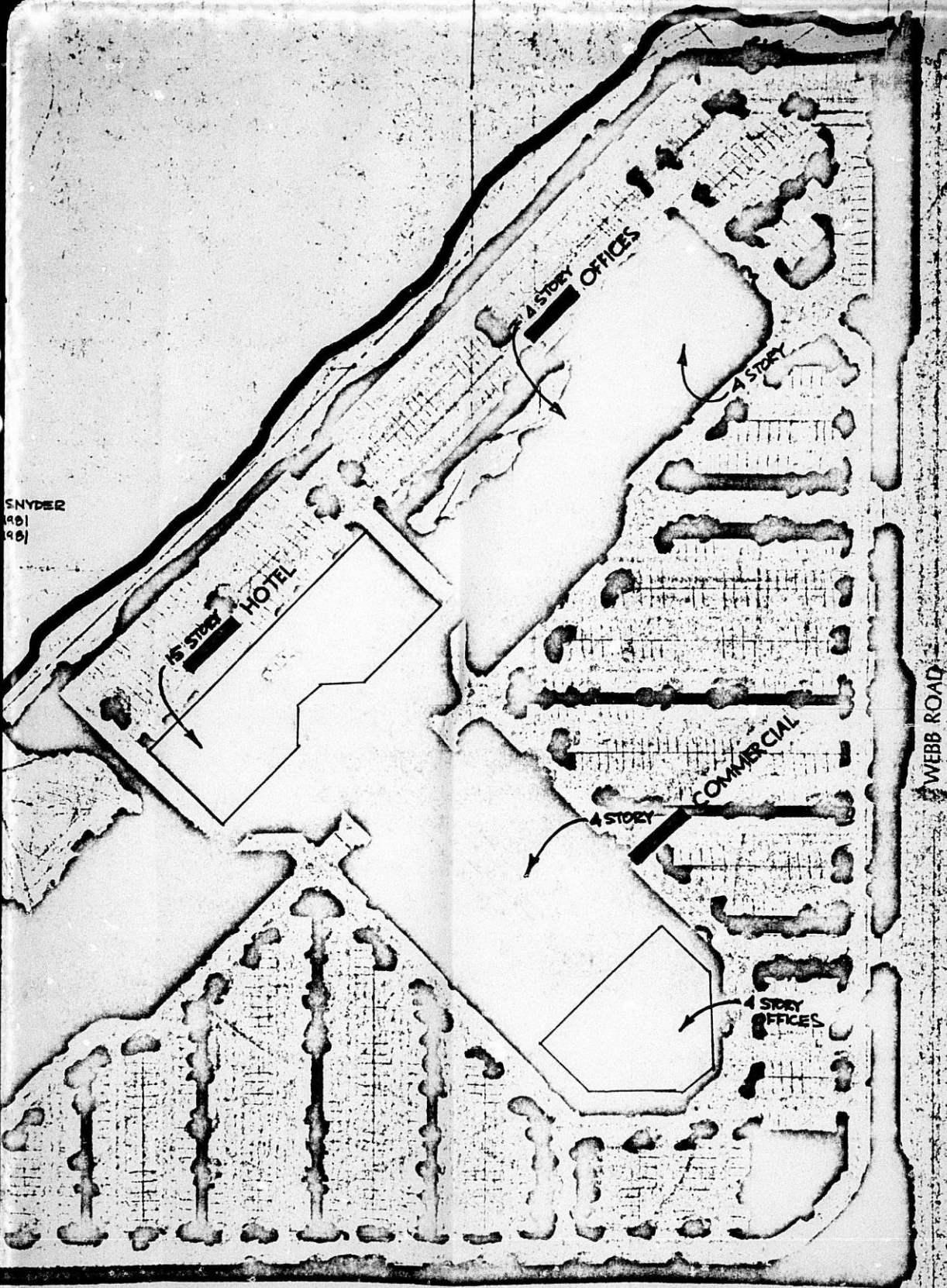


AN

1" = 100'



SNYDER
1981
1981



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

Roll # 1

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