

DR 71-46 - Byron Stout Pontiac -  
Request for Additional Access on  
U. S. 54

ACTION

DATE

COMMITTEE

M.A.F.C.

B.C.C./B. CO.

Mr. Byron G. Stout, Jr.  
Byron Stout Pontiac - Jeep, Inc.

November 5, 1971

*Handwritten:*  
wls  
for  
to list

The information furnished is adequate for processing of your request for a slip-off. If additional information is desired, please advise.

Yours truly,

November 5, 1971

E. W. Bruggeman  
Director of Public Works

Mr. Byron G. Stout, Jr.  
Byron Stout Pontiac - Jeep, Inc.  
5800 West Kellogg  
Wichita, Kansas 67209



Subject: Request for Slip-Off - West Kellogg

cc: John F. ... City Manager

Dear Mr. Stout: ... Director of Planning

The following information is being furnished as per our telephone conversation this date.

A standard urban permit form for access to West Kellogg is enclosed for your use. The permit application must be favorably endorsed by the City Commission and will require approval of the Metropolitan Area Planning Commission. The application should be accompanied with a letter from you stating that the cost of land appraisal as required will be borne by you and that you further agree to reimburse the state and federal government for the difference in value of the property involved before and after access control is broken. The value to be determined by the appraisal.

Mr. John D. McNeal, State Highway Engineer, indicated that the process takes a period of six months to one year to complete after the forms reach his office.

After the application has been completed, it should be either sent to or delivered to Mr. Jack Galbraith, Chief Planner, Wichita - Sedgwick County Planning Department, at least two weeks in advance of a Planning Commission Agenda.

Myron G. Stout, Jr.  
John Stout Police - Jeep, Inc.  
DOWICK COUNTY

Page 2  
November 5, 1971

DATE  
October 13, 1971

CITY AND AREA PLANNING DEPARTMENT

I believe the information furnished is adequate for processing of your request for a slip-off. If additional information is desired, please advise.

FROM: William D. Stockwell, Chief Planner, Advance Plans Division  
Yours truly,

SUBJECT: Request for Slip-off on *RWB* Green Street

In response to the request from **R. W. Bruggeman**, additional access to the location on **Green Street**, **Director of Public Works**, **City of Dowick**, **Dowick Highway Department**, in **Dowick, N.D.** was obtained the proper permit. **RWB:gg** obtaining additional access.

Enclosure standard urban permit form was obtained by the **Engineering Assistant**, was returned to the **State Highway Department**.  
cc: **Ralph Wulz, City Manager** **John A. Blauquist, 530 North Hendricks**  
**Robert A. Lakin, Director of Planning**

100  
100

The permit application must be favorably endorsed by the governing body in the vicinity having zoning jurisdiction with respect to the property involved. In the case of West Kellogg this will require approval from the Metropolitan Area Planning Commission and the City Commission. In the case of East Kellogg approval has already been granted by the Traffic Commission and the City Commission and therefore all that is required are the proper signatures.

In addition, the applications should be accompanied by letters of agreement from the land owner, stating that the cost of land appraisal, if required, will be born by the applicant land owner and further that the land owner will agree to reimburse the state and federal government for the difference in value of the properties involved before and after access control is broken, as may be indicated by the appraisal.

Mr. Muncie informed us that at a certain the project took a period of six weeks to one year to complete after the State Highway Department. When Mr. Stockwell prepared to bring the application before the Planning Commission he should contact the State Highway Department at least two weeks in advance in order to have the item placed on the Commission's agenda.

In cases where the local governing bodies approve the granting of highway access the State Highway Department will be able to issue the permit. If the local governing bodies do not approve the access will still be disallowed, when the application requires action on the

WICHITA-SEDGWICK COUNTY

DATE

October 29, 1971

**METROPOLITAN AREA PLANNING DEPARTMENT**

TO Ray Bruggeman, Director, Public Works Department  
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division  
SUBJECT Request for Slipoffs on Kellogg by Bryon Stout

In response to the request from Byron Stout for additional access at two locations on Kellogg-US 54, I contacted John D. McNeal, State Highway Engineer, in Topeka. Mr. McNeal outlined the proper procedures for going about obtaining additional access.

In each case a standard urban permit form must be obtained by the applicant, filled out, and returned to the State Highway Department in Topeka. Forms may be obtained from A.A. Holmquist, 500 North Hendricks, Hutchinson, Kansas 67501.

The permit application must be favorably endorsed by the governing body in the vicinity having zoning jurisdiction with respect to the property involved. In the case of West Kellogg this will require approval from the Metropolitan Area Planning Commission and the City Commission. In the case of East Kellogg approval has already been granted by the Traffic Commission and the City Commission and therefore all that is required are the proper signatures.

In addition, the applications should be accompanied by letters of agreement from the land owner, stating that the cost of land appraisal, if required, will be born by the applicant land owner and further that the land owner will agree to reimburse the state and federal government for the difference in value of the properties involved before and after access control is broken, as may be indicated by the appraisal.

Mr. McNeal informed me that at a minimum the process takes a period of six months to one year to complete after the forms reach his Department. When Mr. Stout is prepared to bring the application before the Planning Commission he should contact Mr. Jack Galbraith of our department at least two weeks in advance in order to have the item placed on the Commission's agenda.

In cases where the local governing bodies approve the granting of highway access the State Highway Department will usually go along with the local decision but the Federal Highway Administration may still disallow it. Since the application requires action on the

COPY

Page 2 - Request for Slipoffs on Kellogg - October 29, 1971

part of the Planning Commission it is recommended that this matter should be placed on the MAPC agenda as soon as the proper forms are filled out and returned to this Department.

WLS:EHE:bh

cc: Ralph Wulz, City Manager  
Robert A. Lakin, Director of Planning

White to Maint. Dept.  
Yellow to Petitioner  
Pink to Division  
Blue to City

City of \_\_\_\_\_

STATE HIGHWAY COMMISSION OF KANSAS

Maintenance Department

HIGHWAY PERMIT  
CITY CONNECTING LINK

(Except Interstate)

ALL PARTIES TO THIS AGREEMENT ARE  
ON NOTICE OF THE PROVISIONS OF  
K.S.A. 1970 SUPP. 46-901 ET SEQ. ✓

Division Serial No. \_\_\_\_\_

Whereas, \_\_\_\_\_ (Name) \_\_\_\_\_ (Street and No.) \_\_\_\_\_ (City)

Hereinafter termed the Petitioner, requests permission and authority to do certain work in ( ) constructing an entrance, ( ) modifying an existing entrance or ( ) \_\_\_\_\_ involving the right-of-way on the city connecting link in, upon or along State Highway Route \_\_\_\_\_ in the City of \_\_\_\_\_, \_\_\_\_\_ County, Kansas, and more particularly Lot/Lots \_\_\_\_\_, Block \_\_\_\_\_, Addition \_\_\_\_\_, described as follows:

and whereas the City of \_\_\_\_\_ has adopted standards equal to or more restrictive than the "Driveway Control Standard Plans and Regulations for Entrances" as established by the State Highway Commission for private and commercial entrances.

And whereas, the City of \_\_\_\_\_ is desirous of administering the use of the right-of-way within the City Limits on Highway \_\_\_\_\_.

Now, therefore, said permit shall be subject to the following conditions:

- 1.0: The Petitioner shall furnish all material, do all work, pay all costs and shall in a reasonable period of time restore said right-of-way to a condition equal to that existing before approval of the described work.
- 2.0: The Petitioner agrees to avoid any interference with traffic upon the connecting link unless specifically provided for in the permit. Traffic protection to be in accordance with Uniform Manual of Traffic Control Devices.
- 3.0: The Petitioner specifically agrees that no portion of the right-of-way will be used for parking, advertising signs or any other commercial activity.
- 4.0: The Petitioner, his successors or assigns, shall assume all risk and liability for accidents and damages that may accrue to persons or property on account of this work.
- 5.0: The Petitioner will obtain the necessary Building Permit from the City.
- 6.0: The Petitioner agrees to furnish the City, S. H. C. Form No. 327 in quadruplicate and four (4) sets of plans to be forwarded to the State Highway Division Engineer with one (1) of the City's application form (if applicable) indicating approval of proposed construction.
- 7.0: S. H. C. Division Engineer will review the proposed construction and if approved will execute S. H. C. Form No. 327 and furnish the City a signed copy of the form. Any questions regarding the permit will be resolved between the City and the State.
- 8.0: The City will supervise the construction of the entrance and be responsible for the satisfactory completion of the work.

S. H. C. FORM No. 327

PETITIONER

STATE HIGHWAY COMMISSION OF KANSAS

Maintenance Department

(Address)

ALL PARTIES TO THIS AGREEMENT ARE ON NOTICE OF THE PROVISIONS OF K.S.A. 1970 SUPP. 46-901 ET SEQ.

HIGHWAY PERMIT CITY CONNECTING LINK AGENT

Division Serial No.

(Address)

ALL PARTIES TO THIS AGREEMENT ARE ON NOTICE OF THE PROVISIONS OF K.S.A. 1970 SUPP. 46-901 ET SEQ.

...requests permission and authority to do certain work in ( ) constructing an en- trace ( ) modifying an existing entrance or ( ) in the City of ... HIGHWAY PERMIT CITY CONNECTING LINK AGENT ... (Mayor), (City Engineer), (City Manager)

APPROVED:

(Division Engineer) SHEC

...has adopted standards equal to or more restrictive than the "Division Control Standard Plans and Resolutions for Business, as established by the State Highway Commission and commercial entrances. Permit granted this Day of 19

And whereas the City of CITY OF within the city limits on highway

CITY OF

BY:

City Clerk

STATE HIGHWAY COMMISSION OF KANSAS

- 1.0: The Petitioner shall furnish all material, do all work, pay all costs and shall in a reasonable period of time... 2.0: The Petitioner agrees to avoid any interference with traffic upon the connecting link unless specifically pro- vided for in the permit. Traffic protection to be in accordance with Uniform Manual of Traffic Control Devices... 3.0: The Petitioner hereby agrees that no portion of the right-of-way will be used for parking, advertising signs or any other commercial activity... 4.0: The Petitioner, his successor or assigns, shall assume all risk and liability for accidents and damages that may occur to persons or property on account of this work... 5.0: The Petitioner will obtain the necessary Building Permit from the City... 6.0: The Petitioner agrees to furnish the City S.H.C. Form No. 327 in quadruplicate and four (4) sets of plans to be forwarded to the State Highway Division Engineer with one (1) of the City's application form (if applicable) in- dicated approval of proposed construction... 7.0: S.H.C. Division Engineer will review the proposed construction and if approved will execute S.H.C. Form No. 327 and furnish the City a signed copy of the form. Any questions regarding the permit will be resolved between the City and the State... 8.0: The City will supervise the construction of the entrance and be responsible for the satisfactory completion of the work

32-5889-5-2A-63

10-68-1M SETS

S.H.C. Form No. 327



**THE CITY OF WICHITA**  
**OFFICE OF CITY MANAGER**

**DATE** October 6, 1971

**TO** Ray W. Bruggeman, Director of Public Works  
**FROM** Ralph Wulz, City Manager

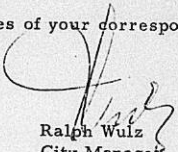
**SUBJECT** Slipoff from Kellogg to Kellogg Drive to  
Christine

On October 5, 1971, the City Commission approved the recommendation of the Wichita Traffic Commission to permit a slipoff from Kellogg, to Kellogg Drive, to the west edge of Christine.

Please follow through to see that this request is forwarded through the proper channels for eventual consideration by the Bureau of Public Roads. Mr. Stout should be kept advised of the progress of this matter.

The Director of Planning has been giving some attention in connection with a similar request on West Kellogg to determination of the proper means of processing such matters. Please coordinate the handling of this request with Mr. Lakin.

Please provide this office with copies of your correspondence in this matter.

  
Ralph Wulz  
City Manager

RW:fam

cc: ✓ Robert A. Lakin, Director of Planning  
Paul B. Graves, Traffic Engineer  
Dick Linn, City Engineer



TRAFFIC COMMISSION MINUTES  
September 15, 1971



A meeting of the Wichita Traffic Commission was held on September 15, 1971 at 1:00 p.m. in the Planning Commission Room, Fourth Floor, City Building Annex.

Present were Chairman Zakoura and Commissioners Black, Focht, King, Klepper, Marsh, and McClure.

Also present were Paul Graves, City Traffic Engineer, Bill McKinley, Assistant Traffic Engineer, Ron Johnsen, Associate Traffic Engineer, Miles FitzGerald, Associate Traffic Engineer, and Major Arthur Wilhite, Wichita Police Dept.

\* \* \* \* \*

Commissioner Black moved that the June 16, 1971 minutes and the minutes of the two special meetings of May 26, 1971 (Pawnee & Seneca) and June 23, 1971 (First and Second Street) be approved as written. Motion was seconded and carried.

\* \* \* \* \*

The Chairman asked for discussion regarding the June 2, 1971 meeting of Pawnee and Seneca. There seemed to be some controversy at the City Commission meeting on September 14th regarding the motion which was made at the June meeting by Commissioner Farha. Commissioner Farha's motion at that meeting was as follows: "It is recommended that the intersection of Pawnee and Seneca be improved at an estimated cost of \$842,000. And that the intersection signalization consist of a limited left turn, full actuated modular controller. It is further recommended that a left turn lane be developed on Pawnee for the 1000, 1100 and 1200 blocks and on Seneca for the 2300, 2400 and 2500 blocks. It is also recommended that TOPICS funds be utilized on a 50-50 basis with half of the funds being by the City of Wichita and the other half by the Federal Government through the State of Kansas."

There was some confusion as to whether the medials were to be installed, or whether just a left turn lane be provided without medials being involved. Mr. Graves stated there was some allegation made at the City Commission meeting that the minutes of that meeting were not entirely correct, but Commissioner Black said the minutes were accurate as written.

Commissioner Black further stated that he thought the motion was an instrument whereby the Traffic Engineering Division could have funds by the TOPICS program to study this situation, and thought it was merely to send it back to the Traffic Engineering Division so the left hand turns, etc. could be further studied.

Commissioner McClure said he voted against Commissioner Farha's motion because it was his understanding that it eliminated medial strips.

Traffic Commission Minutes  
September 15, 1971  
Page Nine

Commissioner Klepper stated only 9 of the original 20 apparently still desire the same thing. He also suggested that the Traffic Engineering Division contact the people in the 100 block of South Athenian and get a yes or no answer to leaving the parking signs up.

Commissioner Black moved to leave the parking restriction as it is and the people in the neighborhood come up with a proposal as to how they want it changed and to bring it to our attention at the next meeting.

Motion died for lack of a second.

Commissioner McClure MOVED THAT PARKING BE REINSTATED IN THE AREA. THIS IS PRIMARILY BECAUSE IT MATCHES THE REST OF THE PARKING IN THE SAME RESIDENTIAL AREA.

Motion was seconded by Commissioner Klepper.

Vote on motion 5 in favor and 1 against. Motion carried.

\* \* \* \* \*

REQUEST FROM BYRON G. STOUT, JR., BYRON STOUT PONTIAC, REQUESTING REMOVAL OF THE BARRICADE AT CHRISTINE AND KELLOGG SO THAT "TRAFFIC CAN FLOW DIRECT FROM KELLOGG ONTO CHRISTINE

This request was made through a letter to the City Manager on May 12, 1971 from Mr. Stout. At the October 21, 1970 Traffic Commission meeting, a hearing was held regarding the proposed reconstruction of the Kellogg-Edgemoor intersection. The Traffic Engineering recommendation at that meeting was: "That the access road be closed at its connection to Edgemoor Drive, that a slip-off be constructed from Kellogg Avenue to Kellogg Drive and that Kellogg Drive be made one-way eastbound from the beginning of the slip-off to Christine Avenue as shown in Exhibit D." The City Commission at its November 3, 1970 meeting basically approved the Traffic Commission recommendation by approving the following action: "Keeler moved that the City Manager be instructed to immediately proceed with this entire program as has been presented with one exception, that instead of installing a raised median that for the time being only the painted lines or buttons or some type of temporary marking be used to direct the traffic, and receive and file the minutes of the Traffic Commission meeting." The October 21, 1970 Traffic Commission recommendation was "That we approve the recommendation as contained within the report "An Evaluation of the Kellogg Frontage Road at Edgemoor", with the addition of left hand turn bay for southbound Edgemoor traffic at the alley of Edgemoor and Christine, and forward to the City Commission recommending approval."

Bill McKinley, Assistant Traffic Engineer, gave a brief summary of his report, which is entitled "Opening of Christine from Eastbound Kellogg to the Kellogg Frontage Road." He said Kellogg has been designated as a freeway route in the Transportation Study for Wichita-Sedgwick County Metropolitan Area.

Traffic Commission Minutes  
September 15, 1971  
Page Ten

He said the original request for the opening of Christine northward from the Kellogg Frontage Road to eastbound Kellogg traffic was submitted in October, 1966 by Mr. Stout. After the Traffic Engineering Division has conducted survey and studies of the area, it was their recommendation that no particular problem existed in gaining access to said property by using the intersection of Kellogg and Edgemoor. (Mr. Stout is a property owner within an area bounded on the east by Lightner Drive and the west by Christine south of the Kellogg Frontage Road. The north part of this property facing on Kellogg is occupied by Firestone Tire Company and the south part of the property is occupied by the United States Post Office.) On October 21, 1970 the Traffic Commission held a hearing regarding a proposed slip-off ramp from Kellogg Avenue eastbound traffic to Christine. The recommendation of the report "An Evaluation of the Kellogg Frontage Road at Edgemoor" was to close the access road east of Edgemoor and to construct a slip off for one-way traffic from eastbound lanes of Kellogg onto Kellogg Drive near Christine. The complete development of the intersection at Kellogg and Edgemoor would include construction of medians on Edgemoor both north and south of its intersection with Kellogg. On November 3, 1970, the City Commission gave favorable support for the project if the necessary right-of-way could be acquired from the Veterans Administration site to straighten the alignment of Edgemoor and Kellogg intersection.

Mr. McKinley stated it was the recommendation of the Traffic Engineering Division that the access road be closed at the connection to Edgemoor Drive, that a slip off be constructed from Kellogg Avenue to Kellogg Drive and that Kellogg Drive be made one-way eastbound from the beginning of the slip off to Christine Avenue. This is also the original recommendation submitted to the Traffic Commission in September of 1970. The actual request as stated by Mr. Stout to connect Christine directly to Kellogg eastbound traffic is not recommended by this Division.

Commissioner McClure stated this has been approved by the City Commission and is in the Capital Improvement Program for this year. He also said Kellogg is not considered a freeway and there is a question as to whether this will ever be a freeway.

George Ball, representing Byron Stout, said he went out to the location with Mr. Stout. They started at Edgemoor where the access road starts and all the way past Eastgate there is not a single street leading south off Kellogg that isn't open between Kellogg and the access road which has any business on it. This is creating a much worse situation than what would exist if it were open. If you want to go to the Post Office, the entrance is off Christine. Going eastbound on Kellogg, if they think far enough ahead they can get off at Edgemoor on the access road, but 4 out of 5 times the northbound traffic on Edgemoor will stop at the light instead of back of the access road so you can't get through. The next thing is to get off Kellogg one block east of Chautauqua. Every other street that has a business is open to exit from Kellogg to the access road, why should Christine not be too.

Commissioner McClure asked what was involved in removing the barricade that is there. Mr. Graves said it would have to be approved by this Commission and recommended to the City Commission for their approval, and the State Highway Department and Bureau of Public Road would have to approve it.

Chairman King asked if it would be possible to go ahead with the southeast corner of the intersection. Mr. Graves replied it would be possible assuming this Commission recommended it.

Mr. Ball said it would be a simple matter to make the opening at Christine and then close it up when the proposed job is finished.

Commissioner McClure wondered if it would help expedite matters if this Commission would go on record urging as prompt action as possible now for work to get started on the slip off.

Mr. Graves suggested the Traffic Commission recommend to the City Commission that their action on November 3, 1970 to proceed with the improvement of the Kellogg and Edgemoor intersection, which further included modifications of the Kellogg Drive Frontage Road to accommodate a slip-off ramp from Kellogg to Kellogg Drive, that this matter be expedited as quickly as possible and that if the entire project cannot proceed immediately that the Traffic Commission recommends proceeding with that portion of the project that would provide a slip-off ramp from Kellogg to Kellogg Drive.

Commissioner McClure said the fact that the U.S. government and the land acquisition involved could slow up the construction of the intersection, he would rather leave out the intersection part.

Commissioner Black made the motion that IN ANSWER TO BYRON STOUT'S LETTER DATED MAY 12, 1971, REQUESTING A DRIVE THROUGH FROM CHRISTINE TO KELLOGG THAT THE SLIPOFF FROM KELLOGG TO KELLOGG DRIVE TO THE WEST EDGE OF CHRISTINE BE INSTALLED IMMEDIATELY, SAID SLIPOFF HAVING BEEN RECOMMENDED BY THE TRAFFIC COMMISSION ON OCTOBER 21, 1970, AND APPROVED BY THE CITY COMMISSION ON November 3, 1970.

The motion was seconded and carried unanimously.

\* \* \* \* \*

REQUEST FOR ADDITIONAL OPENINGS IN THE "KELLOGG MEDIAL"

Mr. Bill McKinley gave a report regarding additional medial openings along Kellogg. He stated that the following requests for additional openings had been received:

- (1) Request from Mr. Duane Gere, Cowboy Cleaners, 5407 East Kellogg for an opening at Beverley Drive.

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

October 21, 1970

**TO** Wichita-Sedgwick County Metropolitan  
Area Planning Commission

**FROM** Robert A. Lakin, Director of Planning

**SUBJECT** DR 70-29 - Access Control - West Kellogg at Maize Road

REQUEST

Resthaven Cemeteries, Inc. thru their attorney, have requested the recommendation of the Planning Commission to a request for release of access control to U. S. 54 on the northwest corner of Kellogg and Maize Road. Such release is in the hands of the State Highway Commission, together with the Bureau of Public Roads. However, they require the local responsible bodies to recommend on this before accepting the application.

KELLOGG AS A FREEWAY

It should be recognized that U. S. 54 has been established as a freeway by legislative act of the State. This does not mean that 54 must remain on Kellogg, but it is there and the chances of it remaining there seem very good. The adopted Transportation Plan of the MAPC, and concurred in by the governing bodies, proposes freeway standards for West Kellogg. In line with these adopted Federal plans, the State Highway Commission is currently negotiating with a consultant to do freeway locational studies on two segments of U. S. 54 (I-235 to Maize Road and Maize Road to east of Garden Plain). These studies are being initiated at the strong request of the City and County. However, no construction schedules have been provided for the section west of Maize Road.

As one reviews the condition of Kellogg from Maize Road to 119th Street West, one must conclude that from a highway developmental viewpoint, the product as it now exists contains many errors. Too many medial breaks, too many access points, incomplete service road systems, etc. The initial reaction is to recommend completing the service road system, establish the appropriate crossovers and allow access to the service roads; however, since the locational study for freeways is about to begin, it would not seem that this course of action holds much promise.

The request is for one access point opposite the first medial break west of Maize Road. In comparing similar tracts (southeast corner of 119th Street and Kellogg) and the condition on medial breaks and other access points within this mile, it is hard to hold the request unreasonable.

Page 2 - Metropolitan Area Planning Commission  
October 21, 1970

If it were known for a fact that Kellogg would be the freeway alignment, the request should be denied outright. However, this is not known. Further, if such fact were established, construction has not been programmed. It might be 5 to 10 years before construction or right-of-way could be purchased, although it is hoped this can be determined much quicker (3-4 years). Thus, the problem is to accommodate a request for an interim period of time and yet not jeopardize the possibilities of upgrading this area to freeway standards.

One way to do this is to grant a temporary permit until the locational study is done. If the study establishes another location, then the applicant's request can be finalized with the appropriate appraisals, etc. made to establish permanent access.

A less desirable but probably satisfactory approach would be to authorize permanent access based on before and after value appraisals, but to establish an option to repurchase the access control at the current (1970) appraisal price (same as would be paid to the State if this request is approved), if the locational study indicates Kellogg should be made a freeway. This option should be made binding on all heirs, assigns and lessees.

In summary, it is recommended that access be made available to the tract requested provided that the Commission has satisfied itself that it will not jeopardize the possibility of freeway construction.

RAL:ber