

DR 82-20 - Amendment to the NDP  
and Civic Center Urban Renewal  
Plan Re: Convention Center Site.

DR 82-20

# ACTION

DATE

COMMITTEE

\_\_\_\_\_

M.A.P.C.

approve 7-29-82

B.C.C./B. CO. C.

Adopted 8-24-82

M.A.P.C. - Approve Amendment 4-05-84 6-2  
ready to condition

BCC

Referred two weeks 5/17/84

~~BCC~~

approve 3-2 5/22/84

Closed

One of the virtues of Goldsmith's would be the availability of an existing structure which we believe can be converted to a transit center. Although the 2nd floor would not be needed, this option might allow for earlier project development. On the other hand, a small shelter area could be developed south of the Allis without any great problems.

#### Parking Garage - Century Plaza

One new development since the Transit Center Report Supplement was written is the proposal to build a parking garage between the Library and the Century Plaza Building. We have discussed with the developer the possibility of incorporating an area of approximately 4000 square feet for use as an inside waiting area together with restroom availability. This would leave the buses on the street but within reasonable proximity of the bus lineup. Another option which could be explored would be to design the structure to accommodate the busses off street. Ramps for autos would go from the street directly to the second floor. This would have the advantage of improving transfer timing and may also improve the financing position for the garage.

#### Financing.

The development of a transit center if on city owned land is eligible for 80% participation by UMTA. Local funds (20%) must be provided. Past reports suggested local match be provided thru the use of GO bonds. Adequate federal funds for use for capital projects appear to be available. Costs for a transit center would appear to range from a low of \$250,000 to \$400,000 on a buy-in for shelter space only in the parking garage, to \$1.25 + million on a free standing center. These estimates are rough without benefit of appraisals or preliminary architectural work. Costs for a center with off-street bus area in the parking garage are unknown.

#### Timing.

If federal participation is desired, a number of requirements must be met. The attached time schedule is submitted as a general approach. Given an indication of site preference and degree to which center development should occur, I believe considerable time compression could occur. With a clear site (Allis), site occupancy could occur much faster and the shelter built with the transfer site in operation. Dependent on sites, a number of time options probably exist.

Page 3

Recommendation.

If a transit center is desired as an alternate to the existing or moved transfer point, the commission should:

Designate a preference of site of either

Parking Garage Century Plaza

or

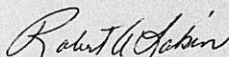
Goldsmith's

or

Allis

and

Instruct the staff to work with MTA, to conduct the necessary hearings, update reports, obtain appraisals and return an UMTA application to the Board of City Commissioners for their consideration.



Robert A. Lakin  
Director of Planning

RAL:sad  
cc: Dave Smith, MTA

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT

DATE May 2, 1984

TO The Honorable Board of City Commissioners  
THROUGH E. H. Denton, City Manager

FROM John Dekker, Director of Law


SUBJECT Proposed Amendment to Urban  
Renewal Land Use Plan Project  
R-19 (Civic Center)

The First National Bank has raised some questions concerning the procedure being followed in amending the above Plan. Some confusion has arisen because of the date of the plan referenced in their letter of April 30, 1984. The Plan of June 25, 1964, (with land use map of 8/18/64) was in use at the time of the July 13, 1965, Redevelopment Contract with First National Bank. That plan has been subsequently amended on numerous occasions and we are now proposing to amend the Amended Urban Renewal Plan of January 8, 1970, as revised August 24, 1982. The language on "restrictive covenants" and "changes" has remained unchanged throughout, however. The procedures for the current proposed amendment are in conformance with every edition of the Plan and the changes do not conflict with the recorded restrictive covenants of which First National is a party.

My opinion remains the same as set forth in my memorandum of April 11, 1984, which provides in part:

"After reviewing all recorded information concerning R-19 and land therein and having reviewed the Urban Renewal file and all contracts and agreements therein and having reviewed the procedures required by the Statutes of the State of Kansas, it is my opinion that:

- 1) The process being followed to amend the Urban Renewal Land Use Plan Project R-19 (Civic Center) is in conformance with all legal requirements; and
- 2) There is no requirement for written concurrence by other property owners in Project R-19 (Civic Center) for these proposed changes in the plan.

  
John Dekker  
Director of Law

JD:JAL:kj

cc: Don E. Anderson  
Robert Lakin

RECEIVED

MAY 4 1984  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

First National Bank - Wichita

C. O. Chandler  
City Manager

First National Bank - Wichita  
1111

Office of the City Manager	
<input type="checkbox"/> ENO	<input type="checkbox"/> CM
<input checked="" type="checkbox"/> R	<input type="checkbox"/> TH
<input type="checkbox"/> RT	<input type="checkbox"/> MEC
APR 30 1984	
Copies To <i>FO, RAC</i>	
<input type="checkbox"/> Send To	
<input type="checkbox"/> File	

FIRST NATIONAL BANK

April 30, 1984

Mr. E. H. "Gene" Denton  
City Manager  
City Hall, 455 N. Main  
Wichita, KS 67202

RE: Proposed Land Use Plan Modification

Dear Gene:

The First National Bank in Wichita has received a Public Notice regarding a proposed change to the Urban Renewal Plan. The proposed change is for the expressed purpose of facilitating the development of a Transit Center/Parking Garage facility on that property directly south of the Century Plaza Building. The purpose of this letter is to express the Bank's concerns and objections to the proposed modifications. We have previously expressed a portion of our concerns to certain members of the City staff, specifically Mr. Denton and Mr. Decker. In light of the Public Notice, we believe it necessary to advise you of our objections to the modifications and the procedures apparently employed to implement the same.

The First National Bank was one of the original Redevelopers of the Civic Center area. The Commission's records should accurately reflect the First National Bank's commitment to the redevelopment of the area in question and the City of Wichita in general. The bank has continued to work with the City for the past 20 years in the development of the Civic Center area. The modifications proposed at this time do not meet the requirements of the Urban Renewal Plan for the property in question and, furthermore, it appears that the prescribed method for modifying the Plan has been ignored. The relationship between the Civic Center Redevelopers and the City of Wichita is clearly defined in the Urban Renewal Plan - Civic Center, dated June 25, 1964. That Plan sets forth three points which are not being addressed in the proposed modifications. Those points are as follows:

- (1) That all real property within the Urban Renewal area is subject to certain restrictive covenants and conditions. Accordingly, the property presently designated for the development of the Transit Center/Parking Garage facility is

E/4/30/A

C. G. Chanler  
City of Wichita, Kansas

WICHITA, KANSAS 67201

---

## FIRST NATIONAL BANK

subject to those restrictive covenants (See Page 4, Land Use Plan).

- (2) The restrictive covenants are to be binding and effective upon all owners, purchasers or lessees of the land for a minimum period of thirty (30) years and will be automatically renewed for successive ten-year periods, unless they are terminated at the end of any such thirty or ten-year period by vote of the owners of the majority of the square foot area covered by the Plan. (See Page 7.) Obviously, the initial term of the restrictive covenants, i.e., thirty years, has not expired.
- (3) Part E of the Urban Renewal Plan (January 25, 1964) requires that the Plan may not be modified or amended unless it is consented to by the Redevelopers of the real property affected thereby, and approved by the Governing Body of the City of Wichita.

It is the position of the First National Bank in Wichita that the above conditions have not been met. Obviously, the proposed Transit Center/Parking Garage facility constitutes a material change in the Land Use Plan in the following particulars:

- (1) The proposed Transit Center does not constitute public off-street parking and, as such, is in violation of the restrictions of the Urban Renewal Plan.
- (2) The proposed Parking Garage is in violation of the restrictive covenants: it is a privately-owned (though publicly-subsidized) parking garage, which is limited to special uses or special users. The Public Notice acknowledges that the Parking Garage in question shall be a "private parking deck" and is to be constructed above the Mass Transit facility. Likewise, the prospectus for the development of the property in question states that it shall be owned by a general partnership (nonpublic) and the use may be restricted. Clearly, the parking garage is not publicly owned nor will it be open to the public at large, all of which is in violation of the restrictive covenants of the Urban Renewal Plan.

E/4/30/A

---

C. O. Chandler  
Chairman of the Board

Wichita, Kansas 67202  
Telephone 268-1111

---

## FIRST NATIONAL BANK

- (3) The proposed modifications are not only nonconforming but additionally, the modifications will restrict and diminish accepted use. The modifications would delete a substantial portion of the dedicated park and public open space area directly south of the Century Plaza building, and would alter the driveway and substantially effect traffic patterns in the area in question. We have received no assurances that these modifications would not be in violation of the "Minimum Pedestrian Walking and Vehicular Circulation Area at Ground Level Floor Level" (Page 5) of the Urban Renewal Plan (June 25, 1964).
- (4) Finally, it would appear from the drawings that we have received that the proposal does not conform to the building set-backs required in the Plan.

The Urban Renewal Plan clearly defines that such modifications can only be allowed in the event of:

- (a) The passage of the minimum period of 30 years;
- (b) Consent of the Redevelopers to the Urban Renewal Plan

The First National Bank in Wichita cannot consent to these inappropriate land use changes. The Bank, as well as other Redevelopers, entered into the Urban Renewal Plan in 1965 with the good-faith understanding and agreement (The Plan) that the redevelopment would be a comprehensive joint effort, with each party being assured that their efforts would not be harmed by the unilateral action of any other party to the agreement. Obviously, neither the Bank or the City would have committed its time and assets to any project that did not contain these assurances. The proposed changes, however, totally ignore these assurances and agreements and propose to ignore the unambiguous requirements of the agreement.

The Bank has consistently been a proponent of redevelopment of the core area of Wichita. However, any redevelopment requires a comprehensive plan that can be relied upon by those who agree to invest their time and resources in the effected area. The First National Bank has, in fact, relied upon the provisions of the Plan, specifically the land use restrictions, in making its capital improvements, and is now entitled to the protection afforded by that agreement.

E/4/30/D

---

First National Bank in Wichita

C. Q. Chandler  
Chairman of the Board

Box 610  
Wichita, Kansas 67201  
Phone 376-1111

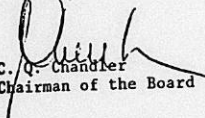
---

**FIRST NATIONAL BANK**

The First National Bank is merely asking the City of Wichita to adhere to its promises, commitments and agreements with the Redevelopers of the area in question, to comply with the guidelines and restrictions established by the Redevelopers, and the City of Wichita in 1964. We are not asking for any modifications and changes on our behalf, but rather are merely seeking to have the City of Wichita honor its commitment to us and to consider the issues, needs and requirements of those parties who participated with the City when the area in question was deemed a "blighted area" and the City sought the help of those individuals who were willing to devote their time and assets to the redevelopment of this area. We would be happy to discuss this matter at length with you at such time as may be mutually convenient.

Thank you for your time and consideration.

Sincerely,

  
C. Q. Chandler  
Chairman of the Board

P.S. Since drafting this letter, it has come to our attention that City staff has requested as an agenda item for May 1, 1984 the approval of an architect to finalize plans for the proposed Transit Center and Parking Garage. This agenda item would appear to be premature and inappropriate since the public hearing on this item is not scheduled until May 8 and the issues set forth in this letter have yet to be addressed.

Originals to: The Board of City Commissioners  
Gene Denton

E/4/30/A

---

THE CITY OF WICHITA  
OFFICE OF LAW DEPARTMENT

DATE April 11, 1984

TO Robert A. Lakin, Director of Planning  
FROM John Dekker, Director of Law

SUBJECT Proposed Amendment to Urban  
Renewal Land Use Plan Pro-  
ject R-19 (Civic Center)

The memo on procedures to amend Project R-19 (Civic Center) land use plan, prepared by Joe Allen Lang of this department at the request of Don E. Anderson, Director, Housing and Economic Development, clearly and accurately sets out the steps necessary to legally change or modify the land use plan for the Civic Center, including that area presently being considered for a transit center and privately-operated parking garage.

I further agree with your advice to the Planning Commission that:

"1) between the Planning Commission review and recommendations on the land use plan and its conformance to adopted comprehensive plans, and the public hearing date set by the Board of City Commissioners, that all affected property owners (those owning property in the R-19 area) will be notified of the proposed changes and the consultation process exist from the time of notice through the public hearing; and 2) that you are of the opinion that no written or otherwise type of consent is required from the property owners in R-19 to make the changes proposed."

After reviewing all recorded information concerning R-19 and land therein and having reviewed the Urban Renewal file and all contracts and agreements therein and having reviewed the procedures required by the Statutes of the State of Kansas, it is my opinion that:

- 1) The process being followed to amend the Urban Renewal Land Use Plan Project R-19 (Civic Center) is in conformance with all legal requirements; and
- 2) There is no requirement for written concurrence by other property owners in Project R-19 (Civic Center) for these proposed changes in the plan.

*John Dekker  
MADL  
4-12-84  
MD*

RECEIVED

APR 12 1984

*John Dekker*  
John Dekker  
Director of Law

JD:cr

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

April 9, 1984

Don Anderson, Director, Housing and Economic Development

Robert A. Lakin, Director of Planning

Proposed Amendments to Civic Center Urban Renewal Plan  
(Project R-19)

On April 5, 1984, the Metropolitan Area Planning Commission considered your request for certain changes in the above mentioned plan. The MAPC, by a vote of 6-2, approved the recommended changes subject to a legal opinion from the City Attorney substantiating the procedures being followed by City staff for notification and concurrence of affected property owners as set forth in the redevelopment plan and associated legal documents. I am in contact with the City Attorney concerning this matter and will advise you of future developments.

---

Robert A. Lakin  
Director of Planning

RAL:RD:rme

April 9, 1984

John Dekker, Director of Law

Robert A. Lakin, Director of Planning

Proposed Amendments to Urban Renewal Land Use Plan  
Project R-19 (Civic Center)

I submitted, at the request of the Department of Housing and Economic Development, a proposed land use plan change to the MAPC for their consideration at their meeting of April 5, 1984. My memorandum to the Planning Commission and the attachments thereto are attached to this memo for your review.

Although there were no substitutive arguments relative to the merits of the land use plan, there was considerable discussion as to the procedural aspects of amending the Urban Renewal plan. These essentially revolved around the views that notice and consultation, as well as written concurrence, was a requirement of the Urban Renewal plan. Joe Lang has written an advisory memo on amendment procedures which the Department of Housing and Economic Development is following. Additionally you and I have discussed the requirements of the restrictive covenants and the plan and its amendment procedures. On direct questioning by the Planning Commission, I advised that it was my opinion that the current amendment process complies with the legal opinions issued by your office, and further complies with your views and directions on the amendment process. Specifically, I advised the Planning Commission that it is the City's position that; 1) between the Planning Commission review and recommendations on the land use plan and its conformance to adopted comprehensive plans, and the public hearing date set by the Board of City Commissioners, that all affected property owners (those owning property in the R-19 area) will be notified of the proposed changes and the consultation process exist from the time of notice through the public hearing; and 2) that you are of the opinion that no written or otherwise type of consent is required from the property owners in R-19 to make the changes proposed.

The Planning Commission, after much debate, took my recommended action together with an amendment to that motion which conditioned their approval on you submitting a written legal opinion that:

- 1) the process we are following is legal as to the amendments of the plan, and
- 2) that no written concurrence is required by property owners in R-19 as to these amendments.

John Dekker, Director of Law  
April 9, 1984  
Page 2

The intent was to receive this opinion within two weeks, and that no further action on the plan amendments would be taken prior to that opinion. In the event you are unable to provide an opinion concurring with what I advised the Commission was your position, then the plan amendments are to be returned to the MAPC for further consideration and discussion. Please furnish me your opinion at the earliest possible date so that I may transmit it to the MAPC and other staff involved in this process.

---

Robert A. Lakin  
Director of Planning

RAL:rme  
Attachment

cc: E. H. Denton, City Manager  
Don Anderson, Director, Housing and Economic Development  
Metropolitan Area Planning Commission

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

RE: AGENDA ITEM NO. 8

DATE

March 29, 1984

MC 62  
Chas. Wilson

TO Metropolitan Area Planning Commission  
FROM Robert A. Lakin, Director of Planning  
SUBJECT PROPOSED AMENDMENTS TO URBAN RENEWAL LAND USE PLAN  
PROJECT R-19 (Civic Center)

Don Anderson Request  
William Wilson  
Request by Don Anderson  
Wilson  
02-11  
Wilson

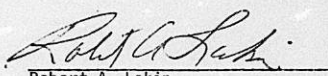
Attached is a memorandum from Don Anderson, Director of Housing and Economic Development, requesting MAPC consideration of a number of amendments to the Civic Center Urban Renewal Plan (Project R-19).

A major purpose of these proposed changes is to allow the joint transit center and parking garage project for the site bounded by Century II Drive and Main Street. This is accomplished by designating the parcel "Transit and Off-Street Parking", deleting the ten (10) foot setback requirement and clarifying the definition of publicly owned off-street parking to exclude private facilities financed with Industrial Development Bonds (IRBs). A second major amendment creates a mixed use category (commercial, public buildings, parking) and designates the site south of the Library at the southwest corner of English and Main Streets for this purpose. This change is to allow the future possibility of a new hotel or other mixed use project in conjunction with the new exhibition hall planned directly to the west. Another amendment allows skywalks as supplementary uses for all land uses without specifying locations. Finally, updated language is added to reflect the City of Wichita as the administering authority rather than the Urban Renewal Agency.

Upon review, staff has concluded that the proposed amendments are in conformance with the General Neighborhood Development Plan and are consistent with the goals and policies of the Comprehensive Plan for the Metropolitan Area.

Recommendation

It is recommended that the Metropolitan Area Planning Commission find the proposed amendments to be in conformance with both the Neighborhood Development Plan of the City of Wichita and the Comprehensive Plan of the Metropolitan Area and recommend approval of said amendments to the Board of City Commissioners.

  
Robert A. Lakin  
Director of Planning

RAL:RD:rh  
Attachment  
cc: Don Anderson, Director of Housing and Economic Development

THE CITY OF WICHITA

OFFICE OF Housing and Economic  
Development

DATE March 26, 1984

TO Robert Lakin, Director of Planning

FROM Don E. Anderson, Director of Housing and Economic Development

SUBJECT Planning Commission - Agenda Item  
Land Use Plan Change  
For Project R-19  
(Civic Center)

Attached are a delineated and a revised copy of changes being requested to the Project R-19 (Civic Center) Land Use Plan.

The changes being requested are as follows:

1. A change in the land use map to allow for public and private uses in the project area lying south of Douglas Avenue with a category added for transit and one for mixed use.
2. An exception for the parcel bounded by Century II Drive and Main Street to allow for a zero lot line with no setback requirements.
3. A statement pertaining to skywalks being an allowed or supplementary use for all land use categories.
4. A clarification regarding parking facilities financed by IDB's as being considered "private parking."
5. Some wording changes involving changing "Urban Renewal Agency" to "City of Wichita."


We ask that you place this matter on the agenda of the Metropolitan Area Planning Commission at the earliest possible date for its review and determination as to conformance with the General Urban Renewal Plan and the Comprehensive Plan of the municipality as a whole.

Recommendation

It is recommended by the Department of Housing and Economic Development that the requested changes be approved and a recommendation made to the Board of City Commissioners for approval of same.

DEA:LT:mw

Enclosure

  
Don E. Anderson, Director  
Housing and Economic Development

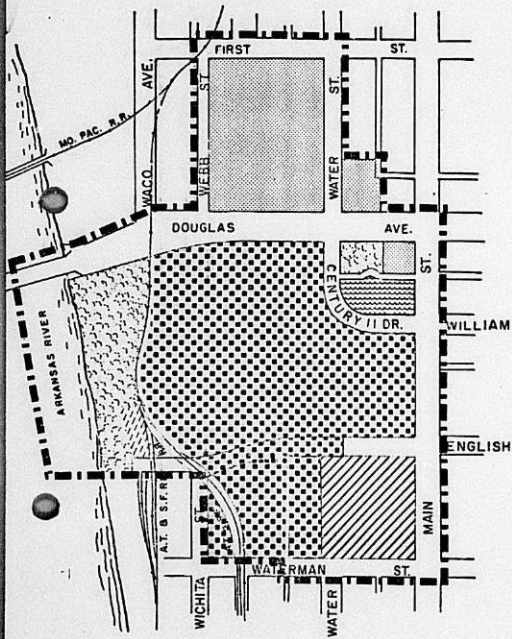
PART C. LAND USE PLAN

1. Land Use Map

Plate II - Land Use Plan - indicates the proposed land use pattern and major thoroughfares. In general, all of that area within the Project lying north of Douglas Avenue will be made available for commercial uses compatible with the Central Business District and public buildings to the south. All of <sup>T</sup>the Project Area lying south of Douglas Avenue contains various parcels which will be made available for public and private uses including public buildings, and-related transit and parking, and mixed use (commercial, public building, parking).

2. Land Use Provisions and Building Requirements

- a. Land Use shall be as indicated on Plate II - Land Use Plan. In those areas indicated for commercial use (lying north of Douglas Avenue), land uses permitted shall be commercial, retail, office, multi-family residential, and transient housing, provided, that all such uses are integrated into a scheme to enable the various parts of the design to function properly, and provided, that such uses are in proper relationship to each other and enhance rather than reduce amenity. The design should allow for adequate open space and good facilities for pedestrian movement in safety and pleasant surroundings.
- b. In addition to the foregoing, the following regulations, controls, or restrictions shall be imposed on all real property acquired in connection with the Project:



**REVISIONS**

- 8-18-64
- 8-15-66
- 4-25-68
- 1-8-70
- 3-28-74
- 8-24-82

**LEGEND**

- PROJECT BOUNDARY
- UTILITY EASEMENT
- CENTER LINE OF RAILROAD (EXIST TO REMAIN)
- LAND USE**
- COMMERCIAL
- PUBLIC BUILDING & RELATED USES
- TRANSIT & OFF-STREET PARKING
- DEDICATED PARK & PUBLIC OPEN SPACE
- MIXED USE- COMMERCIAL, PUBLIC BUILDINGS, PARKING

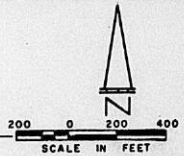
**LAND USE PLAN**

**CIVIC CENTER**

PROJECT KANS. R-19

MARCH 19, 1984

CODE R 213  
SHEET 1 OF 1



II

- (1) General. The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportionated structures and structures built of improper or unsuitable materials; to ensure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof to secure adequate free spaces between structures, and in general, to provide adequately for a high type and quality of improvement in said property.
- (2) Procedure. No improvements shall be undertaken until the complete plans and specifications, including the floor plans and grade and plot plan of such improvement, shall have been submitted to and approved in writing by the City of Wichita Urban Renewal Agency, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the City Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specification as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

(3) Minimum Pedestrian Walking and Vehicular Circulation Area at Ground Floor Level.

At least twenty percent (20%) of the lot area, in the form of malls, arcades, setbacks, and/or drives, shall be provided as pedestrian walking areas or vehicular circulation areas, generally available to the public.

(4) Building Setbacks From The Property Line.

A thirty-five (35) foot setback, at all building levels, roof overhang excluded, shall be maintained on the following frontage:

DOUGLAS AVENUE:

COMMENCING at the southwest corner of Lot 1, Block 1;  
THENCE easterly along the south line of said lot to the southeast corner of Lot 1, Block 1.

COMMENCING at the southwest corner of Lot 1, Block 2;  
THENCE easterly along the south line of said lot to a point one hundred and twenty-six (126) feet east of the point of beginning.

A ten (10) foot building setback on the ground floor level shall be provided on the following frontage:

FIRST STREET:

BEGINNING at the northeast corner of Lot 1, Block 1,  
THENCE westerly along the north line of said lot and said line extended to a point 425.10 feet west of the northeast corner of said lot.

WEBB STREET:

BEGINNING at the southwest corner of Lot 1, Block 1,  
THENCE northerly along the west line of said lot and  
said line extended to a point 564.03 feet north of  
the southwest corner of said lot.

WATER STREET:

COMMENCING at the southeast corner of Lot 1, Block 1,  
THENCE north along the east line of said lot a dis-  
tance of 603.07 feet to the northeast corner of  
Lot 1, Block 1.

A ten (10) foot setback shall be maintained on all other  
streets within the Civic Center Urban Renewal Project:  
except for the parcel bounded by Century II Drive and  
Main Streets and designated "transit/off-street parking"  
which will have a zero lot line provision with no setback  
requirement.

The term "ground floor level" is defined to be from  
zero (0) to twelve (12) feet above the abutting sidewalk  
grade.

Canopies protecting sidewalks and drives shall not be  
subject to the setback requirements but must be approved,  
in writing, by the <sup>City of Wichita.</sup> Urban Renewal Agency.

- (5) Residential Requirements. Residential uses shall be  
limited to multi-family, elevator type structures. No  
living unit may be located at ground floor level. Site

coverage of structures designed for residential use may not exceed twenty-five percent (25%) of the combined site coverage of all structures. Residential dwelling unit density shall be limited to one unit per eight hundred (800) square feet of lot area.

- (6) Minimum Off-Street Parking. One car space for each dwelling unit and one car space for each 500 square feet of gross office and/or retail floor area.
- (7) Publicly Owned Off-Street Parking. Publicly owned off-street parking to be provided in the Project Area shall be open to use by the public at large and shall not be limited to special uses or special users. Parking facilities financed by IDBs shall be considered private parking for purposes of this paragraph.
- (8) Skywalks are an allowed or supplementary use for all land use categories.

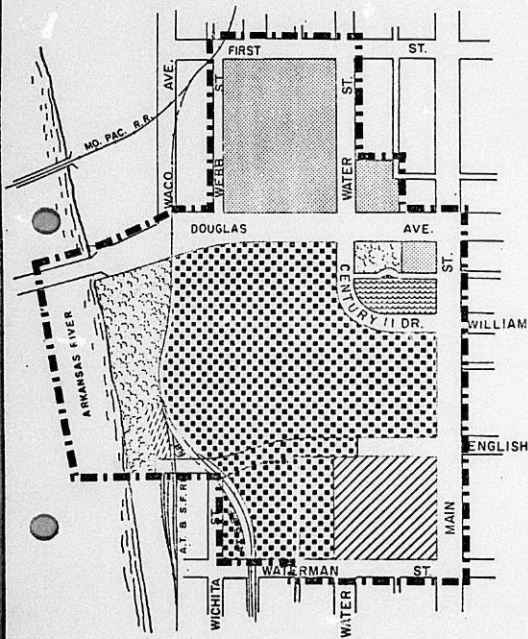
PART C. LAND USE PLAN

1. Land Use Map

Plate II - Land Use Plan - indicates the proposed land use pattern and major thoroughfares. In general, all of that area within the Project lying north of Douglas Avenue will be made available for commercial uses compatible with the Central Business District and buildings to the south. The Project Area lying south of Douglas Avenue contains various parcels which will be made available for public and private uses including public buildings, transit and parking, and mixed use (commercial, public building, parking).

2. Land Use Provisions and Building Requirements

- a. Land Use shall be as indicated on Plate II - Land Use Plan. In those areas indicated for commercial use (lying north of Douglas Avenue), land uses permitted shall be commercial, retail, office, multi-family residential, and transient housing, provided, that all such uses are integrated into a scheme to enable the various parts of the design to function properly, and provided, that such uses are in proper relationship to each other and enhance rather than reduce amenity. The design should allow for adequate open space and good facilities for pedestrian movement in safety and pleasant surroundings.
- b. In addition to the foregoing, the following regulations controls, or restrictions shall be imposed on all real property acquired in connection with the Project:
  - (1) General. The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to ensure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportionated structures and structures built of improper or unsuitable materials; to ensure the highest and best development of said



**REVISIONS**

- 8-18-64
- 8-15-66
- 4-25-68
- 1-8-70
- 3-28-74
- 8-24-82

**LEGEND**

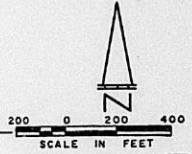
- PROJECT BOUNDARY
- UTILITY EASEMENT
- CENTER LINE OF RAILROAD (EXIST TO REMAIN)
- LAND USE**
- COMMERCIAL
- PUBLIC BUILDING & RELATED USES
- TRANSIT & OFF-STREET PARKING
- DEDICATED PARK & PUBLIC OPEN SPACE
- MIXED USE- COMMERCIAL, PUBLIC BUILDINGS, PARKING

**LAND USE PLAN  
CIVIC CENTER**

PROJECT KANS. R-19

MARCH 19, 1984

CODE R 213  
SHEET 1 OF 1



II

property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof to secure adequate free spaces between structures, and in general, to provide adequately for a high type and quality of improvement in said property.

- (2) Procedure. No improvements shall be undertaken until the complete plans and specifications, including the floor plans and grade and plot plan of such improvement, shall have been submitted to and approved in writing by the City of Wichita, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the City within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specification as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.
- (3) Minimum Pedestrian Walking and Vehicular Circulation Area at Ground Floor Level.  
At least twenty percent (20%) of the lot area, in the form of malls, arcades, setbacks, and/or drives, shall be provided as pedestrian walking areas or vehicular circulation areas, generally available to the public.
- (4) Building Setbacks From The Property Line.  
A thirty-five (35) foot setback, at all building levels, roof overhang excluded, shall be maintained on the following frontage:

DOUGLAS AVENUE:

COMMENCING at the southwest corner of Lot 1, Block 1;  
THENCE easterly along the south line of said lot to  
the southeast corner of Lot 1, Block 1.

COMMENCING at the southwest corner of Lot 1, Block 2;  
THENCE easterly along the south line of said lot to a  
point one hundred and twenty-six (126) feet east of  
the point of beginning.

A ten (10) foot building setback on the ground floor  
level shall be provided on the following frontage:

FIRST STREET:

BEGINNING at the northeast corner of Lot 1, Block 1,  
THENCE westerly along the north line of said lot  
and said line extended to a point 425.10 feet  
west of the northeast corner of said lot.

WEBB STREET:

BEGINNING at the southwest corner of Lot 1, Block 1,  
THENCE northerly along the west line of said lot and  
said line extended to a point 564.03 feet north of  
the southwest corner of said lot.

WATER STREET:

COMMENCING at the southeast corner of Lot 1, Block 1,  
THENCE north along the east line of said lot a dis-  
tance of 603.07 feet to the northeast corner of  
Lot 1, Block 1.

A ten (10) foot setback shall be maintained on all other  
streets within the Civic Center Urban Renewal Project,  
except for the parcel bounded by Century II Drive and  
Main Streets and designated "transit/off-street parking"  
which will have a zero lot line provision with no setback  
requirement.

The term "ground floor level" is defined to be from zero  
(0) to twelve (12) feet above the abutting sidewalk grade.

Canopies protecting sidewalks and drives shall not be subject to the setback requirements but must be approved, in writing, by the City of Wichita.

- (5) Residential Requirements. Residential uses shall be limited to multi-family, elevator type structures. No living unit may be located at ground floor level. Site coverage of structures designed for residential use may not exceed twenty-five percent (25%) of the combined site coverage of all structures. Residential dwelling unit density shall be limited to one unit per eight hundred (800) square feet of lot area.
- (6) Minimum Off-Street Parking. One car space for each dwelling unit and one car space for each 500 square feet of gross office and/or retail floor area.
- (7) Publicly Owned Off-Street Parking. Publicly owned off-street parking to be provided in the Project Area shall be open to use by the public at large and shall not be limited to special uses or special users. Parking facilities financed by IDBs shall be considered private parking for purposes of this paragraph.
- (8) Skywalks are an allowed or supplementary use for all land use categories.

MAR 7 1984

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT

DATE March 6, 1984

TO Donald E. Anderson, Director, Housing and Economic Development

FROM Joe Allen Lang, Assistant City Attorney

SUBJECT Parking Garage - Amendment  
to Civic Center Urban Renewal  
Plan - Project No. Kans. R-19

You ask for an opinion on the amendment of the above Urban Renewal Plan in anticipation of the construction of a transit center and private parking garage. I have reviewed the amended Urban Renewal Plan for the Civic Center Urban Renewal Project No. Kans. R-19 (rev. 3-28-74, with land use plan rev. 8-24-82), and a copy of the warranty deed transferring the property to the City. I have never been provided with any information whether this Urban Renewal Plan has been filed of record; but the terms of the plan are applicable to this project because of the provisions of the deed.

You inquire whether the ten-foot setback provision may be waived or if the plan should be amended. The Urban Renewal Plan calls for a ten-foot building setback from the property line on the property in question. If the project requires a "substantial modification" of the plan, the plan must be amended. There is not sufficient information provided to determine whether amendment is necessary; however, because the plan must be amended for other provisions, it is suggested that section 2(b)(4) be amended to include this provision as well. This can be accomplished by one of two ways: (1) insert wording to allow waiver of the setback requirements by the City Commission (in the manner of a variance), or (2) insert a sentence specifically setting forth the setback requirements for this parcel. You should check with Planning to make sure their requirements are met in this matter.

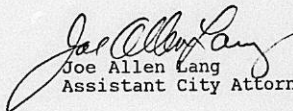
You inquire whether a "mixed use-- commercial, public building, parking" category can be added to the land use plan. This land use category can be added to the land use plan. Because of the extensive area you are designating mixed use, you should consider amending paragraph 1 (page 4). That paragraph indicates that in general all the project area lying south of Douglas Avenue will be made available for public uses including public buildings and related parking. A statement of the changed nature should be included. You may also want to consider changing the map to take out the winding street south of the Century Plaza building and include that in the new designation, unless that drive is platted or intending to remain. I also note that no purely "public off-street parking" will remain and you could delete that category on the map.

Donald E. Anderson  
March 6, 1984  
Page 2

You inquire whether you can remove the restrictions against "special uses or special users" for parking. Section 2(b)(7) provides only that there will be publicly owned off-street parking and that such public off-street parking shall not be limited to special uses or special users. There is no restriction against privately owned parking. However, because the parking garage may be owned by the City through the issuance of IRBs, it is recommended that the following be added to paragraph 7:

Parking facilities financed by IDBs shall be considered private parking for purposes of this paragraph.

To amend the Urban Renewal Plan for these changes, the procedures of K.S.A. 17-4747 will have to be followed including review by the Planning Commission, publication, public hearing, and a finding by the City Commission that the requirements of subsection (d) are met. As previously set forth in my memorandum of July 21, 1983, the Urban Renewal Law procedures for sale or lease of the property must also be followed.

  
Joe Allen Lang  
Assistant City Attorney

JAL:kj

cc: Robert Lakin

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 29, 1984

TO Metropolitan Area Planning Commission  
FROM Robert A. Lakin, Director of Planning  
SUBJECT PROPOSED AMENDMENTS TO URBAN RENEWAL LAND USE PLAN  
PROJECT R-19 (Civic Center)

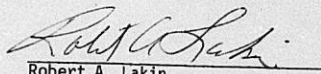
Attached is a memorandum from Don Anderson, Director of Housing and Economic Development, requesting MAPC consideration of a number of amendments to the Civic Center Urban Renewal Plan (Project R-19).

A major purpose of these proposed changes is to allow the joint transit center and parking garage project for the site bounded by Century II Drive and Main Street. This is accomplished by designating the parcel "Transit and Off-Street Parking", deleting the ten (10) foot setback requirement and clarifying the definition of publicly owned off-street parking to exclude private facilities financed with Industrial Development Bonds (IRBs). A second major amendment creates a mixed use category (commercial, public buildings, parking) and designates the site south of the Library at the southwest corner of English and Main Streets for this purpose. This change is to allow the future possibility of a new hotel or other mixed use project in conjunction with the new exhibition hall planned directly to the west. Another amendment allows skywalks as supplementary uses for all land uses without specifying locations. Finally, updated language is added to reflect the City of Wichita as the administering authority rather than the Urban Renewal Agency.

Upon review, staff has concluded that the proposed amendments are in conformance with the General Neighborhood Development Plan and are consistent with the goals and policies of the Comprehensive Plan for the Metropolitan Area.

Recommendation

It is recommended that the Metropolitan Area Planning Commission find the proposed amendments to be in conformance with both the Neighborhood Development Plan of the City of Wichita and the Comprehensive Plan of the Metropolitan Area and recommend approval of said amendments to the Board of City Commissioners.



Robert A. Lakin  
Director of Planning

RAL:RD:rh  
Attachment

cc: Don Anderson, Director of Housing and Economic Development

THE CITY OF WICHITA

OFFICE OF Housing and Economic  
Development

DATE March 26, 1984

RECEIVED

MAR 26 1984

TO Robert Lakin, Director of Planning

METROPOLITAN PLANNING

ROUTE

FROM Don E. Anderson, Director of Housing and Economic Development

SUBJECT Planning Commission - Agenda Item  
Land Use Plan Change  
For Project R-19  
(Civic Center)

Attached are a delineated and a revised copy of changes being requested to the Project R-19 (Civic Center) Land Use Plan.

The changes being requested are as follows:

1. A change in the land use map to allow for public and private uses in the project area lying south of Douglas Avenue with a category added for transit and one for mixed use.
2. An exception for the parcel bounded by Century II Drive and Main Street to allow for a zero lot line with no setback requirements.
3. A statement pertaining to skywalks being an allowed or supplementary use for all land use categories.
4. A clarification regarding parking facilities financed by IDB's as being considered "private parking."
5. Some wording changes involving changing "Urban Renewal Agency" to "City of Wichita."


We ask that you place this matter on the agenda of the Metropolitan Area Planning Commission at the earliest possible date for its review and determination as to conformance with the General Urban Renewal Plan and the Comprehensive Plan of the municipality as a whole.

Recommendation

It is recommended by the Department of Housing and Economic Development that the requested changes be approved and a recommendation made to the Board of City Commissioners for approval of same.

DEA:LT:mw

Enclosure



Don E. Anderson, Director  
Housing and Economic Development

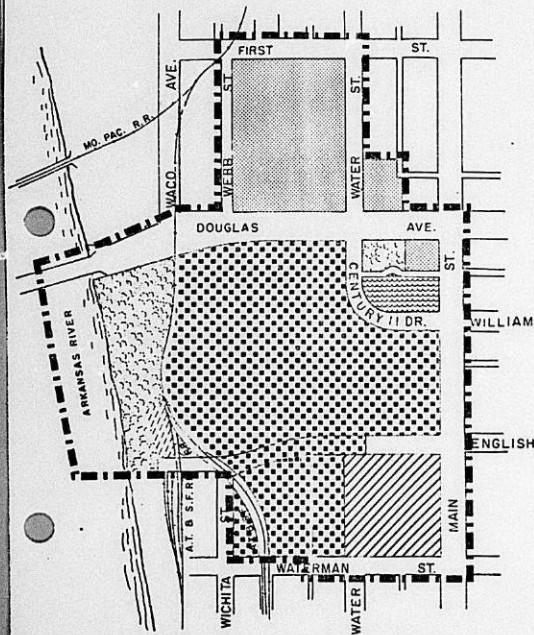
PART C. LAND USE PLAN

1. Land Use Map

Plate II - Land Use Plan - indicates the proposed land use pattern and major thoroughfares. In general, all of that area within the Project lying north of Douglas Avenue will be made available for commercial uses compatible with the Central Business District and buildings to the south. The Project Area lying south of Douglas Avenue contains various parcels which will be made available for public and private uses including public buildings, transit and parking, and mixed use (commercial, public building, parking).

2. Land Use Provisions and Building Requirements

- a. Land Use shall be as indicated on Plate II - Land Use Plan. In those areas indicated for commercial use (lying north of Douglas Avenue), land uses permitted shall be commercial, retail, office, multi-family residential, and transient housing, provided, that all such uses are integrated into a scheme to enable the various parts of the design to function properly, and provided, that such uses are in proper relationship to each other and enhance rather than reduce amenity. The design should allow for adequate open space and good facilities for pedestrian movement in safety and pleasant surroundings.
- b. In addition to the foregoing, the following regulations controls, or restrictions shall be imposed on all real property acquired in connection with the Project:
  - (1) General. The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to ensure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportionated structures and structures built of improper or unsuitable materials; to ensure the highest and best development of said



**REVISIONS**

- 8-18-64
- 8-15-66
- 4-25-68
- 1-8-70
- 3-28-74
- 8-24-82

**LEGEND**

- PROJECT BOUNDARY
- UTILITY EASEMENT
- CENTER LINE OF RAILROAD (EXIST TO REMAIN)
- LAND USE**
- COMMERCIAL
- PUBLIC BUILDING & RELATED USES
- TRANSIT & OFF-STREET PARKING
- DEDICATED PARK & PUBLIC OPEN SPACE
- MIXED USE- COMMERCIAL, PUBLIC BUILDINGS, PARKING

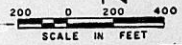
**LAND USE PLAN**

**CIVIC CENTER**

PROJECT KANS. R-19

MARCH 19, 1984

CODE R 213  
SHEET 1 OF 1



II

-5-

property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof to secure adequate free spaces between structures, and in general, to provide adequately for a high type and quality of improvement in said property.

- (2) Procedure. No improvements shall be undertaken until the complete plans and specifications, including the floor plans and grade and plot plan of such improvement, shall have been submitted to and approved in writing by the City of Wichita, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the City within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specification as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.
- (3) Minimum Pedestrian Walking and Vehicular Circulation Area at Ground Floor Level.  
At least twenty percent (20%) of the lot area, in the form of malls, arcades, setbacks, and/or drives, shall be provided as pedestrian walking areas or vehicular circulation areas, generally available to the public.
- (4) Building Setbacks From The Property Line.  
A thirty-five (35) foot setback, at all building levels, roof overhang excluded, shall be maintained on the following frontage:

DOUGLAS AVENUE:

COMMENCING at the southwest corner of Lot 1, Block 1;  
THENCE easterly along the south line of said lot to  
the southeast corner of Lot 1, Block 1.

COMMENCING at the southwest corner of Lot 1, Block 2;  
THENCE easterly along the south line of said lot to a  
point one hundred and twenty-six (126) feet east of  
the point of beginning.

A ten (10) foot building setback on the ground floor  
level shall be provided on the following frontage:

FIRST STREET:

BEGINNING at the northeast corner of Lot 1, Block 1,  
THENCE westerly along the north line of said lot  
and said line extended to a point 425.10 feet  
west of the northeast corner of said lot.

WEBB STREET:

BEGINNING at the southwest corner of Lot 1, Block 1;  
THENCE northerly along the west line of said lot and  
said line extended to a point 564.03 feet north of  
the southwest corner of said lot.

WATER STREET:

COMMENCING at the southeast corner of Lot 1, Block 1,  
THENCE north along the east line of said lot a dis-  
tance of 603.07 feet to the northeast corner of  
Lot 1, Block 1.

A ten (10) foot setback shall be maintained on all other  
streets within the Civic Center Urban Renewal Project,  
except for the parcel bounded by Century II Drive and  
Main Streets and designated "transit/off-street parking"  
which will have a zero lot line provision with no setback  
requirement.

The term "ground floor level" is defined to be from zero  
(0) to twelve (12) feet above the abutting sidewalk grade.

Canopies protecting sidewalks and drives shall not be subject to the setback requirements but must be approved, in writing, by the City of Wichita.

- (5) Residential Requirements. Residential uses shall be limited to multi-family, elevator type structures. No living unit may be located at ground floor level. Site coverage of structures designed for residential use may not exceed twenty-five percent (25%) of the combined site coverage of all structures. Residential dwelling unit density shall be limited to one unit per eight hundred (800) square feet of lot area.
- (6) Minimum Off-Street Parking. One car space for each dwelling unit and one car space for each 500 square feet of gross office and/or retail floor area.
- (7) Publicly Owned Off-Street Parking. Publicly owned off-street parking to be provided in the Project Area shall be open to use by the public at large and shall not be limited to special uses or special users. Parking facilities financed by IDBs shall be considered private parking for purposes of this paragraph.
- (8) Skywalks are an allowed or supplementary use for all land use categories.

MAR 7 1984

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT

DATE March 6, 1984

TO Donald E. Anderson, Director, Housing and Economic Development

FROM Joe Allen Lang, Assistant City Attorney

SUBJECT Parking Garage - Amendment  
to Civic Center Urban Renewal  
Plan - Project No. Kans. R-19

You ask for an opinion on the amendment of the above Urban Renewal Plan in anticipation of the construction of a transit center and private parking garage. I have reviewed the amended Urban Renewal Plan for the Civic Center Urban Renewal Project No. Kans. R-19 (rev. 3-28-74, with land use plan rev. 8-24-82), and a copy of the warranty deed transferring the property to the City. I have never been provided with any information whether this Urban Renewal Plan has been filed of record; but the terms of the plan are applicable to this project because of the provisions of the deed.

You inquire whether the ten-foot setback provision may be waived or if the plan should be amended. The Urban Renewal Plan calls for a ten-foot building setback from the property line on the property in question. If the project requires a "substantial modification" of the plan, the plan must be amended. There is not sufficient information provided to determine whether amendment is necessary; however, because the plan must be amended for other provisions, it is suggested that section 2(b)(4) be amended to include this provision as well. This can be accomplished by one of two ways: (1) insert wording to allow waiver of the setback requirements by the City Commission (in the manner of a variance), or (2) insert a sentence specifically setting forth the setback requirements for this parcel. You should check with Planning to make sure their requirements are met in this matter.

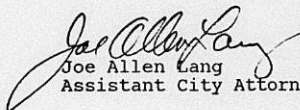
You inquire whether a "mixed use--commercial, public building, parking" category can be added to the land use plan. This land use category can be added to the land use plan. Because of the extensive area you are designating mixed use, you should consider amending paragraph 1 (page 4). That paragraph indicates that in general all the project area lying south of Douglas Avenue will be made available for public uses including public buildings and related parking. A statement of the changed nature should be included. You may also want to consider changing the map to take out the winding street south of the Century Plaza building and include that in the new designation, unless that drive is platted or intending to remain. I also note that no purely "public off-street parking" will remain and you could delete that category on the map.

Donald E. Anderson  
March 6, 1984  
Page 2

You inquire whether you can remove the restrictions against "special uses or special users" for parking. Section 2(b)(7) provides only that there will be publicly owned off-street parking and that such public off-street parking shall not be limited to special uses or special users. There is no restriction against privately owned parking. However, because the parking garage may be owned by the City through the issuance of IRBs, it is recommended that the following be added to paragraph 7:

Parking facilities financed by IDBs shall be considered private parking for purposes of this paragraph.

To amend the Urban Renewal Plan for these changes, the procedures of K.S.A. 17-4747 will have to be followed including review by the Planning Commission, publication, public hearing, and a finding by the City Commission that the requirements of subsection (d) are met. As previously set forth in my memorandum of July 21, 1983, the Urban Renewal Law procedures for sale or lease of the property must also be followed.

  
Joe Allen Lang  
Assistant City Attorney

JAL:kj

cc: Robert Lakin

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

March 29, 1984

TO Metropolitan Area Planning Commission  
FROM Robert A. Lakin, Director of Planning  
SUBJECT PROPOSED AMENDMENTS TO URBAN RENEWAL LAND USE PLAN  
PROJECT R-19 (Civic Center)

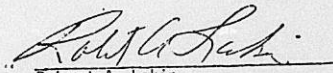
Attached is a memorandum from Don Anderson, Director of Housing and Economic Development, requesting MAPC consideration of a number of amendments to the Civic Center Urban Renewal Plan (Project R-19).

A major purpose of these proposed changes is to allow the joint transit center and parking garage project for the site bounded by Century II Drive and Main Street. This is accomplished by designating the parcel "Transit and Off-Street Parking", deleting the ten (10) foot setback requirement and clarifying the definition of publicly owned off-street parking to exclude private facilities financed with Industrial Development Bonds (IRBs). A second major amendment creates a mixed use category (commercial, public buildings, parking) and designates the site south of the Library at the southwest corner of English and Main Streets for this purpose. This change is to allow the future possibility of a new hotel or other mixed use project in conjunction with the new exhibition hall planned directly to the west. Another amendment allows skywalks as supplementary uses for all land uses without specifying locations. Finally, updated language is added to reflect the City of Wichita as the administering authority rather than the Urban Renewal Agency.

Upon review, staff has concluded that the proposed amendments are in conformance with the General Neighborhood Development Plan and are consistent with the goals and policies of the Comprehensive Plan for the Metropolitan Area.

Recommendation

It is recommended that the Metropolitan Area Planning Commission find the proposed amendments to be in conformance with both the Neighborhood Development Plan of the City of Wichita and the Comprehensive Plan of the Metropolitan Area and recommend approval of said amendments to the Board of City Commissioners.

  
Robert A. Lakin  
Director of Planning

RAL:RD:rh  
Attachment  
cc: Don Anderson, Director of Housing and Economic Development

THE CITY OF WICHITA  
OFFICE OF Housing and Economic  
Development

DATE March 26, 1984

RECEIVED

- MAR 26 1984

TO Robert Lakin, Director of Planning  
FROM Don E. Anderson, Director of Housing and Economic Development

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_

SUBJECT Planning Commission - Agenda Item  
Land Use Plan Change  
For Project R-19  
(Civic Center)

Attached are a delineated and a revised copy of changes being requested to the Project R-19 (Civic Center) Land Use Plan.

The changes being requested are as follows:

1. A change in the land use map to allow for public and private uses in the project area lying south of Douglas Avenue with a category added for transit and one for mixed use.
2. An exception for the parcel bounded by Century II Drive and Main Street to allow for a zero lot line with no setback requirements.
3. A statement pertaining to skywalks being an allowed or supplementary use for all land use categories.
4. A clarification regarding parking facilities financed by IDB's as being considered "private parking."
5. Some wording changes involving changing "Urban Renewal Agency" to "City of Wichita."


We ask that you place this matter on the agenda of the Metropolitan Area Planning Commission at the earliest possible date for its review and determination as to conformance with the General Urban Renewal Plan and the Comprehensive Plan of the municipality as a whole.

Recommendation

It is recommended by the Department of Housing and Economic Development that the requested changes be approved and a recommendation made to the Board of City Commissioners for approval of same.

DEA:LT:mw

Enclosure

  
Don E. Anderson, Director  
Housing and Economic Development

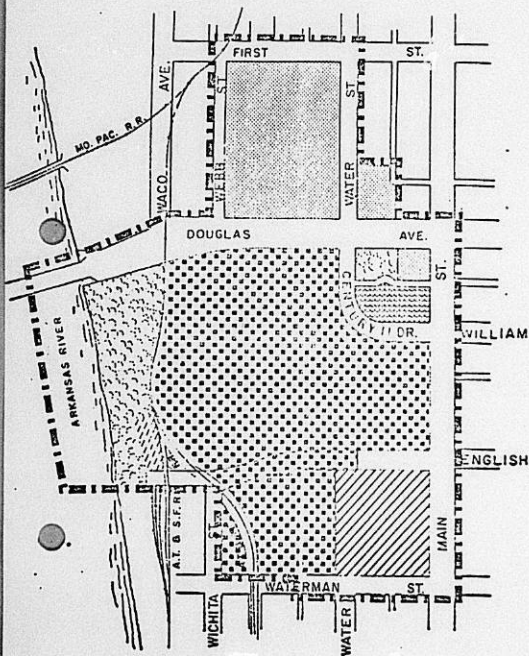
PART C. LAND USE PLAN

1. Land Use Map

Plate II - Land Use Plan - indicates the proposed land use pattern and major thoroughfares. In general, all of that area within the Project lying north of Douglas Avenue will be made available for commercial uses compatible with the Central Business District and buildings to the south. The Project Area lying south of Douglas Avenue contains various parcels which will be made available for public and private uses including public buildings, transit and parking, and mixed use (commercial, public building, parking).

2. Land Use Provisions and Building Requirements

- a. Land Use shall be as indicated on Plate II - Land Use Plan. In those areas indicated for commercial use (lying north of Douglas Avenue), land uses permitted shall be commercial, retail, office, multi-family residential, and transient housing, provided, that all such uses are integrated into a scheme to enable the various parts of the design to function properly and provided, that such uses are in proper relationship to each other and enhance rather than reduce amenity. The design should allow for adequate open space and good facilities for pedestrian movement in safety and pleasant surroundings.
- b. In addition to the foregoing, the following regulations controls, or restrictions shall be imposed on all real property acquired in connection with the Project:
  - (1) General. The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to ensure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportionated structures and structures built of improper or unsuitable materials; to ensure the highest and best development of said



**REVISIONS**

- 8-18-64
- 8-15-66
- 4-25-68
- 1-8-70
- 3-28-74
- 8-24-82

**LEGEND**

- PROJECT BOUNDARY
- UTILITY EASEMENT
- CENTER LINE OF RAILROAD (EXIST TO REMAIN)
- LAND USE**
- COMMERCIAL
- PUBLIC BUILDING & RELATED USES
- TRANSIT & OFF-STREET PARKING
- DEDICATED PARK & PUBLIC OPEN SPACE
- MIXED USE- COMMERCIAL, PUBLIC BUILDINGS, PARKING

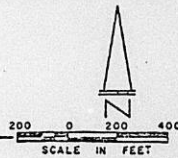
**LAND USE PLAN**

**CIVIC CENTER**

PROJECT KANS. R-19

MARCH 19, 1984

CODE R 213  
SHEET 1 OF 1



II

property; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof to secure adequate free spaces between structures, and in general, to provide adequately for a high type and quality of improvement in said property.

- (2) Procedure. No improvements shall be undertaken until the complete plans and specifications, including the floor plans and grade and plot plan of such improvement, shall have been submitted to and approved in writing by the City of Wichita, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the City within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specification as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

- (3) Minimum Pedestrian Walking and Vehicular Circulation Area at Ground Floor Level.

At least twenty percent (20%) of the lot area, in the form of malls, arcades, setbacks, and/or drives, shall be provided as pedestrian walking areas or vehicular circulation areas, generally available to the public.

- (4) Building Setbacks From The Property Line.

A thirty-five (35) foot setback, at all building levels, roof overhang excluded, shall be maintained on the following frontage:

**DOUGLAS AVENUE:**

COMMENCING at the southwest corner of Lot 1, Block 1;  
THENCE easterly along the south line of said lot to  
the southeast corner of Lot 1, Block 1.

COMMENCING at the southwest corner of Lot 1, Block 2;  
THENCE easterly along the south line of said lot to a  
point one hundred and twenty-six (126) feet east of  
the point of beginning.

A ten (10) foot building setback on the ground floor  
level shall be provided on the following frontage:

**FIRST STREET:**

BEGINNING at the northeast corner of Lot 1, Block 1,  
THENCE westerly along the north line of said lot  
and said line extended to a point 425.10 feet  
west of the northeast corner of said lot.

**WEBB STREET:**

BEGINNING at the southwest corner of Lot 1, Block 1;  
THENCE northerly along the west line of said lot and  
said line extended to a point 564.03 feet north of  
the southwest corner of said lot.

**WATER STREET:**

COMMENCING at the southeast corner of Lot 1, Block 1,  
THENCE north along the east line of said lot a dis-  
tance of 603.07 feet to the northeast corner of  
Lot 1, Block 1.

A ten (10) foot setback shall be maintained on all other  
streets within the Civic Center Urban Renewal Project,  
except for the parcel bounded by Century II Drive and  
Main Streets and designated "transit/off-street parking"  
which will have a zero lot line provision with no setback  
requirement.

The term "ground floor level" is defined to be from zero  
(0) to twelve (12) feet above the abutting sidewalk grade.

Canopies protecting sidewalks and drives shall not be subject to the setback requirements but must be approved, in writing, by the City of Wichita.

- (5) Residential Requirements. Residential uses shall be limited to multi-family, elevator type structures. No living unit may be located at ground floor level. Site coverage of structures designed for residential use may not exceed twenty-five percent (25%) of the combined site coverage of all structures. Residential dwelling unit density shall be limited to one unit per eight hundred (800) square feet of lot area.
- (6) Minimum Off-Street Parking. One car space for each dwelling unit and one car space for each 500 square feet of gross office and/or retail floor area.
- (7) Publicly Owned Off-Street Parking. Publicly owned off-street parking to be provided in the Project Area shall be open to use by the public at large and shall not be limited to special uses or special users. Parking facilities financed by IDBs shall be considered private parking for purposes of this paragraph.
- (8) Skywalks are an allowed or supplementary use for all land use categories.

MAR 7 1984

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT

DATE March 6, 1984

TO Donald E. Anderson, Director, Housing and Economic Development

FROM Joe Allen Lang, Assistant City Attorney

SUBJECT Parking Garage - Amendment  
to Civic Center Urban Renewal  
Plan - Project No. Kans. R-19

You ask for an opinion on the amendment of the above Urban Renewal Plan in anticipation of the construction of a transit center and private parking garage. I have reviewed the amended Urban Renewal Plan for the Civic Center Urban Renewal Project No. Kans. R-19 (rev. 3-28-74, with land use plan rev. 8-24-82), and a copy of the warranty deed transferring the property to the City. I have never been provided with any information whether this Urban Renewal Plan has been filed of record; but the terms of the plan are applicable to this project because of the provisions of the deed.

You inquire whether the ten-foot setback provision may be waived or if the plan should be amended. The Urban Renewal Plan calls for a ten-foot building setback from the property line on the property in question. If the project requires a "substantial modification" of the plan, the plan must be amended. There is not sufficient information provided to determine whether amendment is necessary; however, because the plan must be amended for other provisions, it is suggested that section 2(b)(4) be amended to include this provision as well. This can be accomplished by one of two ways: (1) insert wording to allow waiver of the setback requirements by the City Commission (in the manner of a variance), or (2) insert a sentence specifically setting forth the setback requirements for this parcel. You should check with Planning to make sure their requirements are met in this matter.

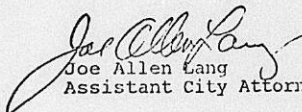
You inquire whether a "mixed use--commercial, public building, parking" category can be added to the land use plan. This land use category can be added to the land use plan. Because of the extensive area you are designating mixed use, you should consider amending paragraph 1 (page 4). That paragraph indicates that in general all the project area lying south of Douglas Avenue will be made available for public uses including public buildings and related parking. A statement of the changed nature should be included. You may also want to consider changing the map to take out the winding street south of the Century Plaza building and include that in the new designation, unless that drive is platted or intending to remain. I also note that no purely "public off-street parking" will remain and you could delete that category on the map.

Donald E. Anderson  
March 6, 1984  
Page 2

You inquire whether you can remove the restrictions against "special uses or special users" for parking. Section 2(b)(7) provides only that there will be publicly owned off-street parking and that such public off-street parking shall not be limited to special uses or special users. There is no restriction against privately owned parking. However, because the parking garage may be owned by the City through the issuance of IRBs, it is recommended that the following be added to paragraph 7:

Parking facilities financed by IDBs shall be considered private parking for purposes of this paragraph.

To amend the Urban Renewal Plan for these changes, the procedures of K.S.A. 17-4747 will have to be followed including review by the Planning Commission, publication, public hearing, and a finding by the City Commission that the requirements of subsection (d) are met. As previously set forth in my memorandum of July 21, 1983, the Urban Renewal Law procedures for sale or lease of the property must also be followed.

  
Joe Allen Lang  
Assistant City Attorney

JAL:kj

cc: Robert Lakin

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

August 25, 1982

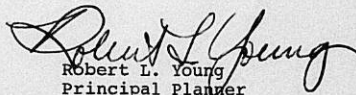
**TO** The Files

**FROM** Robert L. Young, Principal Planner

**SUBJECT** Final B.C.C. Action on Amendment to Urban Renewal Civic Center Plan (R-19) and the Neighborhood Development Program (NDP) - Related Files DR82-20, DR74-10 and DR68-19

On August 24, 1982 the Board of Wichita City Commissioners took action to amend the Urban Renewal Civic Center Plan (project no. Kansas R-19) and the Urban Renewal Neighborhood Development Program by expanding the boundaries of the original Civic Center site and changing the original land use designation from a "public off street parking" category to a "public buildings and related uses" category.

In effect, this action of the Board of Wichita City Commissioners revises the map identified as the "Land Use Plan - Civic Center" following page 4 in the document entitled "Amended Urban Renewal Plan Civic Center, Wichita, Kansas, Project No. Kansas R-19" dated March 28, 1974 in MAPD file no. DR82-20 and DR74-10 and amends the legal description found under the heading "Project No. Kansas R-19" on page number ND 401-3 of the document entitled "General Urban Renewal Plan for Wichita Neighborhood Development Program Urban Renewal Area, Wichita, Kansas" dated November 27, 1972 in MAPD file no. DR68-19 et.al. Attached are copies of the latest revised map and the amended legal description. This information should be stapled into each document and the corresponding pages should be labeled with the term "Superseded".

  
Robert L. Young  
Principal Planner

RLY:jps

*Posted  
9-2-82*



Project R-19 (Civic Center)  
Proposed change for  
boundary description.

PART B. DESCRIPTION OF PROJECT

1. Boundaries of Urban Renewal Area

The CIVIC CENTER URBAN RENEWAL PROJECT is located west of and immediately adjacent to the Central Business District. The boundary of the Project is indicated on Plate I - Property Map, and more specifically includes that certain area situated in the City of Wichita, County of Sedgwick, State of Kansas, and described as follows:

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
THENCE easterly to the west line of Webb Street;  
THENCE north to the north line of First Street;  
THENCE east to the east line of Water Street;  
THENCE south to a line five feet north of the south line of Lot 18 on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
THENCE east along said line to the east line of the north-south alley between Main and Water Streets;  
THENCE south to the north line of Douglas Avenue;  
THENCE east to the east line of Main Street;  
THENCE south to the south line of Waterman Street;  
THENCE west to the east line of Wichita Street;  
THENCE north to the northeast line of the Missouri Pacific Railroad right of way;  
THENCE west to the center line of the Arkansas River;  
THENCE northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.

ARTICLE 9. MISCELLANEOUS PROVISIONS

SEC. 901. Notices and Demands to Seller and Purchaser.  
Any notice or demand given under this Agreement by the Seller to the Purchaser or by the Purchaser to the Seller shall be in writing, and signed by a duly authorized officer of the Seller or the Purchaser, as the case may be, and delivered to the party to whom it is directed at the address of such party specified elsewhere herein. Any such notice or demand shall be deemed to have been given on the date it shall have been received at the principal office of the party to whom it is directed.

SEC. 902. Notices and Demands to Mortgagee and FHA.  
Notices or demands or copies of notices or demands sent to the Mortgagee shall be sufficient if sent by certified or registered mail, postage prepaid, addressed to the address last furnished to the Seller by the Purchaser or such Mortgagee. Notices or demands or copies of notices or demands, if any, sent to the FHA pursuant to this Agreement shall be sufficient if sent by certified or registered mail, postage prepaid, to 811 Vermont Avenue, N. W., Washington 25, D. C., or to such other address as the FHA may hereafter designate in writing to the Seller and to the Purchaser.

SEC. 903. Purchaser a Beneficiary Under Cooperation Agreement. Insofar as any of the provisions of the Cooperation Agreement with the City of Wichita, Kansas, relate to or affect the Property, the rights of the Seller under said Cooperation Agreement shall, after the date the Property is conveyed to the Purchaser pursuant to this Agreement, also be available to the Purchaser to the same extent as such rights are available to the Seller.

SEC. 904. Changes in Urban Renewal Plan. On and after the date of ~~this Agreement~~, the Seller shall not make any change in the Urban Renewal Plan which involves the Property unless such change shall have been agreed to in writing by the Purchaser, nor if, in the determination of the Seller such change also directly affects any other property covered by the Urban Renewal Plan which is to be purchased or leased by persons other than the Purchaser, unless the Seller shall have consulted with such other person as to whether such change would have a substantial adverse effect upon such other property. On and after the date of this Agreement, the Seller shall not make any change in the Urban Renewal Plan involving any real property which is not to be conveyed to the Purchaser pursuant to this Agreement if, in the determination of the Seller, such change also affects the Property unless the Seller shall have consulted with the Purchaser as to whether such change would have a substantial adverse effect upon the Property.

Seller  $\hat{=}$  City

one sign at each entrance identifying the building as a whole.

(f) Signs advertising building or premises as for sale or for lease shall be limited to one in number for each building, shall not exceed five square feet in area and shall be removed on consummation of the sale or lease.

(8) **Assignment of Interest.** In the event that the Urban Renewal Agency becomes non-operative for any reason whatsoever, its rights hereunder shall automatically vest in the City of Wichita and shall be exercised by its Board of City Commissioners. Where referred to in these restrictions, the term "Urban Renewal Agency" shall mean the Urban Renewal Agency of the Wichita, Kansas Metropolitan Area.

c. From and after the filing of an appropriate "Declaration of Restrictive Covenants" in the office of the Register of Deeds of Sedgwick County, Kansas, the restrictions contained in this Plan shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder for a period of thirty (30) years and automatically shall be continued thereafter for successive periods of (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the City Commission of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

#### PART D. PROJECT PROPOSALS

1. Land Acquisition.

All properties included in the Project Area (except certain right-of-way) shall be acquired by the Urban Renewal Agency with the following exceptions: Parcels 4-N and 6-K.

2. Redeveloper's Obligations.

In the conveyance of land in cleared portions of the Renewal Project, an obligation shall be imposed upon the purchaser to commence and complete construction of improvements within a reasonable period of time and in conformity with the Plan.

#### PART E. PROCEDURE FOR CHANGES IN APPROVED PLAN

This Urban Renewal Plan may be changed, modified or amended at any time by the Urban Renewal Agency, provided that if changed, modified or amended after lease or sale of real property in the Project Area by the Urban Renewal Agency, the change, modification or amendment must be consented to by the redeveloper or redevelopers of the real property affected thereby, or his or their successors in interest. Approval of the City Commission will also be required to effect any change, modification or amendment which will substantially change the Urban Renewal Plan as previously approved by the City Commission.

Proposed revision of  
the NDP indicating  
boundaries for  
Project R-19.

and also

PROJECT NO. KANS. R-17

BEGINNING at the point of intersection of the north line of Murdock Avenue with the center line of the Little Arkansas River;  
THENCE east along said line to the west line of Waco Avenue;  
THENCE north along said line 120 feet;  
THENCE east along the common line between lots 92 and 94 of Mungers Plat of the Original Town and said line extended to the east line of the north-south alley between Waco and Wichita Streets;  
THENCE south along said line to the north line of Murdock Avenue;  
THENCE east along said line to the east line of the north-south alley between Wichita and Water Streets;  
THENCE south along said line to the south line of Elm Street;  
THENCE west along said line to the east line of Wichita Street;  
THENCE south along said line to the south line of Central Avenue;  
THENCE west along said line to the east line of Riverview Avenue;  
THENCE south along said line 298 feet to the north line of Lot 55 in Watermans Addition to Watermans Addition;  
THENCE west along said line to the east line of the north-south alley between Sherman and Riverview Avenues;  
THENCE south along said line 641.91 feet to the common line between Lots 11 and 12 of Stewart and Burns Subdivision;  
THENCE east along said line and said line extended to the east line of Riverview Avenue;  
THENCE south along said line to the south line of Second Street;  
THENCE west along said line to the center line of the Arkansas River;  
THENCE northwesterly along said center line of the Arkansas River to the center line of the Little Arkansas River;  
THENCE northwesterly along said center line of the Little Arkansas River to the north line of Central Avenue;  
THENCE east along said line to the west line of Nims Avenue;  
THENCE north along said line to the center line of the Little Arkansas River;  
THENCE northeasterly along the center line of the Little Arkansas River to the north line of Murdock Avenue, the point of beginning.

and also

PROJECT NO. KANS. R-19

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
THENCE easterly to the west line of Webb Street;  
THENCE north to the north line of First Street;  
THENCE east to the east line of Water Street;  
THENCE south to a line five feet north of the south line of Lot 18 on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
THENCE east along said line to the east line of the north-south alley between Main and Water Streets;  
THENCE south to the north line of Douglas Avenue;  
THENCE east to the east line of Main Street;  
THENCE south to the south line of Waterman Street;  
THENCE west to the east line of Wichita Street;  
THENCE north to the northeast line of the Missouri Pacific Railroad right of way;  
THENCE west to the center line of the Arkansas River;  
THENCE northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.

WICHITA-SEDGWICK COUNTY

6

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

August 16, 1982

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

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 82-20 Amendment to the NDP and Civic Center Urban Renewal  
Plan regarding the Convention Center Site.

On July 29, 1982, the Metropolitan Area Planning Commission considered an amendment to the NDP and Civic Center Urban Renewal Plan, as presented by the Department of Housing and Economic Development. The amendment included boundary changes and changes in land use. The amendment is needed so that the proposed convention center can be located south of Century II. MAPCs action was to find the amendments to be in conformance with the General Urban Renewal Plan and the Metropolitan Area Comprehensive Plan and to recommend approval of the amendment by a 6-0 vote.

A public hearing by the Board of City Commissioners to consider these amendments has been scheduled for 11:00 a.m. on August 24, 1982, by the Department of Housing and Economic Development.

  
Robert A. Lakin, Director of Planning

RAL:ADC:vn

cc: Don Anderson, Director of Housing & Economic Development

EXCERPT FROM PLANNING COMMISSION MINUTES OF JULY 29, 1982

12. Case No. DR 82-20 - Consideration of amending the Civic Center Urban Renewal Plan and the Neighborhood Development Plan.

LINDA TOWSLEY, Department of Housing and Economic Development, stated that this was a change necessitated by the fact that they needed to change the boundaries of Project R-19 if they were going to put a Convention Center in a proposed site just south of Century II using Urban Renewal bonds to finance that Center. They have also included boundary changes for the NDP since certain projects are excluded within the NDP. She said that they have also requested a land use change because the area currently includes some open park areas and public parking. They are proposing to change all of that to public buildings and related uses, which would allow the issuance of Urban Renewal bonds.

BAYOUTH asked why didn't they extend the boundary over to the River. TOWSLEY said that they just included the boundaries for this proposed site for the Center.

WILSON asked if the site included the north side of Douglas. TOWSLEY said no.

WILSON said that it seemed strange to him that after the six months of work that has gone into this that all of a sudden they find a land use problem.

HANSEN said that the Urban Renewal Plan covered a lot of territory and is fairly complex, so it was not strange to her.

MOTION: That the Planning Commission find the proposed amendment in conformance with the General Urban Renewal Plan and the Comprehensive Plan for the Metropolitan Area and recommend approval of the proposed changes as recommended by the Director of Housing and Economic Development. Cazel moved, Hansen seconded and it carried unanimously. Chisholm, Goebel, Jones and Lofton were absent.

-----

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

August 23, 1982

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

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

01-01  
02

**SUBJECT** DR82-20 Amendment to the NDP and Civic Center Urban Renewal  
Plan Regarding the Convention Center Site

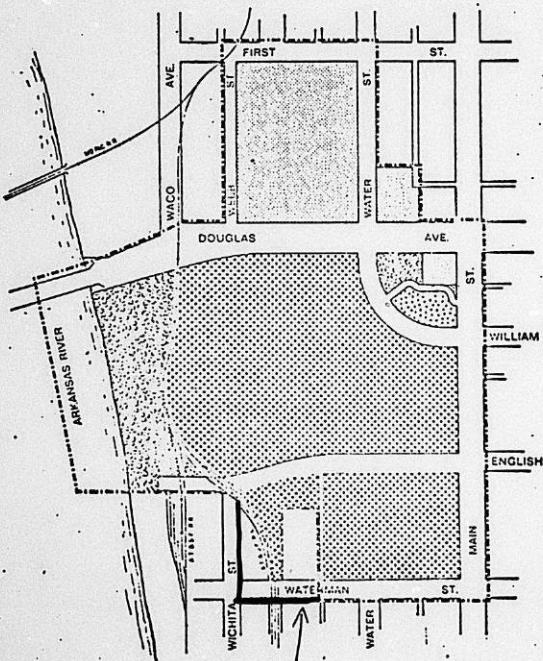
Attached is a corrected copy of a map showing the proposed boundary change for the NDP and Civic Center Urban Renewal Plan. The land use in the added area is to be for public buildings and related uses. The map sent out on August 16, 1982 did not include the area north of Waterman, between Wichita Street and the railroad tracks.



Robert A. Lakin  
Director of Planning








RAL:ADC:jps  
Attachment

cc: Don Anderson, Director of Housing and Economic Development



Boundary Change

**LEGEND**

-  PROJECT BOUNDARY
-  UTILITY EASEMENT
-  CENTER LINE OF RAILROAD (EXIST. TO REMAIN)
- LAND USE**
-  COMMERCIAL
-  PUBLIC BUILDINGS & RELATED USES
-  PUBLIC OFF-STREET PARKING
-  DEDICATED PARK & PUBLIC OPEN SPACE

**LAND USE PLAN**


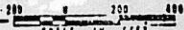
**CIVIC CENTER**



URBAN RENEWAL AGENCY of the  
WICHITA, KANSAS METROPOLITAN  
AREA

PROJECT KANS. R-19

AUGUST 16, 1964  
 CODE R 215  
 SHEET 1 OF 1  
 SCALE 3/16" = 1'-0"  
 Drawn L. J. ...  
 Revised 8/12/64

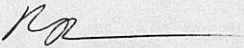
August 23, 1982

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

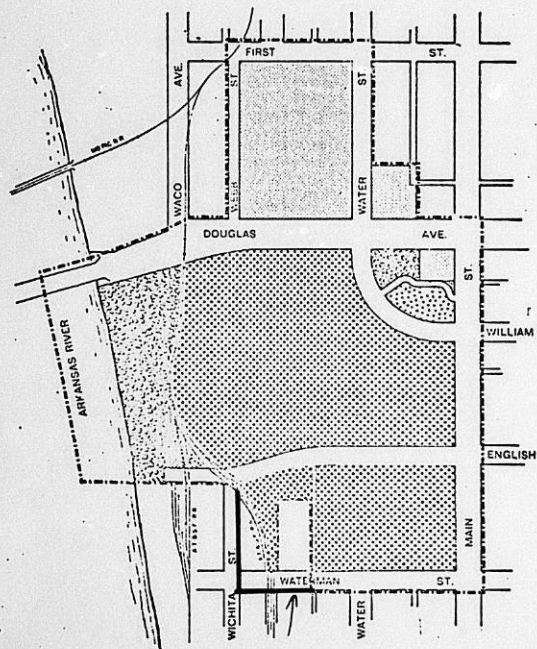
Robert A. Lakin, Director of Planning

DR82-20 Amendment to the NDP and Civic Center Urban Renewal  
Plan Regarding the Convention Center Site

Attached is a corrected copy of a map showing the proposed  
boundary change for the NDP and Civic Center Urban Renewal  
Plan. The land use in the added area is to be for public  
buildings and related uses. The map sent out on August 16,  
1982 did not include the area north of Waterman, between  
Wichita Street and the railroad tracks.








  
Robert A. Lakin  
Director of Planning

RAL:ADC:jps  
Attachment  
cc: Don Anderson, Director of Housing and Economic Develop-  
ment



BOUNDARY  
CHANGE

### LEGEND

-  PROJECT BOUNDARY
  -  UTILITY EASEMENT
  -  CENTER LINE OF RAILROAD  
(EXIST. TO REMAIN)
- LAND USE**
-  COMMERCIAL
  -  PUBLIC BUILDINGS & RELATED USES
  -  PUBLIC OFF-STREET PARKING
  -  DEDICATED PARK & PUBLIC OPEN SPACE

## LAND USE PLAN

## CIVIC CENTER



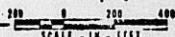
URBAN RENEWAL AGENCY of the  
WICHITA, KANSAS METROPOLITAN  
AREA

PROJECT KANS. R-19

AUGUST 16, 1964

CODE R 215

SHEET 1 OF 1

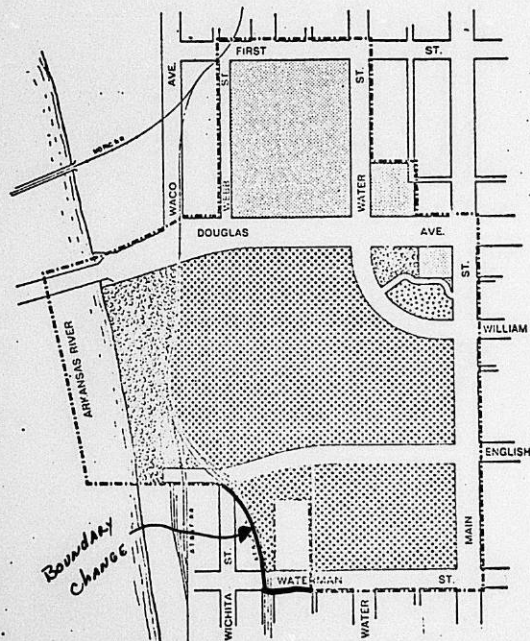


SCALE 1" = 200'

Prepared by: [Signature]  
Checked by: [Signature]



II



**LEGEND**

- PROJECT BOUNDARY
- UTILITY EASEMENT
- CENTER LINE OF RAILROAD (EXIST. TO REMAIN)

**LAND USE**

- COMMERCIAL
- PUBLIC BUILDINGS & RELATED USES
- PUBLIC OFF-STREET PARKING
- DEDICATED PARK & PUBLIC OPEN SPACE

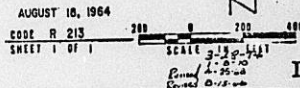
**LAND USE PLAN**



**CIVIC CENTER**

URBAN RENEWAL AGENCY of the  
WICHITA, KANSAS METROPOLITAN  
AREA

PROJECT KANS. R-19



August 16, 1982

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

DR 82-20 Amendment to the NDP and Civic Center Urban Renewal  
Plan regarding the Convention Center Site.

On July 29, 1982, the Metropolitan Area Planning Commission considered an amendment to the NDP and Civic Center Urban Renewal Plan, as presented by the Department of Housing and Economic Development. The amendment included boundary changes and changes in land use. The amendment is needed so that the proposed convention center can be located south of Century II. MAPCs action was to find the amendments to be in conformance with the General Urban Renewal Plan and the Metropolitan Area Comprehensive Plan and to recommend approval of the amendment by a 6-0 vote.

A public hearing by the Board of City Commissioners to consider these amendments has been scheduled for 11:00 a.m. on August 24, 1982, by the Department of Housing and Economic Development.

  
\_\_\_\_\_  
Robert A. Lakin, Director of Planning

RAL:ADC:vn

cc: Don Anderson, Director of Housing & Economic Development

WICHITA-SEDGWICK COUNTY

DATE

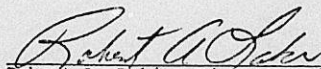
**METROPOLITAN AREA PLANNING DEPARTMENT**

August 16, 1982

**TO** Board of City Commissioners  
(through E. H. Denton, City Manager)  
**FROM** Robert A. Lakin, Director of Planning  
**SUBJECT** DR 82-20 Amendment to the NDP and Civic Center Urban Renewal  
Plan regarding the Convention Center Site.

On July 29, 1982, the Metropolitan Area Planning Commission considered an amendment to the NDP and Civic Center Urban Renewal Plan, as presented by the Department of Housing and Economic Development. The amendment included boundary changes and changes in land use. The amendment is needed so that the proposed convention center can be located south of Century II. MAPCs action was to find the amendments to be in conformance with the General Urban Renewal Plan and the Metropolitan Area Comprehensive Plan and to recommend approval of the amendment by a 6-0 vote.

A public hearing by the Board of City Commissioners to consider these amendments has been scheduled for 11:00 a.m. on August 24, 1982, by the Department of Housing and Economic Development.



Robert A. Lakin, Director of Planning

RAL:ADC:vn  
cc: Don Anderson, Director of Housing & Economic Development

EXCERPT FROM PLANNING COMMISSION MINUTES OF JULY 29, 1982

12. Case No. DR 82-20 - Consideration of amending the Civic Center Urban Renewal Plan and the Neighborhood Development Plan.

LINDA TOWSLEY, Department of Housing and Economic Development, stated that this was a change necessitated by the fact that they needed to change the boundaries of Project R-19 if they were going to put a Convention Center in a proposed site just south of Century II using Urban Renewal bonds to finance that Center. They have also included boundary changes for the NDP since certain projects are excluded within the NDP. She said that they have also requested a land use change because the area currently includes some open park areas and public parking. They are proposing to change all of that to public buildings and related uses, which would allow the issuance of Urban Renewal bonds.

BAYOUTH asked why didn't they extend the boundary over to the River. TOWSLEY said that they just included the boundaries for this proposed site for the Center..

WILSON asked if the site included the north side of Douglas. TOWSLEY. said no.

WILSON said that it seemed strange to him that after the six months of work that has gone into this that all of a sudden they find a land use problem.

HANSEN said that the Urban Renewal Plan covered a lot of territory and is fairly complex, so it was not strange to her.

MOTION: That the Planning Commission find the proposed amendment in conformance with the General Urban Renewal Plan and the Comprehensive Plan for the Metropolitan Area and recommend approval of the proposed changes as recommended by the Director of Housing and Economic Development. Cazel moved, Hansen seconded and it carried unanimously. Chisholm, Goebel, Jones and Lofton were absent.

-----

THE CITY OF WICHITA  
OFFICE OF LAW DEPARTMENT

COPY

*Handwritten:* file DR-82-20

DATE August 9, 1982

TO Don E. Anderson, Director,  
Department of Housing and Economic Development

FROM Joe Allen Lang, Assistant City Attorney



SUBJECT Amendment of Civic Center  
Urban Renewal Project R-19 --  
Public Notice and Procedure

I have been informed that you intend to present a proposed amendment to the Civic Center Urban Renewal Project R-19, specifically changing the boundaries and land use plan.

I have reviewed the proposed public notice. In my opinion it complies with the provisions of K.S.A. 17-4747 for notice of public hearing. Your proposed publication date of August 12 or 13 is sufficient; publication should be made in a newspaper having general circulation in Wichita. Please be advised that I do not have a copy of the current Plan and therefore do not express an opinion as to the accuracy of the boundary descriptions.

In order to accomplish an amendment to the Urban Renewal Plan, the following steps are necessary:

- The proposed amendment should be sent to the Planning Commission for review and recommendations as to its conformity with the General Urban Renewal Plan.
- The amendment and recommendations are then submitted to the City Commission for public hearing. After such hearing, the City Commission may approve the amendment if it makes the following specific findings:
  - (1) That if any family is displaced by the project, there exists a feasible method of relocation in decent, safe and sanitary dwelling accommodations within the means and without undue hardship to such family.
  - (2) The proposed amendment conforms to the General Urban Renewal Plan and the Comprehensive Plan of the municipality as a whole.

Don E. Anderson  
August 9, 1982  
Page 2

- (3) The proposed amendment will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the area by a private enterprise.

The City must also be aware that such modification is subject to the existing rights of any owner or lessee of property in the urban renewal area who has previously acquired urban renewal land in reliance upon the existing land use plan and boundaries.

- Upon approval of the amendment, it should be filed of record along with the plan at the Register of Deeds. (The recommended procedure would be to file a whole new plan with the amended pages substituted.)

Please let me know if you have any further questions on this matter.

Joe Allen Lang  
Assistant City Attorney

✓ JAL:kj  
cc: Lynda Tousley

Public Notice  
of Land Use and Boundary Change  
(Urban Renewal Plan - Civic Center R-19)  
(and Wichita Neighborhood Development Plan - NDP)

Notice is hereby given of a public hearing to be held:

Date: August 24, 1982  
Time: 11:00 a.m.  
Place: City Hall, First Floor, City Commission Room  
Purpose: To Revise the Boundaries and Land Use Plan of  
Urban Renewal Project No. R-19 and the Neighborhood  
Development Plan to facilitate the development of  
a new convention/exposition facility.

Scope of Project: The construction of a 150,000 sq. ft. convention/  
exposition facility south of Century II

Area covered by  
Project No. R-19: The CIVIC CENTER URBAN RENEWAL PROJECT is located  
west of and immediately adjacent to the Central  
Business District. The boundary of the Project  
is indicated on Plate I - Property Map, and more  
specifically includes that certain area situated  
in the City of Wichita, County of Sedgwick, State  
of Kansas, and described as follows:

BEGINNING at the intersection of the center line  
of the Arkansas River with the north line of  
Douglas Avenue;  
THENCE easterly to the west line of Webb Street;  
THENCE north to the north line of First Street;  
THENCE east to the east line of Water Street;  
THENCE south to a line five feet north of the  
south line of Lot 18 on Water Street in Greiffen-  
stein's Original Town, an addition to Wichita,  
Sedgwick County, Kansas;  
THENCE east along said line to the east line of  
the north-south alley between Main and Water  
Streets;  
THENCE south to the north line of Douglas Avenue;  
THENCE east to the east line of Main Street;  
THENCE south to the south line of Waterman Street;  
THENCE west to the east line of Wichita Street;  
THENCE north to the northeast line of the  
Missouri Pacific Railroad right of way;  
THENCE west to the center line of the Arkansas  
River;  
THENCE northwesterly along said center line to  
the north line of Douglas Avenue; being the point  
of beginning.

Wichita-Sedgwick County Metropolitan Area Planning Commission

Robert A. Lakin, Director of Planning

DR 82-20 - Amendment to the Urban Renewal Civic Center and  
Neighborhood Development Plans

Attached is a memorandum from Don Anderson, Director of the City Department of Housing and Economic Development requesting consideration by MAPC of a proposed amendment to the Civic Center Urban Renewal Plan (Kans. R-19) and the Neighborhood Development Plan to accommodate the new convention center project south of Century II.

In effect, the proposed amendment will expand the limits of the project area in the Civic Center Plan to include the entire area proposed for the new convention center site and designate the area for public use on the land use map. The amendment will also adjust the project description in the general Neighborhood Development Plan to correctly reflect the expanded Civic Center project boundary.

Upon review, staff concludes that the proposed amendments are consistent and in conformity with the adopted Comprehensive Plan elements for the Metropolitan Area.

RECOMMENDATION

It is recommended that the Metropolitan Area Planning Commission take action to find the proposed amendment in conformance with the Comprehensive Plan for the Metropolitan Area and recommend approval of the proposed changes as recommended by the Director of Housing and Economic Development.

Robert A. Lakin  
Director of Planning

RAL:RY:sad

cc: Don Anderson, Director of Housing and Economic Development

**THE CITY OF WICHITA**

**OFFICE OF Housing and Economic  
Development**

**DATE July 23, 1982**

**TO Robert Lakin, Director of Planning**

**FROM Don E. Anderson, Director of Housing and Economic Development**

**SUBJECT Revision of Wichita Neighborhood  
Development Plan and Urban  
Renewal Plan - Civic Center R-19**

Mr. Wayne Isaac has brought to our attention certain restrictions which exist on the site being proposed for a new convention facility south of Century II. (Memo attached)

It appears that a Project No. R-19 (Civic Center) boundary change as well as a change in land use designation are both necessary to facilitate this project.

A revised boundary description for R-19 is attached as Exhibit I with a delineated copy attached as Exhibit II, indicating what changes were made. The Land Use Plan, Exhibit III, shows the proposed changes.

Because the General Urban Renewal Plan for Wichita Neighborhood Development Program (NDP) exempts certain pre-existing Urban Renewal projects (R-11, R-17, R-19, & R-21) a change is also necessitated in the NDP to coordinate what is exempt from it with what is covered in Project R-19. A revised boundary description for Project R-19 indicating what is exempt from the NDP is attached as Exhibit IV. The delineated version indicating what changes were made is attached as Exhibit V.

We ask that you place this matter on the agenda of the Metropolitan Area Planning Commission at the earliest possible date for consideration and recommendation to the Board of City Commissioners.

Recommendations

- 1) It is recommended that the proposed changes in the boundaries of Project No. R-19 be approved.
- 2) It is recommended that the proposed changes in the Land Use Plan be approved.
- 3) It is recommended that the corresponding boundary changes in the NDP exempting Project R-19 be approved.

*Don E. Anderson* LT

Don E. Anderson, Director  
Housing and Economic Development

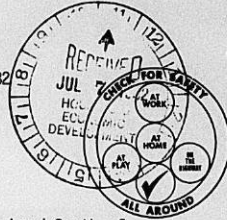
DEA:LT:mw

Enclosures

**THE CITY OF WICHITA**

**OFFICE OF CONTRACTS ADMINISTRATION**

**DATE July 6, 1982**



**TO Lynda Tousley, Downtown Development Coordinator**

**FROM Wayne E. Isaac, Federal Aid Coordinator**

**SUBJECT** Restrictions on Land South of  
Century II as a New Convention  
Facility Site

In accordance with your request, I have reviewed various documents to determine the existence of any restrictions on the parcels of land which have been identified as potential sites for the proposed convention center facility.

The land shown on the attached map was conveyed to the City of Wichita by the Urban Renewal Agency via general Warranty Deed dated November 16, 1972. That deed was subject to easements and restrictions of record and to the terms and provisions contained in the Amended Urban Renewal Plan, Civic Center, Project No. Kans. R-19. The Urban Renewal Agency obtained a title insurance policy on the subject property on August 29, 1969. That policy indicated that URA held fee simple title and further indicated the existence of no encumbrances against the property except taxes not then certified and easements, etc. shown on the plat. Based on this, it appears the only land use restrictions against the property are those contained in the Urban Renewal Plan. These are discussed below.

According to the narrative description of the Land Use Plan (Amended Urban Renewal Plan, Civic Center, Wichita, Kansas, Project No. Kans. R-19, January 8, 1970, page F) "All of the Project Area Lying South of Douglas Avenue will be made available for public uses including public buildings and related parking." The Land Use Plan map restricts the public property south of the Library (between Main and the alley west of Water Street) to public off-street parking. It further restricts the north portion of the block between the referenced alley and Wichita Street to Dedicated Park and Public Open Space. Only part of this property is currently in public ownership; that part is being used as a Park Board Maintenance Facility. These restrictions would preclude construction of the proposed exhibition facility. Construction of the facility on either site will require a modification to the Urban Renewal Plan.

It should also be noted that the existing Civic Center project area does not include all the land identified as a potential site for the exhibition facility. It may be necessary to expand the project area if the project is to be undertaken under the urban renewal provisions of the Kansas Statutes, utilize urban renewal bonds, etc.

On page 6, item 7 of the urban renewal plan it states, "Publicly owned off-street parking to be provided in the Project Area shall be open to use by the public-at-large and shall not be limited to special uses or special users". Should it be determined that a parking garage is needed, either public or public/private partnership it may be necessary to change or delete this provision.

MEMO: Lynda Tousley  
SUBJECT: Restrictions on Land South of Century II  
          as a New Convention Facility Site  
DATE: July 6, 1982  
PAGE: Two

There are other provisions in the plan which will affect the proposed facility, e.g. building setbacks, parking requirements, but they do not serve to proscribe the proposed construction.

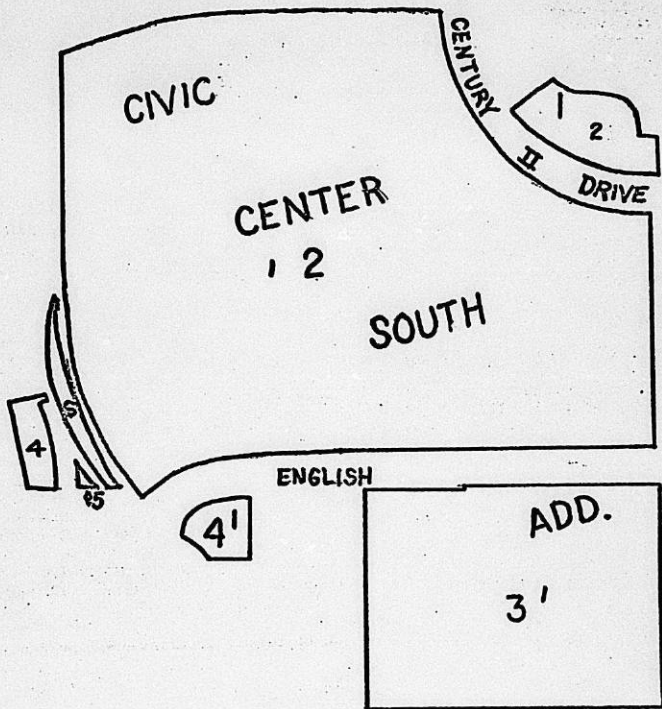
In summary, it appears the urban renewal plan for the Civic Center project as currently structured would prohibit the construction of the exhibition facility on either of the identified sites. I recommend that the process of further amending the plan to accomodate the proposed facilities be initiated.

Should you have questions or desire additional information please advise.

  
Wayne E. Isaac  
Federal Aid Coordinator

WEI/gt

DOUGLAS



County, Kansas.

Project R-19 (Civic Center)  
Proposed change for  
boundary description.

## PART B. DESCRIPTION OF PROJECT

1. Boundaries of Urban Renewal Area

The CIVIC CENTER URBAN RENEWAL PROJECT is located west of and immediately adjacent to the Central Business District. The boundary of the Project is indicated on Plate I - Property Map, and more specifically includes that certain area situated in the City of Wichita, County of Sedgwick, State of Kansas, and described as follows:

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
THENCE easterly to the west line of Webb Street;  
THENCE north to the north line of First Street;  
THENCE east to the east line of Water Street;  
THENCE south to a line five feet north of the south line of Lot 18 on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
THENCE east along said line to the east line of the north-south alley between Main and Water Streets;  
THENCE south to the north line of Douglas Avenue;  
THENCE east to the east line of Main Street;  
THENCE south to the south line of Waterman Street;  
THENCE west to the east line of Wichita Street;  
THENCE north to the northeast line of the Missouri Pacific Railroad right of way;  
THENCE west to the center line of the Arkansas River;  
THENCE northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.

DELINEATED COPY

Delineated copy of  
proposed boundary  
changes for project  
No. R-19, Civic Center

## PART B. DESCRIPTION OF PROJECT

1. Boundaries of Urban Renewal Area

The CIVIC CENTER URBAN RENEWAL PROJECT is located west of and immediately adjacent to the Central Business District. The boundary of the Project is indicated on Plate I - Property Map, and more specifically includes that certain area situated in the City of Wichita, County of Sedgwick, State of Kansas, and described as follows:

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
 THENCE easterly to the west line of Webb Street;  
 THENCE, north to the north line of First Street;  
 THENCE, east to the east line of Water Street;  
 THENCE, south to a line five feet north of the south line of Lot 18, on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
 THENCE, east along said line to the east line of the north-south alley between Main and Water Streets;  
 THENCE, south to the north line of Douglas Avenue;  
 THENCE, east to the east line of Main Street;  
 THENCE, south to the south line of Waterman Street;  
 THENCE west to the west east line of the first-north-south-alley Wichita Street; between Water and Wichita Streets;  
 DELETION ~~THENCE, north to the north line of lot 46 of River Addition to the City of Wichita, Sedgwick County, Kansas;~~  
 " ~~THENCE, west along said line and a line parallel to and 125 feet south of the south line of English Street to the east line of the second north-south alley between Water and Wichita Streets;~~  
 " ~~THENCE, south to the north line of Waterman Street;~~  
 REVISION THENCE, generally northwesterly along the northeast line of the Missouri Pacific Railroad to the east line of Wichita Street;  
 " north to the northeast line of the Missouri Pacific Railroad right of way;  
 " THENCE, west to the center line of the Arkansas River;  
 THENCE, northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.



Proposed revision of  
the NDP indicating  
boundaries for  
Project R-19.

and also

PROJECT NO. KANS. R-17

BEGINNING at the point of intersection of the north line of Murdock Avenue with the center line of the Little Arkansas River;  
THENCE east along said line to the west line of Waco avenue;  
THENCE north along said line 120 feet;  
THENCE east along the common line between lots 92 and 94 of Mungers Plat of the Original Town and said line extended to the east line of the north-south alley between Waco and Wichita Streets;  
THENCE south along said line to the north line of Murdock Avenue;  
THENCE east along said line to the east line of the north-south alley between Wichita and Water Streets;  
THENCE south along said line to the south line of Elm Street;  
THENCE west along said line to the east line of Wichita Street;  
THENCE south along said line to the south line of Central Avenue;  
THENCE west along said line to the east line of Riverview Avenue;  
THENCE south along said line 298 feet to the north line of Lot 55 in Watermans Addition to Watermans Addition;  
THENCE west along said line to the east line of the north-south alley between Sherman and Riverview Avenues;  
THENCE south along said line 641.91 feet to the common line between Lots 11 and 12 of Stewart and Burns Subdivision;  
THENCE east along said line and said line extended to the east line of Riverview Avenue;  
THENCE south along said line to the south line of Second Street;  
THENCE west along said line to the center line of the Arkansas River;  
THENCE northwesterly along said center line of the Arkansas River to the center line of the Little Arkansas River;  
THENCE northwesterly along said center line of the Little Arkansas River to the north line of Central Avenue;  
THENCE east along said line to the west line of Nims Avenue;  
THENCE north along said line to the center line of the Little Arkansas River;  
THENCE northeasterly along the center line of the Little Arkansas River to the north line of Murdock Avenue, the point of beginning.

and also

PROJECT NO. KANS. R-19

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
THENCE easterly to the west line of Webb Street;  
THENCE north to the north line of First Street;  
THENCE east to the east line of Water Street;  
THENCE south to a line five feet north of the south line of Lot 18 on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
THENCE east along said line to the east line of the north-south alley between Main and Water Streets;  
THENCE south to the north line of Douglas Avenue;  
THENCE east to the east line of Main Street;  
THENCE south to the south line of Waterman Street;  
THENCE west to the east line of Wichita Street;  
THENCE north to the northeast line of the Missouri Pacific Railroad right of way;  
THENCE west to the center line of the Arkansas River;  
THENCE northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.

D E L I N E A T E D   C O P Y

Delineated revision  
NDP proposed change in  
boundary description  
for Project R-19.

and also

## PROJECT NO. KANS. R-17

BEGINNING at the point of intersection of the north line of Murdock Avenue with the center line of the Little Arkansas River;  
 THENCE east along said line to the west line of Waco avenue;  
 THENCE north along said line 120 feet;  
 THENCE east along the common line between lots 92 and 94 of Mungers Plat of the Original town and said line extended to the east line of the north-south alley between Waco and Wichita Streets;  
 THENCE south along said line to the north line of Murdock Avenue;  
 THENCE east along said line to the east line of the north-south alley between Wichita and Water Streets;  
 THENCE south along said line to the south line of Elm Street;  
 THENCE west along said line to the east line of Wichita Street;  
 THENCE south along said line to the south line of Central Avenue;  
 THENCE west along said line to the east line of Riverview Avenue;  
 THENCE south along said line 298 feet to the north line of Lot 55 in Watermans Addition to Watermans Addition;  
 THENCE west along said line to the east line of the north-south alley between Sherman and Riverview Avenues;  
 THENCE south along said line 641.91 feet to the common line between Lots 11 and 12 of Stewart and Burns Subdivision;  
 THENCE east along said line and said line extended to the east line of Riverview Avenue;  
 THENCE south along said line to the south line of Second Street;  
 THENCE west along said line to the center line of the Arkansas River;  
 THENCE northwesterly along said center line of the Arkansas River to the center line of the Little Arkansas River;  
 THENCE northwesterly along said center line of the Little Arkansas River to the north line of Central Avenue;  
 THENCE east along said line to the west line of Nims Avenue;  
 THENCE north along said line to the center line of the Little Arkansas River;  
 THENCE northeasterly along the center line of the Little Arkansas River to the north line of Murdock Avenue, the point of beginning.

and also

## PROJECT NO. KANS R-19

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
 THENCE easterly to the west line of Webb Street;  
 THENCE north to the north line of First Street;  
 THENCE east to the east line of Water Street;  
 THENCE south to a line five feet north of the south line of Lot 18 on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
 THENCE east along said line to the east line of the north-south alley between Main and Water Streets;  
 THENCE south to the north line of Douglas Avenue;  
 THENCE east to the east line of Main Street;  
 THENCE south to the south line of Waterman Street;  
 THENCE west to the west east line of the first north-south alley between ~~Water and Wichita Streets~~; Wichita Street;  
 THENCE north to the south line of English Street; northeast line of the Missouri Pacific Railroad right of way;  
 THENCE ~~west to the east line of the second north-south alley between Water and Wichita Streets~~;  
 THENCE south to the north line of Waterman Street;  
 THENCE generally northwesterly along the northeast line of the Missouri Pacific Railroad to the east line of Wichita Street;  
 THENCE west to the center line of the Arkansas River;  
 THENCE northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 6, 1982

TO Robert Finch, Deputy City Manager  
FROM Robert A. Lakin, Director of Planning  
SUBJECT Convention Center Facility

In reviewing Brenner's memorandum, dated June 23, 1982, we have checked the adopted Comprehensive Plans and the Urban Renewal Plans that pertain to the Convention Center site. It appears that the Convention Center site does not fall within the area set forth in the Urban Renewal Civic Center Land Use Plan, Project R-19, amended March 28, 1974. The last amendment for this was to provide for an Art Museum site south of the Library, and does not provide for any public use in the area west of the parking lot south of the Library or south of Century II. It is contained, however, within the general Urban Renewal Plan in its totality and does carry the appropriate land use designation for "public buildings". This document is dated November 27, 1972. The Law Department may need to determine which plan takes precedent one over the other one. Since the R-19 project is more detailed and specific, and the other one is broader and general even though earlier, it would be my judgment that the NDP plan is sufficient to control.

The Planning Commission also has adopted as a part of its original Center City Study in 1962, a designation for a cultural area and is a part of the adopted comprehensive master plan for the metropolitan area. This area extends from Douglas southward to Waterman and then diagonally over towards the river and does include all of the area that is currently discussed for parking and/or Convention Center. As long as there is no argument as to the Convention Center being adequately considered a part of a cultural center (and I believe that it clearly is) then no additional changes need to be made to the adopted Comprehensive Plan.

If any additional information is needed, please advise.



Robert A. Lakin  
Director of Planning

RAL:rme

cc: Russell L. Brenner, Director of Administration  
Don Anderson, Director of Housing & Economic Development  
James F. Clancy, Director of Community Facilities  
John Dekker, Director of Law  
Bill McKinley, Traffic Engineer  
✓ Roy Dudark, Senior Planner, Advance Plans Division

WICHITA-SEDGWICK COUNTY

DATE 6/30/82

**METROPOLITAN AREA PLANNING DEPARTMENT**

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


**FROM** Roy Dudark, Senior Planner, Advance Plans Division

**SUBJECT** CONFORMITY OF CONVENTION CENTER PROJECT TO MAPC AND URBAN RENEWAL PLANS

In response to your instructions regarding a letter from Mr. Russell L. Brenner on June 23, 1982, I have examined office reports and files pertinent to the above subject with the following findings:

1. The preferred site for the new convention center (Ark River Land Co. Property) is located within an area described by a resolution adopted by the MAPC on January 4, 1962 designating said area as a Cultural Center. This area is to include the public library, auditorium and future public buildings of a cultural type.
2. The site lies outside a Planning Commission Site Recommendations map contained in a Center City study completed in January, 1962.
3. The subject site is wholly within and carries a Public Buildings designation on a General Land Use Plan for the Wichita Neighborhood Development Program (NDP) document dated November 27, 1972.
4. The subject site is partially within and carries a Public Buildings and Related Uses designation on the Urban Renewal Civic Center Land Use Plan, Project R-19 amended March 28, 1974.

Based on this information, it appears that the convention center project is in conformity with the MAPC adopted Comprehensive Plan for the City of Wichita and is also in accordance with the NDP Urban Renewal Area Plan. However, the site is only partially within the amended Civic Center Urban Renewal Plan; although that portion included carries the appropriate land use designation.

  
\_\_\_\_\_  
Roy Dudark  
Senior Planner  
Advance Plans Division

**THE CITY OF WICHITA**

**OFFICE OF LAW DEPARTMENT**

**DATE June 29, 1982**

*Ray*  
*Young*

**TO** Don E. Anderson, Director of Housing & Economic Development  
**FROM** Joe Allen Lang, Assistant City Attorney



**SUBJECT** Opinion on Amendment of Land  
Disposition Supplement No. 4  
to General Urban Renewal Plan -  
Administration Center

You request an opinion on certain matters pertaining to the GSA site. You have provided, and this opinion relies upon, a copy of Land Disposition Supplement No. 4 (amended May 19, 1981) and a copy of the Invitation for Development Proposals for the GSA site.

**QUESTION:** What procedure is necessary to amend the Land Disposition Supplement to allow for hotel development.

**ANSWER:** The Land Disposition Supplement restricts the land use in the Administration Center. Among the uses allowed is transient housing, "except that such use shall not be permitted on the parcel platted as Block Figure 2, Administration Center, bounded by Third Street, Second Street, Main Street and Water Street" (¶1 C 5). The Conditions in the Invitation for Bids (¶1) provide land use restriction to "residential, office and commercial. Upper floor housing proposals will be accepted. High-rise and mixed use will be encouraged."

The Land Disposition Supplement clearly provides that transient housing is not acceptable on the site in question. Therefore, the City may not enter into any agreement wherein it accepts a proposal for transient housing on the GSA site.

The City may amend the Land Disposition Supplement to allow transient housing. However, since the Land Disposition Supplement of record now prohibits such use, and it is assumed that all developers are aware of such restriction as a matter of law, all potential developers must be given an opportunity to submit proposals allowing such amended use. In my opinion, the Urban Renewal Law requires such competitive bidding opportunity. This would take the form under K.S.A. 17-4750 of new advertisements for redevelopment proposals or by public notice of an intent to enter into an agreement under such a proposal and allowing competitive proposals. These procedures, obviously, would be contemplated only if there were no acceptable proposal on the GSA site in compliance with the Land Disposition Supplement.

The procedure for amending the Land Disposition Supplement is as follows:

**COPY**

Don E. Anderson  
page 2  
June 29, 1982

The proposed amendment is submitted to the Planning Commission for review and recommendation as to conformance with the Urban Renewal Plan. The recommendation of the Planning Commission goes to the City Commission which holds a public hearing after notice pursuant to K.S.A. 17-4747(c). The City Commission may approve the modification if it is in conformance with the General Urban Renewal Plan and other requirements of K.S.A. 17-4747(d).

The hearing before the Planning Commission and City Commission would give the opportunity for a full inquiry into the policy behind the current restriction and determine if such a modification is in fact desired and in the public interest. The Economic Development Commission, while not statutorily required to participate in this process, may want to be involved.

QUESTION: What procedure is followed to reconcile the advertised condition for two parking spaces per 1,000 square feet and the Land Disposition Supplement requirement of four parking spaces per 1,000 square feet.

ANSWER: The advertised conditions require "Two (2) car spaces for each one thousand square feet of gross office and retail floor area." The Land Disposition Supplement (12c) requires that "Four (4) car spaces for each one thousand square feet of gross office and retail floor area shall be provided, unless such requirement is waived in writing by the Urban Renewal Agency/City of Wichita." Certain other requirements for residential use parking are also set forth.

The City may not enter into an agreement whereby it accepts any proposal which does not meet the requirements of the Land Disposition Supplement.

However, as provided in the Land Disposition Supplement, the City may waive the requirement of four car spaces. This does not require an amendment to the Land Disposition Supplement and may be accomplished in either the contract with the redeveloper or by some other written document approved by the City Commission. The Economic Development Commission may wish to make a recommendation concerning such waiver. Any such waiver of parking requirements, however, must still comply with any zoning requirements.

QUESTION: May the City void a Land Disposition Supplement altogether and use only normal zoning and code requirements?

ANSWER: The City is required by law to have an urban renewal plan. This is accomplished in the General Urban Renewal Plan. The various land disposition supplements filed of record, are "minimum land disposition conditions" for various areas within the City. Such land disposition supplements may be modified, abolished or made to incorporate by reference code and zoning requirements if desired. The procedure would be to follow the modification requirements of

Don E. Anderson  
page 3  
June 29, 1982

K.S.A. 17-4747 requiring the recommendation of the Planning Commission, public hearing, and approval by the City Commission, if such changes comply with the general policy purposes of the Urban Renewal Law. However, any such modification would be subject to the protection of legal and equitable rights of other landholders in the area covered by each land disposition supplement. The land disposition supplements operate as restrictive covenants, most of which run for a time certain. Any modification could not be interpreted so as to affect the rights of landowners who had previously acquired urban renewal land within the area in reliance upon the existence of such covenants. Property owners have an expectancy that such covenants will remain in effect for the prescribed period. The rights existing under such covenants could be terminated only by the procedures allowed by law. A more definitive exposition on the extinguishment of covenants is not within the scope of this opinion.

Before wholesale modification, it is recommended that a careful review be made of the policy considerations behind the land disposition supplements, the amenability of zoning and code requirements as substitutes for such disposition requirements, and the effect upon existing owners of former urban renewal land of such changes.

Joe Allen Lang  
Assistant City Attorney

JAL:cr

cc: Robert A. Lakin, Director of Planning

THE CITY OF WICHITA  
OFFICE OF Administration

DATE June 23, 1982



TO Robert G. Finch, Deputy City Manager  
FROM Russell L. Brenner, Director of Administration


SUBJECT Convention Center Facility

Attached please find a legal opinion from Bond Counsel indicating approval of the selling of General Obligation Urban Renewal Bonds under K.S.A. 17-4754 for the proposed convention center project.

Please note that the opinion assumes the facility is in an "Urban Renewal Area" and is in accordance with the "Urban Renewal Plan." The convention center is in the URA area designated as the NDP Area. The second issue, as to whether the convention center is in accordance with an approved URA Plan, will need to be addressed by Messrs. Dekker, Anderson and Lakin.

A draft initiating resolution for the convention center has been prepared by the Bond Counsel and forwarded to Don Anderson to complete the blank areas and to insure the amounts are correct. Mr. Anderson was to return the resolution to my office for finalization. I will obtain legal approval from Mr. Dekker and place the resolution on the Clerk's Agenda for approval.

Once the resolution is approved and published two (2) consecutive weeks, there is a 60-day protest period before the resolution becomes effective. In my opinion, we need to proceed as soon as possible with the resolution and simultaneously proceed to amend the URA Plan to include the convention center.

  
Russell L. Brenner  
Director of Administration

RLB:cs  
Attachment

- cc: Don E. Anderson, Director of Housing & Economic Development
- James Clancy, Director of Community Facilities
- John Dekker, Director of Law
- Robert A. Lakin, Director of Planning ✓
- William G. McKinley, Traffic Engineer

RECEIVED

JUN 24 1982

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

*Ray - check w/ Young + determine if site (a) is  
w/ convention center area of MAPC adopted plan  
& also adopted URA plan.*

LAWRENCE E. CURFMAN  
CHARLES W. HARRIS  
JOHN R. STALLINGS  
BRIAN O. GRACE  
WINDELL G. SNOW  
THOMAS D. BORWIGER  
RONALD B. ROSE  
KENNETH L. WELTZ  
SUSAN R. MEREE  
PHYLLIS F. WENDLER  
STEVEN J. RUPP

LAW OFFICES OF  
CURFMAN, HARRIS, STALLINGS, GRACE & SNOW  
SUITE 800 FIRST NATIONAL BANK BUILDING  
WICHITA, KANSAS 67202-3391  
(316) 263-9111

SIDNEY J. BRICK  
COUNSEL

June 21, 1982

Mr. Russell L. Brenner  
Director of Administration  
City Hall  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Brenner:

This is in reply to your letter of May 13, 1982,  
requesting an opinion as to the financing for a new convention  
facility.

FACTS

The City Governing Body is considering the construction  
of a new convention facility to cost approximately \$13,000,000,  
\$12,000,000 of which is proposed to be financed by General  
Obligation Urban Renewal Bonds issued under K.S.A. 17-4754. The  
site of the proposed new facility just south of Century II falls  
within the Neighborhood Development Program and is a designated  
urban renewal area. Debt service would be "double barreled"  
being funded by both the Transient Guest Tax and General Obliga-  
tion Debt Service funds.

QUESTION SUBMITTED

May City of Wichita General Obligation Urban Renewal  
bonds be issued to fund the project under K.S.A. 17-4754 to be  
payable both from the Transient Guest Tax and General Obligation  
Debt Service Funds.

OPINION

Subject to the following, in our opinion, the construc-  
tion of the proposed convention facility can properly constitute  
an "Urban Renewal Project" for which General Obligation Urban  
Renewal Bonds may be issued pursuant to K.S.A. 17-4754.

This opinion assumes that the facility is constructed as  
proposed within an "Urban Renewal Area" in accordance with an  
approved "Urban Renewal Plan" as such terms are defined by K.S.A.  
17-4760 and that all of the steps provided by K.S.A. 17-4742 et  
seq. are or have been properly complied with.

In addition to compliance with the Urban Renewal law cited above, it is noted that a new charter ordinance must be adopted repealing Charter Ordinance No. 73, and increasing the Transient Guest Tax to 5% from the present 4% and pledging the entire tax to provide debt service on the bonds.

You are further advised that prior to the issuance of the proposed General Obligation Urban Renewal Bonds under the authority of K.S.A. 17-4754, it will be necessary that a Resolution finding and declaring the necessity of the issuance of such bonds must be adopted and published in the official City paper once each week for two consecutive weeks and sixty days must elapse after the second publication without the filing of a protest petition. A valid protest petition would be one signed by not less than 5% of the electors in the municipality as determined by vote cast for Secretary of State at the last preceding general election. If no sufficient protest is filed, the Bonds may be issued. If a sufficient protest is filed, the Bonds shall not be issued unless an election is held and a favorable vote is obtained.

You are further advised that in our opinion such bonds would count against the bonded debt limitation of the City.

Pursuant to our telephone conversations after the receipt of the above described letter we have prepared and enclosed herewith a rough draft sample of a proposed initiating Resolution. Should the Governing Body decide to proceed we will be happy to work with you in reviewing the requirements of the Urban Renewal law, preparation of the new charter ordinance, and the preparation of the final draft of the initiating resolution.

Respectfully submitted,

CURFMAN, HARRIS, STALLINGS,  
GRACE & SNOW

By Thomas D. Boring

RESOLUTION

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, FINDING AND DECLARING IT NECESSARY TO ISSUE GENERAL OBLIGATION BONDS IN CONNECTION WITH AN URBAN RENEWAL PROJECT, PROJECT NO. KANS. R-19 and NDP.

WHEREAS, by a Resolution adopted on the 3rd day of July, 1956, published July 5, 1956, the Governing Body of the City of Wichita, Kansas, found that one or more slum or blighted areas existed in the City of Wichita, Kansas, and within five (5) miles of the corporate limits thereof, in Sedgwick County, Kansas, and that the rehabilitation, conservation, or redevelopment or combination thereof of such area or areas is necessary in the interest of the public health, safety, morals and welfare of the residents of the City of Wichita, Kansas and the residents of the State of Kansas; and

WHEREAS, by a Resolution adopted the 18th day of February, 1958, published February 20, 1958, the Governing Body of the City of Wichita, Kansas, found that it is in the public interest that the Urban Renewal project powers as defined by the Kansas Legislature in Chapter 17, Article 47, of the Kansas Statutes Annotated, as amended, should be delegated to, vested in, and exercised by an Urban Renewal Agency, which Agency was created by the Kansas Legislature, Kansas Statutes Annotated, 1949, 17-4757, and which Agency is authorized to transact business and exercise Urban Renewal powers by said Resolution and by said Statute; and

WHEREAS, the Urban Renewal Agency of the Wichita, Kansas Metropolitan Area has been planning, undertaking and carrying out urban renewal projects for the City of Wichita, Kansas Metropolitan Area; and

WHEREAS, by Resolution adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the Governing Body of the City of Wichita, Kansas, found the area included in Project No. Kans. R-19 and NDP to be a slum, blighted, deteriorated or deteriorating area appropriate for an urban renewal project and approved the undertaking of surveys and plans for an urban renewal project in said area; and

WHEREAS, in order for the City of Wichita to complete the Urban Renewal Project it will require that the City issue General Obligation Bonds in a total amount not to exceed Fifteen and One-Half Million Dollars (\$15,500,000.00) for this purpose; and

WHEREAS, the additional work contemplated is the construction of a new convention facility just south of Century II containing approximately 150,000 square feet and a skywalk system; and

WHEREAS, the Governing Body of the City of Wichita by Ordinance No. 36-574, adopted April 1, 1980, and published in the official city paper April 4, 1980, abolished the Urban Renewal Agency and reclaimed to the Governing Body of the City of Wichita, Kansas all Urban Renewal powers and responsibilities;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

1. It is hereby found and declared necessary for the City of Wichita, Kansas, to issue and sell its General Obligation Bonds in accordance with the Kansas Statutes Annotated, 17-4754 in the amount not to exceed the sum of Fifteen and One-Half Million Dollars (\$15,500,000.00) pursuant to the authority of said Statute, for the purpose of aiding in the planning, undertaking and carrying out of an urban renewal project in the City of Wichita, Kansas, known as the convention center and skywalk project.

2. That this Resolution shall be published once each week for two (2) consecutive weeks in the official paper of the City, and if within sixty (60) days after the date of the last publication of this Resolution, a protest, signed by not less than five percent (5%) of the electors in the municipality, as determined by the vote cast for Secretary of State at the last preceding general election, is filed with the City Clerk, said bonds shall not be issued, unless the Governing Body of this City calls an election within the time and in the manner prescribed by Section 10-120 of the Kansas Statutes Annotated, or any amendments thereto, and the proposition shall receive a favorable vote of a majority of the votes cast thereon.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 1982.

\_\_\_\_\_  
Albert J. Kirk, Mayor

(SEAL)

ATTEST:

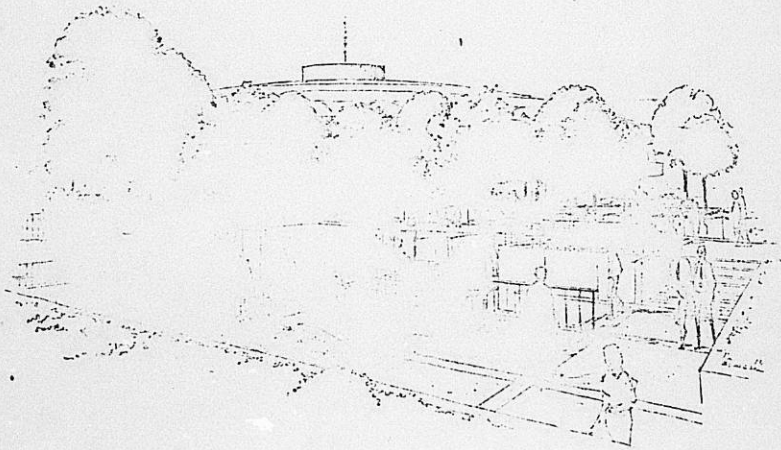
\_\_\_\_\_  
Donald C. Gisick, City Clerk

Approved as to form:

\_\_\_\_\_  
John Dekker, City Attorney

amended  
urban renewal plan  
CIVIC CENTER  
wichita, kansas  
project no. kans. r-19

MARCH 28, 1974



urban renewal agency of the  
wichita, kansas metropolitan area

AMENDED  
URBAN RENEWAL PLAN  
FOR  
CIVIC CENTER URBAN RENEWAL PROJECT  
WICHITA, KANSAS

AMENDED  
URBAN RENEWAL PLAN  
FOR  
CIVIC CENTER URBAN RENEWAL PROJECT  
WICHITA, KANSAS

PROJECT NO. KANS. R-19  
JANUARY 8, 1970

- PART A. TABLE OF CONTENTS
- PART B. DESCRIPTION OF PROJECT
1. Boundaries of Urban Renewal Area  
Exhibit: Plate I - Property Map
  2. Summary of Proposed Renewal Actions
- PART C. LAND USE PLAN
1. Land Use Map  
Exhibit: Plate II - Land Use Plan
  2. Land Use Provisions and Building Requirements
- PART D. PROJECT PROPOSALS
1. Land Acquisition
  2. Redevelopers Obligations
- PART E. PROCEDURE FOR CHANGES IN APPROVED PLAN.

PART B. DESCRIPTION OF PROJECT

1. Boundaries of Urban Renewal Area

The CIVIC CENTER URBAN RENEWAL PROJECT is located west of and immediately adjacent to the Central Business District. The boundary of the Project is indicated on Plate I - Property Map, and more specifically includes that certain area situated in the City of Wichita, County of Sedgwick, State of Kansas, and described as follows:

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
THENCE easterly to the west line of Webb Street;  
THENCE, north to the north line of First Street;  
THENCE, east to the east line of Water Street;  
THENCE, south to a line five feet north of the south line of Lot 18, on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
THENCE, east along said line to the east line of the north-south alley between Main and Water Streets;  
THENCE, south to the north line of Douglas Avenue;  
THENCE, east to the east line of Main Street;  
THENCE, south to the south line of Waterman Street;  
THENCE, west to the west line of the first north-south alley between Water and Wichita Streets;  
THENCE, north to the north line of lot 46 of River Addition to the City of Wichita, Sedgwick County, Kansas;  
THENCE, west along said line and a line parallel to and 125 feet south of the south line of English Street to the east line of the second north-south alley between Water and Wichita Streets;  
THENCE, south to the north line of Waterman Street;  
THENCE, generally northwesterly along the northeast line of the Missouri Pacific Railroad to the east line of Wichita Street;  
THENCE, west to the center line of the Arkansas River;  
THENCE, northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.

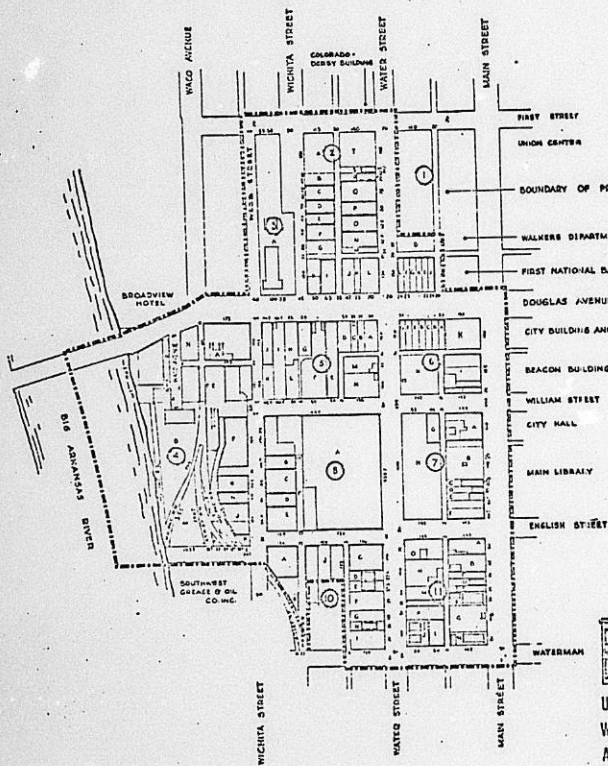
Project R-19 (Civic Center)  
Proposed change for  
boundary description.

## PART B. DESCRIPTION OF PROJECT

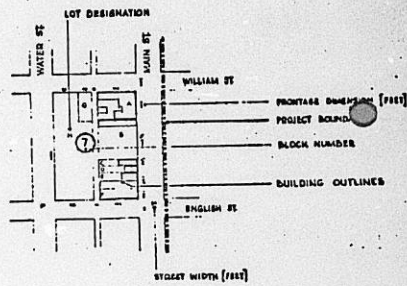
1. Boundaries of Urban Renewal Area

The CIVIC CENTER URBAN RENEWAL PROJECT is located west of and immediately adjacent to the Central Business District. The boundary of the Project is indicated on Plate I - Property Map, and more specifically includes that certain area situated in the City of Wichita, County of Sedgwick, State of Kansas, and described as follows:

BEGINNING at the intersection of the center line of the Arkansas River with the north line of Douglas Avenue;  
THENCE easterly to the west line of Webb Street;  
THENCE north to the north line of First Street;  
THENCE east to the east line of Water Street;  
THENCE south to a line five feet north of the south line of Lot 18 on Water Street in Greiffenstein's Original Town, an addition to Wichita, Sedgwick County, Kansas;  
THENCE east along said line to the east line of the north-south alley between Main and Water Streets;  
THENCE south to the north line of Douglas Avenue;  
THENCE east to the east line of Main Street;  
THENCE south to the south line of Waterman Street;  
THENCE west to the east line of Wichita Street;  
THENCE north to the northeast line of the Missouri Pacific Railroad right of way;  
THENCE west to the center line of the Arkansas River;  
THENCE northwesterly along said center line to the north line of Douglas Avenue; being the point of beginning.



**LEGEND**



**PROPERTY MAP  
CIVIC CENTER**



URBAN RENEWAL AGENCY of the  
WICHITA, KANSAS METROPOLITAN  
AREA

PROJECT KANS. R - 19

AUGUST 18, 1964

CODE R 212

SHEET 1 OF 1



REVISED - MAY 1, 1968

2. Summary of Proposed Renewal Actions

The Project Area, adjacent to downtown, is currently occupied by old, blighted, commercial and warehouse structures. Under this Urban Renewal Plan, the entire Project Area will be acquired and cleared with the exception of two large office buildings, one at the southwest corner of Main and Douglas (Parcel 6-K) and one on the north side of Douglas Avenue at its intersection with Webb Street (Parcel 3-A). Existing use of these excluded parcels is considered to be compatible with Project proposals at the present time.

Park and public open space areas will be dedicated within the project to complement the proposed public buildings. These park areas are on the Land Use Plan Map -- Plate II. The park along the riverfront is proposed as a "pedestrian overlook" area with retaining walls and decorative walkways designed as an integrated unit. The retaining wall-pedestrian way will follow an irregular shoreline for interesting visual appeal and at the parks north end an inlet, or water area, will be formed. The inlet will be restricted from boat storage or servicing.

Portions of the existing internal street pattern will be vacated and a new vehicular circulation system will be provided. The proposed new street plan is also indicated on the Land Use Plan -- Plate II. Streets, curb and gutter, sidewalks, ornamental pavings, landscaping, sanitary sewers, and storm drainage facilities, as necessary, will be installed in the Project Area in connection with the undertaking of this Plan.

PART C. LAND USE PLAN

1. Land Use Map

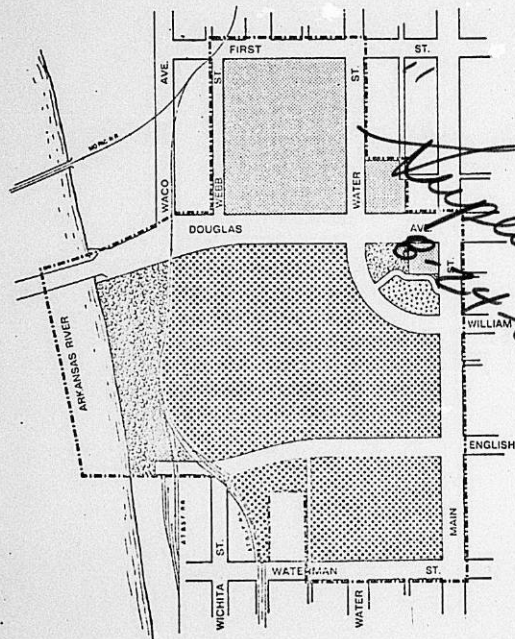
Plate II - Land Use Plan - indicates the proposed land use pattern and major thoroughfares. In general, all of that area within the Project lying north of Douglas Avenue will be made available for commercial uses compatible with the Central Business District and public buildings to the south. All of the Project Area lying south of Douglas Avenue will be made available for public uses including public buildings and related parking.

2. Land Use Provisions and Building Requirements

a. Land Use shall be as indicated on Plate II - Land Use Plan. In those areas indicated for commercial use (lying north of Douglas Avenue), land uses permitted shall be commercial, retail, office, multi-family residential, and transient housing, provided, that all such uses are integrated into a scheme to enable the various parts of the design to function properly, and provided, that such uses are in proper relationship to each other and enhance rather than reduce amenity. The design should allow for adequate open space and good facilities for pedestrian movement in safety and pleasant surroundings.

b. In addition to the foregoing, the following regulations controls, or restrictions shall be imposed on all real property acquired in connection with the Project:

- (1) General. The real property covered hereunder shall be subjected to these conditions, covenants, restrictions, reservations and easements to insure its best use and most appropriate development and improvement; to preserve and enhance the amenity and convenience of such property, to guard against the erection thereon of poorly designed or proportionated structures and structures built of improper or unsuitable materials; to ensure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon, with appropriate locations



**LEGEND**

- PROJECT BOUNDARY
  - === UTILITY EASEMENT
  - +— CENTER LINE OF RAILROAD (EXIST. TO REMAIN)
- LAND USE**
- [Cross-hatch pattern] COMMERCIAL
  - [Dotted pattern] PUBLIC BUILDINGS & RELATED USES
  - [Stippled pattern] PUBLIC OFF-STREET PARKING
  - [Blank pattern] DEDICATED PARK & PUBLIC OPEN SPACE

**LAND USE PLAN**

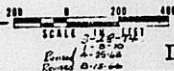
**CIVIC CENTER**

URBAN RENEWAL AGENCY of the  
WICHITA, KANSAS METROPOLITAN  
AREA

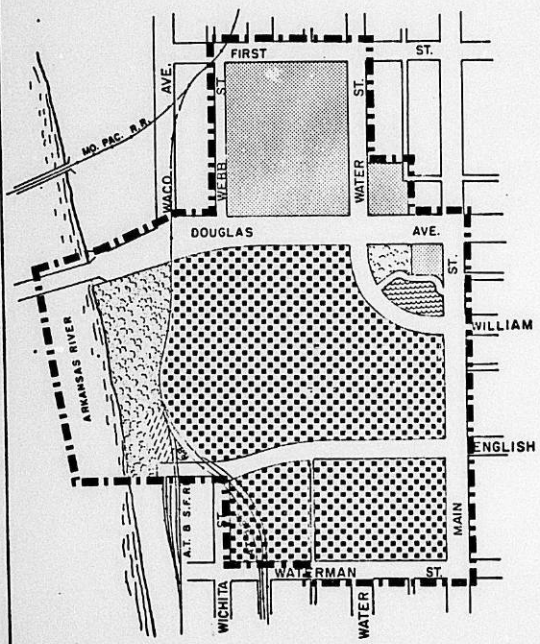
PROJECT KANS. R-19

AUGUST 16, 1964

CODE R 213  
SHEET 1 OF 1



II

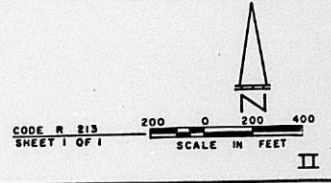


- REVISIONS**
- 8-18-64
  - 8-15-66
  - 4-25-68
  - 1-8-70
  - 3-28-74
  - 8-24-82

- LEGEND**
- PROJECT BOUNDARY
  - UTILITY EASEMENT
  - CENTER LINE OF RAILROAD (EXIST TO REMAIN)
  - LAND USE**
  - COMMERCIAL
  - PUBLIC BUILDING & RELATED USES
  - PUBLIC OFF-STREET PARKING
  - DEDICATED PARK & PUBLIC OPEN SPACE

LAND USE PLAN  
**CIVIC CENTER**

PROJECT KANS. R-19



CODE R 213  
 SHEET 1 OF 1

thereof to secure adequate free spaces between structures, and in general, to provide adequately for a high type and quality of improvement in said property.

- (2) Procedure. No improvements shall be undertaken until the complete plans and specifications, including the floor plans and grade and plot plan of such improvement, shall have been submitted to and approved in writing by the Urban Renewal Agency, which shall incur no liability by reason of its judgment, even though erroneous, in approving or failing to approve such plans and specifications. If such plan or plans are not disapproved by the Agency within thirty (30) days after their submission to it, or in any event, if no suit to enjoin the construction of such improvements, due to the failure to comply with the plans and specification as submitted, has been commenced prior to the completion thereof, the required approval of such construction shall be deemed to have been given and the provisions of this section fully complied with.

- (3) Minimum Pedestrian Walking and Vehicular Circulation Area at Ground Floor Level.  
At least twenty percent (20%) of the lot area, in the form of malls, arcades, setbacks, and/or drives, shall be provided as pedestrian walking areas or vehicular circulation areas, generally available to the public.

- (4) Building Setbacks From The Property Line.  
A thirty-five (35) foot setback, at all building levels, roof overhang excluded, shall be maintained on the following frontage:

DOUGLAS AVENUE;

COMMENCING at the southwest corner of Lot 1, Block 1;  
THENCE easterly along the south line of said lot to the southeast corner of Lot 1, Block 1.

COMMENCING at the southwest corner of Lot 1, Block 2;  
THENCE easterly along the south line of said lot to a point one hundred and twenty-six (126) feet east of the point of beginning.

A ten (10) foot building setback on the ground floor level shall be provided on the following frontage:

**FIRST STREET:**

**BEGINNING** at the northeast corner of Lot 1,  
Block 1,  
**THENCE** westerly along the north line of said  
lot and said line extended to a point 425.10 feet  
west of the northeast corner of said lot.

**WEBB STREET:**

**BEGINNING** at the southwest corner of Lot 1,  
Block 1,  
**THENCE** northerly along the west line of said  
lot and said line extended to a point 564.03  
feet north of the southwest corner of said lot.

**WATER STREET:**

**COMMENCING** at the southeast corner of Lot 1,  
Block 1,  
**THENCE** north along the east line of said lot a  
distance of 603.07 feet to the northeast corner of  
Lot 1, Block 1.

A ten (10) foot setback shall be maintained on all other  
streets within the Civic Center Urban Renewal Project.

The term "ground floor level" is defined to be from  
zero (0) to twelve (12) feet above the abutting sidewalk grade.

Canopies protecting sidewalks and drives shall not be subject  
to the setback requirements but must be approved, in writing, by  
the Urban Renewal Agency.

- (5) Residential Requirements. Residential uses shall be limited  
to multi-family, elevator type structures. No living unit  
may be located at ground floor level. Site coverage of structures  
designed for residential use may not exceed twenty-five percent  
(25%) of the combined site coverage of all structures. Residential  
dwelling unit density shall be limited to one unit per eight hundred  
(800) square feet of lot area.
- (6) Minimum Off-Street Parking. One car space for each dwelling unit  
and one car space for each 500 square feet of gross office and/or  
retail floor area.
- (7) Publicly Owned Off-Street Parking. Publicly owned off-street parking  
to be provided in the Project Area shall be open to use by the public  
at large and shall not be limited to special uses or special users.

(8) Signs.

- (a) The proposed location and size of all identifying or advertising signs must be indicated on the final working drawings and submitted to the Agency for written approval prior to erection of the sign. The signs should be related to the structure to which they are attached in position, form, color, and size. The one permitted exception is the case of individual occupants or tenants, but final drawings should nevertheless indicate the proposed position of the sign.
- (b) Should the redeveloper deem replacement of a sign or addition of a new sign to be necessary to the redevelopment, plans for such replacement sign or additional sign shall be submitted to the Agency for written approval prior to the erection thereof.
- (c) Any permitted sign may be illuminated from within or without, provided that such lighting shall be limited to a non-flashing type.
- (d) No sign is permitted which does not relate to occupancy or operations within the site on which the sign is erected.
- (e) Signs affixed to a building wall shall not extend more than eighteen inches from the building wall.
- (f) These sign restrictions shall pertain only to signs which are visible from the exterior of the structure.

(9) Assignment of Interest. In the event that the Urban Renewal Agency becomes non-operative for any reason whatsoever, its rights hereunder shall automatically vest in the City of Wichita, Kansas, and shall be exercised by its Governing Body. Where referred to in these restrictions, the term "Urban Renewal Agency" shall mean the Urban Renewal Agency of the Wichita, Kansas, Metropolitan Area.

- c. From and after the filing of an appropriate "Declaration of Restrictive Covenants" in the office of the Register of Deeds of Sedgwick County, Kansas, the restrictions contained in this plan shall be binding and effective upon all owners, purchasers, or lessees of land, and heirs and assigns, of the property covered hereunder for a period of thirty (30) years, and automatically shall be continued thereafter for successive periods of ten (10) years each, unless by vote of the then owners of a majority of the square foot area covered hereunder, and by approval of the Governing Body of the City of Wichita, Kansas, it is agreed to terminate the restrictions at the end of any such period.

PART D. PROJECT PROPOSALS

1. Land Acquisition

All properties included in the Project Area (except certain right-of-way) shall be acquired by the Urban Renewal Agency with the following exceptions: Parcel 3-A and 6-K.

2. Redeveloper's Obligations

In the conveyance of land in cleared portions of the renewal project, an obligation shall be imposed upon the purchaser to commence and complete construction of improvements within a reasonable period of time and in conformity with the plan.

PART E. PROCEDURE FOR CHANGES IN APPROVED PLAN

This Urban Renewal Plan may be changed, modified or amended at any time by the Urban Renewal Agency, provided that if changed, modified or amended after lease or sale of real property in the project area by the Urban Renewal Agency, the change, modification or amendment must be consented to by the Redeveloper or Redevelopers of the real property affected thereby, or his or their successors in interest. Approval of the Governing Body of the City of Wichita, Kansas, will also be required to effect any change, modification or amendment which will substantially change the Urban Renewal Plan as previously approved by the City Commission.

\* \* \* \*

R E S O L U T I O N

A RESOLUTION FINDING THE CIVIC CENTER AMENDED  
URBAN RENEWAL PLAN, KANSAS R-19, IN CONFORMITY  
TO THE GENERAL PLAN FOR THE CITY OF WICHITA AS  
A WHOLE.

WHEREAS, in accordance with the provisions of Title  
I of the Housing Act of 1949, as amended, and the Kansas Urban  
Renewal Law, the Board of City Commissioners of the City of  
Wichita, Kansas, has referred the Civic Center Amended Urban  
Renewal Plan, dated March 28, 1974, to the Wichita-Sedgwick  
County Metropolitan Area Planning Commission for its report and  
recommendations respecting said amended Urban Renewal Plan, as  
to its conformity with the general plan for the development of  
the municipality as a whole; and

WHEREAS, the Comprehensive Plan has been prepared and  
is recognized and used as a guide for the general development  
of the locality as a whole.

NOW, THEREFORE, BE IT RESOLVED BY THE WICHITA-SEDGWICK  
COUNTY METROPOLITAN AREA PLANNING COMMISSION, that it is hereby  
found and determined that the Amended Plan, Kansas R-19, for the  
project area, conforms to the said Comprehensive Plan of the  
locality.

ADOPTED at Wichita, Kansas, this 25th day of April, 1974.

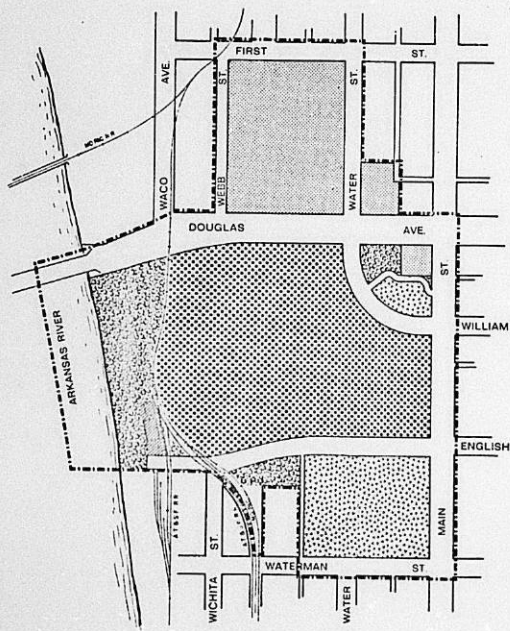
\_\_\_\_\_  
Marjorie L. Taylor, Chairman  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

ATTEST:

\_\_\_\_\_  
Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

(SEAL)

*East Purvis  
Overlaid from  
DR 74-10*



- LEGEND**
- PROJECT BOUNDARY
  - UTILITY EASEMENT
  - CENTER LINE OF RAILROAD (EXIST TO REMAIN)
- LAND USE**
- COMMERCIAL
  - PUBLIC BUILDINGS & RELATED USES
  - PUBLIC OFF-STREET PARKING
  - DEDICATED PARK & PUBLIC OPEN SPACE

**LAND USE PLAN**



**CIVIC CENTER**

URBAN RENEWAL AGENCY of the  
WICHITA, KANSAS METROPOLITAN  
AREA

PROJECT KANS. R-19

AUGUST 18, 1964  
CODE R 213  
SHEET 1 OF 1

300 0 300 600  
SCALE IN FEET

*Printed 4-8-70  
Revised 8-18-66*

II



Original adoption  
of Cultural Center  
Site by  
MAPC.

RESOLUTION

WHEREAS, pursuant to authority granted by statutes of the State of Kansas, the City of Wichita created a City Planning Commission, which commission, pursuant to statutory authority applicable to the City of Wichita, has heretofore duly made and adopted a Master Plan and various amendments, extensions and additions thereto for the physical development of the municipality, and of any land outside the municipality which, in the opinion of the commission, bears relation to the planning of the municipality, which Master Plan and amendments, extensions and additions thereto have been published and made of public record and such Plan, amendments, extensions and additions are all incorporated herein by reference, and

WHEREAS, pursuant to statutory authority, a Wichita-Sedgwick County Metropolitan Area Planning Commission was created to take over the functions of the Wichita City Planning Commission and to expand and broaden the territorial jurisdiction thereof, including authority to amend, extend and add to said Master City Plan, and

WHEREAS, said Master City Plan, the amendments, extensions and additions thereto includes as a part thereof the Public Buildings Plan for the City of Wichita, Kansas; and

WHEREAS, after having made and caused to be made careful and comprehensive surveys and studies of present conditions and trends of future growth of the municipality, the Wichita-Sedgwick County Metropolitan Area Planning Commission determined that said Master City Plan as heretofore amended, extended and added to should now be further amended, extended and added to by specific designations of areas for the general cultural center site, the administrative center site and Urban Renewal Project boundary to include portions of such site and other property and a site for a public library and for an auditorium, and

WHEREAS, pursuant to law (Sections 13-1109 et seq. G.S. 1949 as amended) the Wichita-Sedgwick County Metropolitan Area Planning Commission did give notice by publication in the official City newspaper on December 2, 1961 of a public hearing to be held on the adoption of said amendment, extension and addition to said Master City Plan, and

WHEREAS, pursuant to such notice duly given, public hearing was held on January 4, 1962 at 8:00 o'clock p.m. in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at which hearing more than a majority of all members of the Wichita-Sedgwick County Metropolitan Area Planning Commission were present, and

WHEREAS, a majority of all members of the said Wichita-Sedgwick County Metropolitan Area Planning Commission favored the adoption of said amendment and extension as hereinafter specified.

NOW, THEREFORE, BE IT RESOLVED by the majority of all members of the Wichita-Sedgwick County Metropolitan Area Planning Commission, in meeting duly assembled, that the Master City Plan of the City of Wichita, Kansas, as heretofore amended, extended and added to, be and the same is hereby further amended, extended and added to to include the following:

a. The site for the Cultural Center to include the public library, the auditorium and future public building of a cultural type, is hereby designated as follows:

Beginning at a point where the south line of Douglas Avenue crosses the east line of the Arkansas River;  
thence easterly along the south line of Douglas Avenue to the west line of the Central Building property;  
thence south along the west line of the Central Building

property to the south line of said property; thence east along the south line of the Central Building property to the west line of Main Street; thence south along the west line of Main Street to the south line of Waterman Street; thence west along the south line of Waterman Street to the east line of the north-south alley between Main Street and Water Street; thence southwesterly to the southeast corner of Lewis Street and Wichita Street; thence south along the east line of Wichita Street to the north line of U.S. Highway 54; thence westerly along the north line of U.S. Highway 54 to the east line of the Arkansas River; thence northerly along the east line of the Arkansas River to the point of beginning.

b. The site for the Administrative Center to include the Sedgwick County Court House and future public buildings of an administrative type, is hereby designated as follows:

Beginning at the southwest corner of Central Avenue and Waco Street; thence northeasterly to the northwest corner of Main Street and Pine Street; thence south along the west line of Main Street to the southwest corner of Main Street and Elm Street; thence east along the south line of Elm Street to the southwest corner of Elm Street and Market Street; thence south along the west line of Market Street to the southwest corner of Central Avenue and Market Street; thence west along the south line of Central Avenue to the east line of the north-south alley between Main Street and Market Street; thence south along said alley line to the north line of the U.S. Post Office property; thence east along said north line to the west line of Market Street; thence south along the west line of Market Street to the northwest corner of Market Street and 2nd Street; thence west along the north line of 2nd Street to the east line of Wichita Street; thence north along the east line of Wichita Street to the south line of Central Avenue; thence west along the south line of Central Avenue to the point of beginning.

c. That an Urban Renewal Project is hereby recommended to the Urban Renewal Agency and governing body of the City of Wichita, the boundary of such Urban Renewal Project to be as follows:

Beginning at the intersection of 1st Street and the west line of Webb Street, as extended from the south; thence east along the north line of 1st Street to the east line of Water Street; thence south along the east line of Water Street to the south line of the Walker's Parking Garage property; thence east along said south line to the east line of the north-south alley between Water Street and Main Street; thence south along said east alley line to the north line of Douglas Avenue; thence east along the north line of Douglas Avenue to a point where the west line of the Central Building property, as extended from the south, intersects said north line; thence south along the west line of the Central Building property to the south line of said property; thence east along said south line to the west line of Main Street; thence south along the west line of Main Street to the south line of Waterman Street; thence west along the south line of Waterman Street to the west line of the first north-south alley west of Water Street;

thence north along said alley line to the south line of English Street; thence west along the south line of English Street and as extended to the center line of the Arkansas River; thence northerly along said center line to the south line of Douglas Avenue; thence easterly along the south line of Douglas Avenue to the west line of the Koch Building property; thence south along said west line to the south line of the Koch Building property; thence east along said south line to the east line of the Koch Building property; thence north along said east line extended to the north line of Douglas Avenue; thence east along the north line of Douglas Avenue to the west line of Webb Street; thence north along the west line of Webb Street to the point of beginning.

d. That within the Cultural Center site, designated in subparagraph a. above, the following is hereby designated as the site for the public library and auditorium:

Beginning at a point where the east line of the Arkansas River intersects the south line of Douglas Avenue; thence easterly along the south line of Douglas Avenue to the west line of the Koch Building property; thence south along said west line to the south line of the Koch Building property; thence east along said south line to the east line of the Koch Building property; thence north along said east line to the south line of Douglas Avenue; thence east along the south line of Douglas Avenue to the west line of the Central Building property; thence south along said west line to the south line of the Central Building property; thence east along said south line to the west line of Main Street; thence south along the west line of Main Street to the south line of Waterman Street; thence west along the south line of Waterman Street to the west line of the first north-south alley west of Water Street; thence north along said alley line to the south line of English Street; thence west along the south line of English Street, and as extended, to the east line of the Arkansas River; thence northerly along said east line to the point of beginning.

BE IT FURTHER RESOLVED that Erle W. Jennings, Chairman and L. L. Little, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, record on the Master City Plan of the City of Wichita as heretofore adopted, amended, extended and added to, the action hereby taken.

BE IT FURTHER RESOLVED that an attested copy of this resolution accomplishing said amendment and extension to the Master City Plan be certified to the governing body of the City of Wichita and to all legislative and administrative agencies affected by the Plan.

ADOPTED at Wichita, Kansas, this 4th day of January, 1962.

ATTEST:  
  
L. L. Little, Secretary  
Wichita-Sedgwick County Metropolitan Area Planning Commission

  
Erle W. Jennings, Chairman  
Wichita-Sedgwick County Metropolitan Area Planning Commission

(Seal)

DR file

DR files. Civic Center Urban Renewal Plan & NED Plan.

DR-71-44 - URA submission of Neighborhood Development Program 12-1-71/12-1-72

DR-68-19 - Neighborhood Development Plan of the Urban Renewal Agency

DR-74-10 - Amendment to the U.R. Civic Center Project. File #2

DR-68-13

DR-67-11 Consideration of the Revision of the Civic Center Urban Renewal Plan

DR-64-12 Consideration of the U.R. Plan for Civic Center Project No. Kass. R-19

> DR 70-32 - Second Action Year Program of the General Urban Renewal Plan.

DR 74-23(a) - Plan conformity of amended 4<sup>th</sup> Action Year Program of Wichita  
Orchardtown. URA docs.

DR 79-28 - Review of U.R.A.'s 6<sup>th</sup> Year Plan & Program

DR 80-20

7631 - A convention center site