

DP-16 - SENECA SQUARE Commercial CUP
at the north side of 31st St. South
between Exposition and Seneca

ACTION

DATE

COMMITTEE

MAPC *Deferred 2 weeks 4-21-66*
MAPC *Approve pub. 5-5-66*
B.C.C. ~~5-5-66~~ *Act to condition 5-11-66*

Map No. I-3
Sec. 6
Twp. 2B
Range 1E

DATA SHEET
COMMUNITY UNIT PLAN

DP-16
Z-
Filed 3-23-66

APPLICATION REQUEST: Approval of proposed planned commercial development.

1. Applicant Seneca Square, Inc., c/o Frank Malone
Address 221 North Market Phone AM28261
2. Agent Don Bottenberg Co., Inc.
Address Beacon Building Phone AM45031
3. General Location North side of 31st St. South between Exposition & Seneca Address _____
4. Proposed Use SENECA SQUARE Shopping Center

AREA DATA

1. Acres _____ (_____ ft. by _____ ft.)
2. Existing Zoning "B" & "LC" Proposed Zoning "B" & "LC"
3. Area (is) ~~(is not)~~ platted. Replat of Iva Fultz Gardens Addition
4. Existing R/W _____ ft. _____ ft. _____ ft.
Proposed R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:
Date Action
4-21-66 Agree 2 weeks due to lack of quorum
5-5-66 Approve subject to conditions
2. Governing Body
Date Action
5-11-66

NOTES:

N.A. Gough 3151 S. Exposition
Checked out DP on 4/14/66.
To be returned (at 4-19-66)

• VIRGINIA
Juniperus CANADENSIS
CANADIAN JUNIPER
8-10' apart

ACER GINNOLN -
RED MAPLE
30' apart

MORUS ALBA "MUSKAN"
FRUITLESS MULBERRY
40-50' apart

THE CITY OF WICHITA

JH
Green-Field



OFFICE OF THE CITY MANAGER
CITY HALL - FIRST FLOOR
402 SOUTH MAIN STREET
WICHITA, KANSAS 67202
CITY 288-4341

August 2, 1978



Mr. Larry Overstreet
1310 West 30th Street South
Wichita, Kansas 67217

Dear Mr. Overstreet:

This letter is a follow-up to our previous letter of July 28, 1978, concerning the status of the screening problem at the Seneca Square Shopping Center.

As we previously advised you, the owners of the Seneca Square, working through a local nursery, have recently submitted a proposed landscaping plan for the shopping center. That plan has been reviewed and a copy of the letter of approval from the Planning Department is attached.

It is noted in the letter of approval that the proposed landscaping is to be completed by the end of the fall planting season and the nursery has been encouraged to begin the planting as soon as possible. We are also continuing to work with the owners and nursery to insure the proper maintenance of the plantings when completed.

We trust that you will begin to see planting activity as soon as the severe summer weather abates permitting planting without jeopardizing the life of the plants.

If you require any additional information, please advise.

Sincerely,

E. H. Denton
City Manager

EHD/tsw

Attachment

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

July 31, 1978

Mr. Joseph J. Brady
Brady Nursery
1423 S. Tyler Road
Wichita, Kansas 67209

Re: Landscape Plans on the
Seneca Square C.U.P.
site (DP-16)

Dear Mr. Brady:

We have reviewed the submitted landscape plan covering a portion of the Seneca Square site at the northwest corner of Seneca and 31st Street South. We understand that this plan has been submitted as a substitute for the original plan and plant materials which were established in 1972, but have died since that time.

On the basis of our review, we find that the types, numbers, and suggested locations of the landscape materials proposed on the landscape plan are acceptable. One problem which we note is the absence of any provisions for watering the plant materials once they are established. It has been our experience that planting strips separated from the main center by large parking lots often are poorly maintained after a time when water faucets are not available within a reasonable distance of the planting area. Maintenance people are often reluctant to drag hoses across a parking lot and maintain materials adjacent to the street right-of-way. With the type of weather we experience, inadequate watering is serious and might well be the reason for the demise of the plant materials previously established on the site. Although such is not a requirement of the approval of the landscape plan, we strongly urge that you discuss with your client provision of water either by an underground sprinkler system, "street washer" or recessed lawn hydrant, or faucet locations on the perimeter of the site. We have discussed this with the Water Department and they have stated that for \$170 tap in fee, they will run a line under the street (either 30th or Exposition), tap into the main, and install a meter in the planting strip area. This would place a water source right on the site and you could then provide a sprinkler or hose system to provide water. Although that is a major expense, I'm sure that it is only a fraction of the cost of the

Page Two
Mr. Joseph J. Brady
July 31, 1978

plant materials themselves, and with proper maintenance, might insure that the plantings will not have to be replaced in a couple of years because of lack of attention. We note that your guarantee itself is contingent on proper watering, so the need for water should be stressed to your client.

One other minor item is that in viewing the existing plant materials in the field, we noted that several of the junipers are in need of attention before they too are lost. Inasmuch as it may be a few weeks before you start planting, you may want to check the junipers now and take corrective action at this time.

Based upon our review, the revised landscape plan dated July 27, 1978 is hereby approved subject to the following conditions:

1. Said plant materials shall be planted by the end of the fall 1978 planting season at the latest, and shall be maintained in good condition as determined by the Superintendent of Central Inspection.

Inasmuch as there are complaints from residences to the west, we would encourage that if there are some plants that could be planted in the next few weeks, that you not wait until fall to plant all of the materials. An effort to begin plantings would be appreciated by the neighborhood.

Please call if you have any questions.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:MM:el
Attachment

cc: Jack Hunt, % Bonanza, Inc. 3900 W. Kellogg, Dr., 67213
Jean Whitehouse, % Bonanza, Inc. 3900 W. Kellogg Dr., 67213
Robert Feldner, Superintendent of Central Inspection
Sam Mobley, Building Codes Administrator
Ray Trail, Executive Assistant to the City Manager

THE CITY OF WICHITA

Hub
File



OFFICE OF THE CITY MANAGER
CITY HALL - THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
316-267-6341



July 28, 1978

Mr. Larry Overstreet
1310 West 30th Street South
Wichita, Kansas 67217

Dear Mr. Overstreet:

This will acknowledge your letter of July 15, 1978, concerning the status of the screening problem at the Seneca Square Shopping Center.

As we have previously discussed with you, our office has been working with the Central Inspection Office and the Planning Department to secure a commitment from the shopping center owner to initiate screening improvements for the center. Over the last two years, this has been extremely complicated due to ownership changes which have made it difficult to identify the proper persons with which the City must work.

We have recently been successful in securing a commitment with the current property owners to initiate the necessary screening and on July 27, 1978, they submitted to the Planning Department a proposed screening plan. The plan is now under review and we anticipate completing the plan review in a few days. If the plan is approved we will request the property owners to initiate as much work as possible immediately and complete the planting during the fall planting season.

By copy of this letter, the Planning Department is requested to advise this office of the screening plan's approval and the estimated start date for the work. As soon as we receive word from the Planning Department, we will advise you further.

We trust that this will assure you that this matter is proceeding to a satisfactory conclusion. If you still wish, however, to appear before the City Commission to discuss this matter, please advise and we will schedule it for the earliest possible agenda.

Sincerely,

E. H. Benton
City Manager

EHD/tsv

cc: Jack Galbraith, Chief Planner
Robert Feldner, Superintendent of Central Inspection

THE CITY OF WICHITA

20

DEPARTMENT OF PUBLIC WORKS
CENTRAL INSPECTION DIVISION
CITY HALL - SEVENTH FLOOR
435 NORTH MAIN STREET
WICHITA, KANSAS 67202

June 23, 1978



Mr. Jack Hunt
c/o Bonanza, Inc.
3900 West Kellogg Drive
Wichita, KS 67213

Dear Sir:

Re: Seneca Square CUP #16

It has been 10 days since this office furnished you with the particulars regarding the code violations existent on subject Community Unit Plan. To date, we have not been contacted to set a date and method for compliance.

It should be pointed out that the requirements for the continued occupancy of a CUP go with the property owner to owner and are not waived for new or changed ownership.

Please call the undersigned at your earliest convenience to set up a schedule of compliance and alleviate the necessity for this enforcing authority to file legal action.

Sincerely,

Sam L. Moley
Sam L. Moley
Building Code Administrator

SIM/mc

cc: Ray Trail, Executive Secretary
John Dekker, Director of Law
Robert Lakin, Director of Planning Department
Robert B. Feldner, Superintendent of Central Inspection

*Visited with Jack Hunt June 6/25/78
Advised him to report in accordance
with approved drawings or else could
submit a new one. Told with Sam
Lakin and he agreed that will now
not require since entrance to
the building also open on this
J.L.B.*

SUPERINTENDENT OF CENTRAL INSPECTION	268-4460	HOUSING	268-4461	BUILDING & CONSTRUCTION	268-4461
BUILDING CODE ENGINEER	268-4468	ZONING	268-4479	PLUMBING & MECHANICAL	268-4476
PLAN EXAMINATION	268-4477	SIGNS	268-4475	ELECTRICAL & ELEVATOR	268-4471

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE October 14, 1976



TO Robert Feldner, Central Inspection Supervisor

FROM E.H. Denton, City Manager

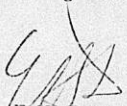
SUBJECT Wild Hare Club
(Seneca Square Shopping
Center)

With reference to your report to this office on the captioned subject and that of the Director of Planning we note that the 1966 CUP on Seneca Square requires a screening wall and certain landscaping, provided that this requirement would become effective upon issuance of a new building permit.

Mr. Inlow of your office has advised that there have been 19 building permits issued for Seneca Square (including one tent and one Goodwill box) since the date of the CUP.

Your report also indicated that the planting and landscaping provision had not been maintained. A note from Mr. Galbraith of the Planning Department indicates that the planting was done in 1972; however, your inspector's visit to the site and a visit by this office indicates that the planting has not been maintained and that only one small tree remains on the 30th Street frontage of the shopping center.

In view of the number of building permits which have been issued to the shopping center since adoption of the CUP, please proceed to direct the shopping center to proceed with construction of the screening wall and renewal of the landscaping in accordance with the CUP.


E.H. Denton
City Manager

EHD/ksh

cc: R. W. Bruggeman, Director of Public Works
Robert A. Lakin, Director of Planning ✓
John Dekker, Director of Law



Lynn

*File in Seneca
Square CUP*

September 29, 1976

E. H. Denton, City Manager
Robert A. Lakin, Director of Planning
Wild Hare Club

Attached is a Xerox print of the plat of the area involved and an aerial print. As you can see, the plat (approved in 1954), provided for a commercial site without any constraints. Construction was based on "LC" (light commercial), zoning on Block 13 and all of Blocks 11 and 12 (except the front 50 feet abutting Exposition and 30th Streets which was given a "buffer" of 50 feet of "B" Multiple Family zoning). The latter allows off-street parking for commercial uses. Only in 1966, was a CUP (Community Unit Plan), required, and then only because they wished to add on to the center which was 90% in existence.

Two errors in planning judgment are obvious. First, the plat should not have allowed Martinson to enter the shopping center from the northwest. This obviously induces traffic into the center and conversely into the residential area. It also originally encouraged a division in the center which was later closed. If the latter had not occurred, much more neighborhood traffic would have occurred.

Secondly, the use of "B" as a buffer in 1954, was a disservice. Fifty feet of parking lot is no buffer, only a setback for commercial buildings. If total access control had been taken on 30th and Exposition, then the center would, from a practical standpoint, have had to be built different in order to use the area for parking. However, if my memory serves me correctly, much of that parking was used for fourplexes originally, and they were later removed. However, this is hindsight and not correctable now. It should be instructive, however, to the City Commission on design, access control and the use of this type of buffer.

The only apparent error that seems to exist is the issuance of a tavern beer license within 150 feet of a residential zone (the "B" multiple family). Unless a waiver of the distance requirement of Section 4.12.050(g) was granted, I think (but am not sure as to the precise location of the Wild Hare Club), the license and occupancy permit were issued in error. Although the site was previously occupied by a hard liquor private club (the 150 foot rule does not apply), a tavern would have no rights. If I'm correct, perhaps the license could be revoked.

Page 2 - E. H. Denton, City Manager
September 29, 1976

I do not know of any planning requirement relative to screening, layout or access that can now be imposed once buildings and uses have been legally erected and/or used.

Robert A. Lakin
Director of Planning

RAL:ber

Attachments

cc: Richard LaMunyon, Chief of Police
Captain Bill Dotts, Police Department
Ray W. Bruggeman, Director of Public Works
Paul B. Graves, City Traffic Engineer

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE September 20, 1976



TO Robert A. Lakin, Director of Planning
Ray W. Bruggeman, Director of Public Works
E. O. Ford, Acting Chief of Police

FROM E. H. Denton, City Manager

SUBJECT Wild Hare Club

At the meeting of September 14, 1976, the City Commission heard a discussion of problems at the Wild Hare Club, 31st and South Seneca, brought to the public agenda by Mr. Larry C. Overstreet, 1310 West 30th Street South.

Specific problems mentioned were activities of club patrons on the shopping center parking lot and the traffic flow on residential streets. In particular, incidents of noise on the parking lot until 3:00 a. m. after the club was closed and driving across lawns of residents were cited.

Your comments and recommendations are requested in your area of expertise on the following questions and other matters you consider significant:

1. What can be done to control the after hours use of the parking lot to prevent disturbances at adjacent residences?
2. What is the lay-out of the parking lot and buildings of the shopping center in relation to 31st Street South, Seneca, and residential streets in the area?
3. What can be done by the shopping center or the city to prevent cars from driving onto lawns?
4. What street repairs are required on residential streets west of the shopping center?
5. Can a requirement for screening be made between the parking lot and the residences?
6. Was the shopping center developed in accordance with the plat?

This matter is to be returned to the City Commission on October 12, 1976. Your reports are requested to reach this office not later than October 6, 1976.


E. H. Denton
City Manager

EHD/ksw
cc: Paul B. Graves, Traffic Engineer
Captain Bill Dotts, Police Department



July 18, 1975

Frank Malone, President
Seneca Square, Inc.
221 North Market
Wichita, Kansas 67202

Subject: DP-16 - Request for an
Administrative Adjustment
re: Seneca Square CUP

Dear Mr. Malone:

We have reviewed your request for administrative adjustment on the above captioned case with your attorney, Clark Nelson and with Robert Feldner, the Superintendent of Central Inspection. Inasmuch as this CUP establishes setbacks for only those buildings existing in 1966, we are not in a position to administratively authorize additional structures that would violate those established setback lines.

Should you desire to pursue the possibility of locating a drive-in photo service facility in the parking area, it will be necessary that you file an application for amending the CUP through the same legal procedure followed when the CUP was originally approved. Enclosed is a copy of the appropriate application. Please note the required filing fee and the required abstract ownership list for a distance of 500 feet and submission of five copies of the amended CUP plans. Such plans must reflect all existing structures and existing parking and circulation aisles so that a determination can be made that the removal of parking does not reduce the amount of parking required by the Zoning Ordinance.

Frank Malone
July 18, 1975
Page Two

If you have any questions on the procedure of amending the
CUP, please contact either me or Jack Galbraith.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:JHG:js

Attachment

cc: Clark Nelson, Attorney, 200 West Douglas, Wichita, Ks. 67202
Robert Feldner, Superintendent of Central Inspection

AT 31ST STREET SOUTH AND SENECA—WICHITA'S MOST MODERN ONE-STOP SHOPPING CENTER



Seneca Square Inc.

WICHITA, KANSAS

June 30, 1975

Mr. Robert A. Lakin, Director
Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas 67202

Re: Seneca Square Center

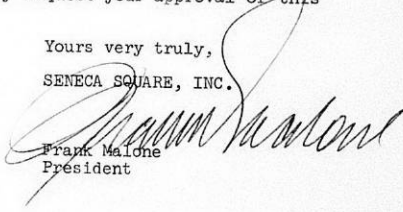
Dear Mr. Lakin:

We are requesting your approval of an administrative adjustment to the CUP in connection with Seneca Square Center to provide for construction of a temporary building, size 5 x 7, to be used as a drive-in photo service facility.

Attached is a copy of the plat of the shopping center showing the location of the temporary facility. To facilitate traffic control and the safety, eleven of the existing parking spaces will be used. We respectfully request your approval of this adjustment.

Yours very truly,

SENECA SQUARE, INC.


Frank Malone
President

Enc.

xc: Robert B. Feldner

FRANK MALONE, JR.
President

M. K. GENTRY
Vice-President

WM. O. "BILL" MALONE
Vice-President
and Asst. Secretary

RICHARD F. MULLINS
Vice-President
and Secretary

Management Office: 221 NORTH MARKET • AMherst 2-8261

Seneca Square Merchants Association: c/o SENECA NATIONAL BANK

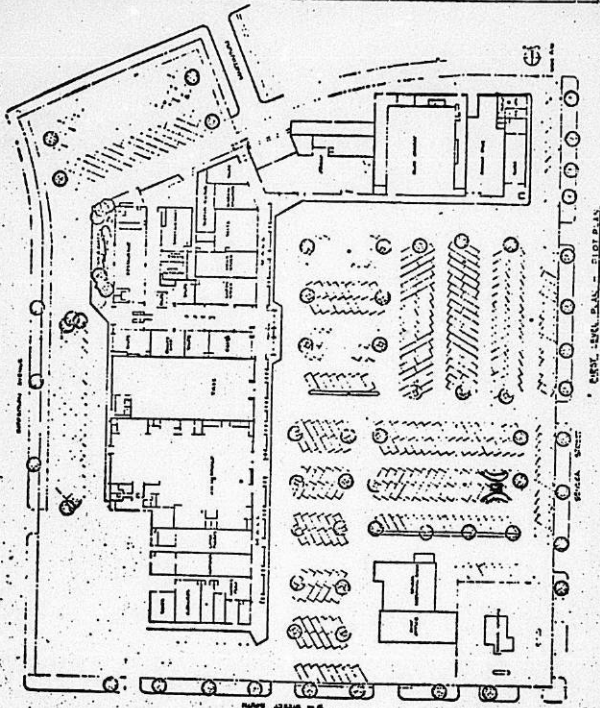


Exhibit "A"

AT 31ST STREET SOUTH AND SENECA— WICHITA'S MOST MODERN ONE-STOP SHOPPING CENTER



Seneca Square Inc.

WICHITA, KANSAS

March 12, 1974

Mr. Robert A. Lakin, Director of Planning
Metropolitan Area Planning Department
City Building Annex
104 S. Main Street
Wichita, KS 67202

RE: Administrative Adjustment #2 - Seneca Square Community
Unit Plan DP-16

Dear Bob:

Reference is made to your letter dated April 10, 1974 subject as above approving the administration adjustment requested in our letter of April 5, 1974. I wanted you to know that we appreciate your cooperation and expeditious handling of this matter. Please also pass my thanks to Jack Galbraith.

Sincerely,

SENECA SQUARE INC.


Frank Malone, President

FM/dbm

cc: Robert Feldner, Superintendent of Inspection

FRANK MALONE, JR. President

M. K. GENTRY Vice-President

W. G. "BILL" MALONE Vice-President and Asst. Secretary

RICHARD F. MUIR, JR. Vice-President and Secretary

Management Office: 221 NORTH MARKET • AMherst 2-8261

Seneca Square Merchants Association: c/o SENECA NATIONAL BANK



April 10, 1974

Mr. Frank Malone, President
Seneca Square, Inc.
221 North Market Street
Wichita, Kansas 67202

Subject: Administrative Ad-
justment #2 -
Seneca Square Community
Unit Plan DP-16

Dear Mr. Malone:

In response to your letter of April 5, 1974, I have reviewed your request for an administrative adjustment to the approved setbacks for the former service station with Robert Feldner, Superintendent of Central Inspection. Based on the submitted plans, we understand that it is intended to renovate the structure into an office building and that pump islands will be removed and that the curbs will be returned and the approaches closed for the curb.

This is to advise you that our signatures below reflect our approval that the request for the adjustment in building setbacks east of the former service station for a dimension of approximately 12.6 feet and to the south a distance of 12 feet as indicated by your attached drawing is not a substantial deviation of the plan and is therefore permissible. This adjustment, however, is subject to the pump islands being removed and the two curb approaches closed as shown on the submitted plan.

Mr. Frank Malone
April 10, 1974
Page Two

We have, therefore, marked the official copies of the plan with this adjustment and this date of approval. If you have any questions concerning this matter, please contact our office.

Approved by: *Robert A. Lakin*
Robert A. Lakin, Director of Planning

Approved by: *Robert Feldner*
Robert Feldner, Superintendent of Central Inspection

RAL:JHG:js

cc: Robert Feldner,
Superintendent of Central Inspection

Seneca Square Inc., Wichita

April 5, 1974

Mr. Robert Lakin
METROPOLITAN AREA PLANNING COMMISSION
104 South Main
Wichita, Kansas 67202

Subject: Seneca Square (Seneca State Bank)
31st Street and South Seneca

Mr. Don Richardson of Commercial Builders of Kansas, Inc. has discussed the renovation of the former service station at the above corner. In order to obtain a building permit it is our understanding that an administrative adjustment is required.

We are therefore requesting the desired administrative adjustment under community unit plan #16. We are attaching a copy of the legal description.

It is our understanding that the building setback line will be out of adjustment. We therefore respectfully request an administrative adjustment and approval of the building setback lines per the attached plat plan.

We appreciate your cooperation.

Very truly,


FRANK MALONE

FM:jb
Attachments

(Service Station property)

A parcel located in the Southeast corner of Seneca Square Shopping Center, running 205 Feet North and South from the south property line and running 249 Feet East and West from the east property line, totaling approximately 51,000 square feet;

That certain building 60' x 66'8", entrance way 18' x 12', and drive in facilities 13' x 28', located at a point beginning in Block 13, Replat of Iva Fultz Gardens Addition to Wichita, Sedgwick County, Kansas, said point being 222'8" West and 95' North of the Southeast Corner of said Block 13, thence North 36 Feet; thence West 12 Feet; thence North 24 Feet; thence East 50'8"; thence North 15 Feet; thence East 28 Feet; thence South 73 Feet; thence West 66'8" to point of beginning, Wichita, Sedgwick County, Kansas, and any other areas covered by Addendum and Amendment to the original Lease made August 1, 1961.

April 28, 1972

Mr. Frank Malone, President
Seneca Square, Inc.
221 North Market Street
Wichita, Kansas 67202

Subject: Administrative adjust-
ment to the Seneca Square Community
Unit Plan

Dear Mr. Malone:

In reply to your letter of April 26, 1972, I have reviewed your request for an administrative interpretation that an addition of 30 feet by 60 feet onto the Seneca National Bank is not a substantial deviation of the setbacks as approved on the Seneca Square Community Unit Plan in 1966. Jack Galbraith of our staff has advised that he was contacted several months ago concerning this possible extension and at that time, he pointed out several deficiencies of the plan, where required plantings adjacent to Exposition had not been planted, a sign existed in violation adjacent to Exposition and an exception had not been requested for parking through the Board of Zoning Appeals. Galbraith advises that Luther Miller was most cooperative in achieving compliance with the plan, and that all conditions of the CUP have now been complied with. We certainly appreciate the cooperation received in solving these problems.

In regard to the building setback adjustment for the bank, I have reviewed your request with Bob Feldner and our signatures below reflect our approval that the request for the adjustment in building setbacks east of the bank for a dimension of 30 feet by 60 feet as indicated by your attached drawing is not a substantial deviation of the plan and is therefore permissible.

Page 2 - Frank Malone
April 28, 1972

We have, therefore, marked the official copies of the plan with this adjustment and this date of approval. If you have any questions concerning this matter, please contact our office.

Approved by: 
Robert A. Lakin, Director of Planning

Approved by: 
Robert Feldner, Superintendent of Central Inspection

RAL:JHG:ls
cc Robert Feldner, Superintendent of Central Inspection

AT 31ST STREET SOUTH AND SENECA—WICHITA'S MOST MODERN ONE-STOP SHOPPING CENTER



Seneca Square Inc.

April 26, 1972

WICHITA, KANSAS

Mr. Robert A. Lakin, Director of Planning
City of Wichita
City Annex Building
104 South Main
Wichita, Kansas 67202

Dear Mr. Lakin:

The Seneca National Bank now occupies space in the Seneca Square Shopping Center at 31st and South Seneca. The Square is under a Community Unit Plan.

The bank has made plans to expand the building they now occupy by a 30' x 60' addition to the east. This would mean that the eastern line of the bank building would correspond with the east line of the existing building occupied by the Post Office, which post office building lies on the south side of the bank. A plot plan of the area is enclosed showing the proposed new addition.

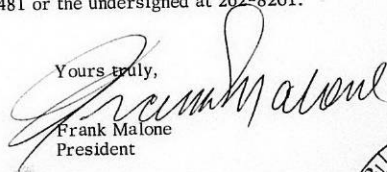
We hereby ask that you make an administrative review and request that permission be granted to allow this construction which is a minor deviation from the original set back line as established by the Community Unit Plan.

The bank would like to proceed with construction as soon as possible and as time is of the essence, would you please give this request your urgent attention.

If you should need additional information, please contact Luther Miller (Leasing Agent for Seneca Square) at 522-3301, P. R. (Bob) Mullen (President of Seneca National Bank) at 522-3481 or the undersigned at 262-8261.

Thank you very much.

Yours truly,


Frank Malone
President

FRANK MALONE, JR.
President

M. K. GENTRY
Vice-President

WM. G. "BILL" MALONE
Vice-President and Asst. Secretary

RICHARD F. MULLINS
Vice-President and Secretary

FM:bd

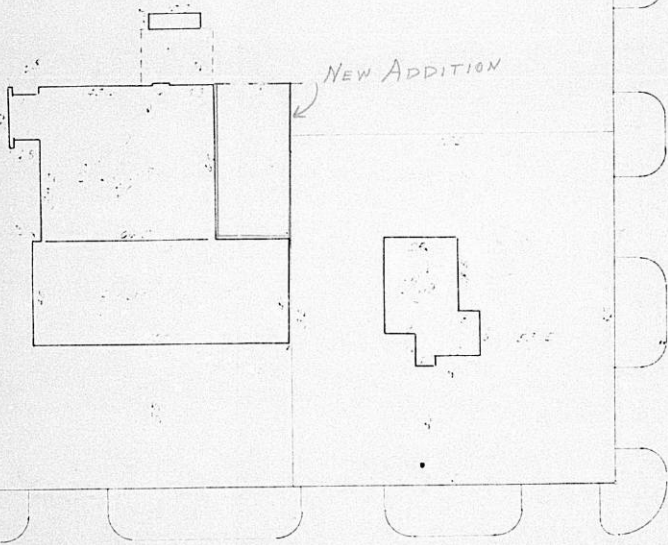
Enclosure

cc: Mr. Robert Feldner, Supervisor of Central Inspection
City of Wichita

Management Office: 221 NORTH MARKET • AMherst 2-8261

Seneca Square Merchants Association: c/o SENECA NATIONAL BANK





NEW ADDITION

SENECA

31ST ST.

BAUGHMAN CO. 5-27-70

December 9, 1971

Mr. Luther E. Miller, Asst. Vice-Pres.
Seneca Square, Inc.
3137 South Seneca
Wichita, Kansas 67217

Subject: 10 foot planting area
Seneca Square Shopping Center

Dear Mr. Miller:

Upon receipt of the suggested landscape planting plan for the area west of Seneca Square Shopping Center, I forwarded the copy to John Firsching, the City Forester. He also discussed the required sight clearance triangles at the street and alley intersections and has labeled these areas on the plan where plantings should not exceed 18 - 24 inches in height.

We both reviewed the suggested planting and proposed spacing and recommend the reconsideration of plant materials. Mr. Firsching suggested that rather than the use of arborvitae, pfitzer and green ash, that your nurseryman consider the use of the following materials and spacing:

Acer ginnala - Amur Maple - 30 feet apart
Morus Alba "Kingman" - fruitless mulberry - 40-50 feet apart
Juniperus virginiana "Canaert" - 8-10 feet apart

In the sight triangle he also suggested the use of a low ground cover such as purple leaf honeysuckle. Grass should be planted around all the trees.

Revised Landscape Plan
Submitted on 12/13/71
Approved JLS

Reviewed in field on
11/11/72. Planting
in satisfaction JLS.

Page 2 - Luther L. Miller
December 9, 1971

Inasmuch as the Board of Zoning Appeals will consider the variance request next Tuesday, I suggest that you contact your nurseryman and have him redesign the planting area as soon as possible. Mr. Firsching offered his services and if you or your nurseryman have any specific questions on the use of the suggested materials or have other materials to suggest, please call him at 262-0611, extension 366. Upon the concurrence of the use of plant materials, please resubmit two revised plans to me.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ls
cc John Firsching, City Forester

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS
CENTRAL INSPECTION DIVISION
282-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN — WICHITA, KAN. 67202

May 14, 1971



Frank Malone, President
Seneca Square, Inc.
221 North Market
Wichita, Kansas 67202

Dear Mr. Malone:

Our attention has been called to the Seneca Square Community Unit Plan DP-16 which was approved by the Metropolitan Area Planning Department and the Board of City Commissioners in May, 1966. We would like to call your attention to three violations of the general provisions:

1. **Sign Control:** Signs will not be erected on 30th Street and Exposition Avenue. A large restaurant sign has been erected at the corner of 30th and Exposition. This sign must be removed.
2. **Screening:** A planting strip no less than 10 foot in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" district and is separated by an alley, public way or street. The above provisions shall be complied with upon the issuance of any new building permit. The second planting season since the permits were issued for the expansion of the center has passed and the shrubbery has not been planted. This landscaping must be completed without delay.
3. **Off Street Parking:** The last sentence under screening states "the 10 foot adjacent to the east and southeast of the 10 foot planting area is not to be paved and utilized for off street parking unless approved as an exception by the Board of Zoning Appeals or unless rezoned to a classification permitting off street parking."

May 14, 1971
Frank Malone
Re: Seneca Square CUP DP-16
Page 2

The inspector in that area informed me that this area has been encroached upon with black top and is being used for parking. The use of this area for off street parking must be discontinued until an exception has been granted by the Board of Zoning Appeals or until the zoning has been changed. If approval is not granted, the paving must be removed. If you wish to file for a EZA, please contact Jack Galbraith, Chief Planner of the Metropolitan Area Planning Department.

Please give this matter your immediate attention and let us know of your plans to bring these violations into compliance.

If we can be of any assistance, feel free to call us.

Sincerely,

Don E. Livingston

Don E. Livingston
Construction Inspection Supervisor

DEL:mml

cc: R. W. Bruggeman
Director of Public Works

✓ Jack H. Galbraith
Chief Planner

May 6, 1971

Robert Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

DP-16 - Seneca Square CUP

Last week I drove by the west side of Seneca Square Shopping Center on Exposition Avenue, and noticed what I believed to be 3 violations of the CUP, which was approved by the Planning Commission and City Commission in June of 1966. First, there was a large restaurant sign at the corner of 30th and Exposition; second, the required planting area had not been planted; and third, I thought the front setback area had been asphalted and is being utilized without a Board of Zoning Appeals approval of a variance.

After viewing the approved plan, under "General Provisions", it appears quite specific that "signs will not be erected adjacent to 30th Street South and Exposition Avenue". Also under "General Provisions - Screening" - the plan provides that a 10 foot planting strip is to be provided next to Exposition, 30th Street South and Martinson of low shrubbery and that such planting "shall be complied with upon the issuance of any new building permit". This was to occur during the recent expansion of the center. It would seem that since last fall's planting season was missed and this spring's is about to pass, that every effort should be made by the developer to landscape the 10 foot planting area. The last sentence under screening also provides that "the 10 foot adjacent to the east and southeast of the 10 foot planting area is not to be paved and utilized for off-street parking unless approved as an exception by the Board of Zoning Appeals or unless rezoned to a classification permitting off-street parking". Our records do not indicate either a variance or zoning application being filed, and since the area is zoned "B" Multiple Family, parking or paving is not permitted in the 20 feet adjacent to the street right-of-way.

Since every assurance was given to the opposition that the conditions on the plan would be complied with, I feel that every effort should be made to have the violations corrected as quickly as possible. I would appreciate your reviewing the plan to see if my interpretation is correct and if it is,

Page 2 - Robert Feldner
May 6, 1971

contact the developer so that compliance can be obtained immediately. If I can be of any assistance in the filing of the necessary BZA case, advise the developer to contact me. Our correspondence on this case has gone to :

Frank Malone, President
Seneca Square, Inc.
221 North Market Street
Wichita, Kansas 67202

and

Claude Van Doren
Woodman and Van Doren
Central Building (Century Plaza Building)
Wichita, Kansas 67202

JEG:ls

cc R. W. Bruggeman, Director of Public Works

THE CITY OF WICHITA

OFFICE OF CENTRAL INSPECTION DIVISION

DATE February 4, 1969



TO C. Bickley Foster, Director of Planning

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT DP 16 - Seneca Square CUP

Attached is a plot plan from Woodman & Van Doren, Architects, requesting that a variance of 10 feet in the building set back line be permitted for a portion of the Seneca Square structure.

In reviewing this request, it is noted that this portion of the building would be 362 feet from the property line; this would still allow ample circulation in parking area. This division is of the opinion that this does not violate the purpose and intent of the CUP provisions nor is it a substantial deviation of the plan which would require an amendment.

Upon your review of this letter and the attached letter of request accompanying the drawing, your signature of approval will indicate that you concur that this proposal is not in contravention with the purpose or intent of the CUP provisions and is not a substantial deviation of the plan.

RRF:ml

APPROVED:

C. Bickley Foster

C. Bickley Foster
Director of Planning

cc: Frank Malone, President
Seneca Square, Inc.
221 North Market





WOODMAN • VAN DOREN

A R C H I T E C T S

P L A N N I N G C O N S U L T A N T S

30 January 1969

Mr. Robert Feldner, Superintendent of Building Inspection
City of Wichita
104 S. Main
Wichita, Kansas

Re: C.U.P., Seneca Square Shopping Center

Dear Bob:

As discussed with you on Tuesday, 28 January 1969, we are requesting a deviation in the Building Setback Line as now set by the Community Unit Plan for the above referenced project. We feel that we must free up what we consider to be a congested pedestrian area at the main entrance into the shopping center. This area also serves as the intersection of the two major pedestrian malls. Enclosed are three prints indicating in red the requested deviation.

We trust that our request is minor in deviation and should not require an amendment to the present Community Unit Plan for Seneca Square.

Sincerely yours,

Claude Van Doren, AIA

CVD:ab

cc: Frank Malone Jr.

CENTRAL BUILDING
WICHITA, KANSAS 67202
PHONE 316-262-1481

February 7, 1968

Glen Lytle, Superintendent of Central Inspection

Jack H. Galbraith, Senior Planner

DP-16, Seneca Square CUP

On this date I discussed with Frank Malone and Tom Burns the status of the above-captioned CUP and its relation with Vacation Case V-0377, which is a request for the vacation of a portion of the North-South alley and East-West utility easements adjacent to Exposition Avenue. The status of the vacation case has not changed since approval by the MAPC on April 7, 1966. Frank Malone advises in the attached letter that they are committed and have every intention of continuing this vacation case.

Regarding their request for a building permit extending their present development in the northeast corner of the approved CUP, I see no reason why the permit cannot be issued as long as they meet the conditions of the CUP. I am of the opinion, however, that prior to issuance of a permit for any development on the shopping center immediately adjacent on the east side of the North-South alley, that the applicant must fulfill the requirements and complete the vacation case.

Attached for your file is a copy of the approved CUP. If you have any questions concerning this matter, please contact our office.

JHG:js
Attachment

cc: Frank Malone, President
Seneca Square, Inc.
221 North Market
Wichita, Kansas 67202

Seneca Square Inc., Wichita

February 6, 1968

Metropolitan Planning Commission,
City of Wichita,
104 S. Main,
Wichita, Kansas

Attention: Mr. Jack Galbraith

Re: Seneca Square Shopping Center
of the C.U.P.

Gentlemen:

Reference is made to two certain letters in connection with the approval of the C.U.P. for Seneca Square, and dated April 7, 1966 and May 18, 1967, concerning the vacation V-0377, and DP-16. The first cited letter was addressed to Don Bottenberg concerning certain of his lots which thereafter and continuously have and are owned by Seneca Square, Inc. and the last letter addressed to Seneca Square, Inc.

We full well recognize that the required vacation has not been formally been achieved by our Vice-President and Counsel, Richard F. Mullins; however, we did file with your Commission the "grant" of the required land for the new alley.

We have every intention and stand committed by this letter of fully complying with all the requirements contained in the two cited letters, largely having to do with matters affecting the west alley, (west of lot 13, re-plat of Iva Fultz Gardens), and certain other matters of utility grants and removals from lot 13 thereon or in other lots owned by Seneca Square, Inc. and involved in the C.U.P. We have also committed to the utility companies in writing and have their very fine approval as to the arrangements in connection with granting of easements by Seneca Square and the cost payments in connection with re-locations. However, the utility companies and our

Seneca Square Inc., Wichita

Metropolitan Planning Commission - 2 -

Feb. 6, 1968

Architect have not yet quite finalized the precise easements to be granted and our General Counsel (wholly with the approval of the Utility Companies) had preferred to handle the vacation and all easement grants at one time.

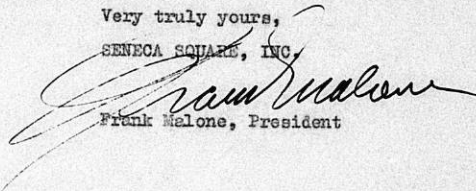
We stand committed, of course, to fully comply with the proper vacation requirement of the various requirements of the C.U.P.

At this time we are desirous of immediately starting construction on a small building lying east of the present Dockum Drug Co.; no requirements in connection with the C.U.P. or the alley vacation are really concerned with this building construction, as it lies at the extreme northeasterly portion of Lot 15. We have to construct this building to remove other existing tenants to it so that the total construction can go on in its various phases. It is clearly understood and recognized that the alley vacation and other easements will be finalized and will be completed prior to the construction at the westerly borders of Lot 15 and the lots owned by Seneca Square, Inc., lying adjacent to such westerly portion of cited lot.

With the above explanation and commitment we would sincerely trust that the C.U.P. can be approved enough to permit the construction of the building east of Dockum Drug.

Very truly yours,

SENECA SQUARE, INC.


Frank Malone, President

FAH/gl

May 18, 1966

Mr. Frank Malone
Seneca Square, Inc.
221 North Market
Wichita, Kansas

Subject: DP-16 - Commercial Community Unit Plan
for Seneca Square Shopping Center on the north
side of 31st St. South between Exposition and
Seneca

Dear Mr. Malone:

On May 17, 1966, the Board of City Commissioners considered the Commercial Community Unit Plan on the north side of 31st St. South between Exposition and Seneca. The action of the City Commission was to approve the development plan as recommended by the Planning Commission subject to the following conditions:

1. Indicating the setback from Seneca to the major structure of the shopping center as 45 feet and from 31st Street South to the major structure as 45 feet.
2. Amending the curb cut provisions under General Provisions to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
3. Wording the screening provision as follows: "A 5'-8' solid or semi-solid wall of brick, stone,

May 18, 1966

masonry, architectural tile or similar material shall be constructed within 1 foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property lines when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with upon the issuance of any new building permit."

5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their reconsideration.

In addition, the Board of City Commissioners approved the development plan subject to the completion of the associated vacation case (V-0377).

The City Commission also questioned the advisability of requiring a north-south fire lane easement to the west of the proposed addition to the shopping center. Prior to forwarding this vacation case to the Board of City Commissioners for their consideration, the applicant must meet the conditions of approval as recommended by the Planning Commission, and in addition, submit a letter from Chief Simpson of the Fire Department stating that satisfactory arrangements have been made for a fire lane easement. I would suggest that you contact Chief Simpson and discuss your proposed plans to determine if such fire lane easement is necessary.

May 18, 1966

A copy of the development plan as approved by the City Commission will be forwarded to the Superintendent of Central Inspection at such time as the vacation case is completed.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bps

cc: Glen Lytle, Superintendent
Central Inspection Division
Department of Public Works

Mr. Don Bottenberg
Beacon Building

Mr. Richard F. Mallins
Beacon Building

Woodman and Vandoren
Central Building

Mr. W. G. Malone
Seneca Square, Inc.
221 North Market

Report from the MAPC to the Board of City Commissioners

Case No. DP-16

Considered by MAPC: 4-21-66

Re Considered by M.A.P.C. 5-5-66

Request for: **Approval of Commercial Community Unit Plan**

Reason for request (as provided by petitioner):

Not Applicable

Location of property: **North side of 31st Street South between Exposition and Seneca**

Legal description of property:

Lots 1 through 11, odd and even inclusive, Block 11, and all of Block 13, Replat of Iva Fultz Gardens Addition.

Petitioner: **Seneca Square, Inc. and Don Bottenberg Co., Inc.**
Address: **221 North Market Beacon Building**

Counsel for petitioner: **Richard Mullins, Attorney**

Protesters (list counsel, if any): **Erwin R. Ray, 3133 South Exposition**

Surrounding zoning: **to the north and west is "AA", "B" and "IC"; to the east and south is "IC"**

Land use: **Subject property is the Seneca Square Shopping Center; north is single family and triplexes; east is office, service station and hardware; south is service station and shopping center; west is triplexes and single family.**

Planning Commission recommendation:

TROUT moved and GOEBEL seconded that the Planning Commission recommend to the City Commission that this application be approved, subject to the following: (See attached sheet for Conditions of approval.)

Respectfully submitted,

Vote of Planning Commission Unanimous

Secretary

- ACTION:**
1. Approve the recommendation of the Metropolitan Area Planning Commission; or
 2. Return the application to the Metropolitan Area Planning Commission for its reconsideration. The City Commission states the following reasons for its action:

Conditions of Approval:

1. Labeling the dashed lines as setback lines so that there is no misunderstanding as to where new construction will be permitted.
2. Indicating the setback from Seneca to the major structure of the shopping center as 45 feet and from 31st Street South to the major structure as 45 feet.
3. Amending the curb cut provisions under "General Provisions" to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
4. Wording the screening provision as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South, and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with upon the issuance of any new building permit."
5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
7. The existing buildings appearing on the development plan.
8. The dedication of the east-west alley as required in vacation Case No. V-0377 appearing on the development plan from Exposition.

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 21, 1966:

- "24. Case No. DP-16 - Seneca Square, Inc. requests approval of a Commercial Community Unit Plan for property described as Lots 1 through 11, odd and even inclusive, Block 11, and all of Block 13, Replat of Iva Fultz Gardens Addition. Generally located on the north side of 31st Street South between Exposition and Seneca.

The Chairman pro tem announced that two of the members of the Commission had to leave the meeting at this time (5:00 p.m.) and that this case would have to be deferred until the meeting of May 5, 1966, inasmuch as there would not be a quorum of the Commission present at this time to hear and act on the case.

He said that this application will be the first of the zoning matters to be considered on May 5, 1966."

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 5, 1966:

- "15. DP-16 - Seneca Square, Inc., requests approval of a Commercial Community Unit Plan for property described as Lots 1 through 11, odd and even inclusive, Block 11, and all of Block 13, Replat of Iva Fultz Gardens Addition. Generally located on the north side of 31st Street South between Exposition and Seneca.

GALBRAITH pointed out the area on the map and reviewed the following staff report.

Comments

1. Subject property has over six acres of "LC" zoning under one ownership or control and, therefore, as required by ordinance, a development plan has been submitted for approval under the CUP provisions of the zoning ordinance. Seneca Square Shopping Center is almost completely developed, however, the owners desire to expand and must have approval of their development plan prior to the issuance of any building permit.

The development plan, as submitted, indicates the required information pertaining to the gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.

2. Existing structures do not appear as required by ordinance and, therefore, it is difficult to determine where expansion is taking place and where minimum setbacks can be required adjacent to 31st Street and Seneca. The development plan indicates a 42-foot setback from Seneca to the major structure in the northeast corner of the tract. The existing structure presently maintains a setback of approximately 70 feet, which is still below the setbacks generally required for major structures on development plans. The Planning Commission, on other approved development plans, has required that major structures set back at least 100 feet from street rights of way. On smaller parcels with associated commercial uses, the 35-foot minimum setback has been accepted. It is the opinion of the staff that in keeping with the Planning Commission recommendations of requiring greater setbacks for major structures, that the setback from Seneca and 31st Street South to the major structure should be a minimum of 70 feet on this plan, which is in line with the existing structures.
3. The plan indicates 6 curb cuts for Seneca, plus one for the alley, four curb cuts for 31st Street South, plus one for the alley and none from 30th Street South, except for the existing Martinson Street entrance.

These curb cuts, although considerably more than normally permitted on undeveloped community unit plans, are acceptable to the staff. The plan further indicates two curb cuts from Exposition, however, the curb cut at the south of Exposition will be for an alley which is to be dedicated as a condition of approval for vacation Case V-0377, which was approved by the Planning Commission on April 7, 1966. It is the opinion of the staff that adequate circulation can be achieved on the site by permitting access from Martinson and from the alley off Exposition and that no other curb cut should be permitted from this residential street.

4. The applicants have indicated a 10-foot planting strip adjacent to Martinson, 30th Street and Exposition. According to Section 8.a.2., a 5' - 8' solid or semi-solid wall constructed of brick, stone, masonry, architectural tile or other similar material must be installed along the property line when adjacent to residential districts and separated by a street if the storage area, service area or rear of the buildings face directly such "AA", "A", "RB" or "B" district. A planting strip of low shrubbery not less than 10 feet in width is required along the perimeter of the development in accordance with Section 8.b. when the development is separated from an "AA", "A", "RB" or "B" district by a street and fronts the residential areas.

Recommendation

The Planning Department recommends that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190, of the Ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. Labeling the dashed lines as setback lines so that there is no misunderstanding as to where new construction will be permitted.
2. Indicating the setback from Seneca to the major structure as 70 feet and from 31st Street South to the major structure as 70 feet.
3. Amending the curb cut provisions under the general provisions to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
4. Wording the screening provision as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South, and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB", or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with upon the issuance of any new building permit.
5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

GALBRAITH pointed out that this matter was deferred at the last meeting because of a lack of a quorum.

RICHARD MULLINS, attorney representing the applicant, said they took exception to the second condition suggested by the staff with respect to a setback of 70 feet from Seneca and 31st Street South. He pointed out that setback lines vary on existing structures; for example, the service station is 50 feet from Seneca and 42 feet from 31st Street; the post office is 45 feet from 31st Street. The main building, however, on both Seneca and 31st Street is about 70 feet back from the streets. He pointed out that the CUP provisions designate a minimum setback of 35 feet. He requested that along Seneca Street a 42-foot setback be approved and that 45 feet of setback be approved along 31st Street South. He pointed out also that the triplexes to the west of Exposition on the north side of 31st Street, are only 25 feet from 31st Street South. He did not think it was logical to require a setback which would result in any more irregular line than presently exists along 31st Street South.

MR. MULLINS referred to condition #3 as suggested by the staff and said that in order to provide an orderly flow of traffic the curb cut at the north end from Exposition to the parking area should be allowed. He pointed out that there will be frontage on Exposition; that it will not be the rear of buildings; and the parking east of Exposition will be a part of the attractive frontal area which will not detract from the residential quality of homes on the west side of Exposition.

MR. MULLINS said that it is proposed to spend approximately a million dollars in the expansion and improvement of the Seneca Square Shopping Center, and that an enclosed airconditioned mall 15 feet in width will be provided adjacent to the present stores fronting on Seneca. The Attorney inquired whether or not the enclosed mall would be considered a part of the 30% coverage, and if it is it is possible that the plan will have to be reduced in some other area.

GALBRAITH said that in his opinion a covered mall would be included in the 30% coverage, however, he pointed out that the Superintendent of Central Inspection would actually make that determination.

MR. MULLINS said they would prefer that the requirement for a solid or semi-solid wall not be required and in lieu thereof they would provide adequate screening. He considered the masonry wall unnecessary inasmuch as the expansion proposed will not be the rear of stores, but rather a second front.

ERWIN RAY, 3133 South Exposition, representing himself and others living on Exposition, said that basically they were not opposed and felt that the expansion and improvements proposed would enhance the area, but that they are opposed to the curb cut which the applicant desires at the north end on Exposition and which the Planning Department has recommended be deleted. He submitted petitions signed by 79 property owners in the area. He pointed out that Exposition is a block long and a residential street which could never be considered a thoroughfare, and that many small children live in this area. He expressed concern for the increased traffic which would endanger the lives of the children, and also expressed dissatisfaction with the increased noise which is certain to occur. MR. RAY also inquired about location of utility lines since the alley is being vacated, and location of unloading facilities. He continued that they were not aware until this meeting that it is proposed to develop a second front to the shops from Exposition, and that they had suggested the desir-

ability of a 6 to 8 foot fence primarily to retain papers and refuse from blowing over the neighborhood. He said he had observed debris in the planting strip along Seneca Street.

MR. MULLINS said that they are attempting to locate the utilities underground in the utility easement granted in lieu of the alley being vacated. He pointed out that if the utilities had to be above ground, they would be on Seneca Square property on the east side of Exposition. He said that trash containers will be provided in each of the stores (no outside storage of trash or debris) and that deliveries will be made to the front of the stores (either on the Seneca or Exposition side). He pointed out that small shops are proposed facing an east-west mall.

The architect was questioned concerning the plan, and MR. VAN DOREN (architect) said that there will be no central unloading dock; that it will be done in what actually amounts to a private street completely around the center. He displayed an architect's rendering of the Exposition front and said that while show windows are not anticipated, it will be a second front and with no trash receptacles visible.

HILL felt that the recommendations of the Planning Department are to the benefit of the applicant and people that live in the neighborhood on the long range basis, and suggested that the residents are entitled to protection which he did not think they would receive if the curb cut is allowed at the north end on Exposition, and if a masonry wall is not required to retain the trash and debris associated with the shopping area.

MOTION: HILL moved that the Planning Commission recommend to the City Commission that this application be approved, subject to all the conditions as suggested by the staff.

GALBRAITH pointed out that the staff had not recommended a wall, but that it is a requirement by ordinance if it is determined that the rear of buildings face Exposition; this interpretation being the responsibility of the Central Inspection Division.

HILL observed that in large shopping centers under the CUP provisions, at least a 70-foot setback has always been required for the major buildings, and the only exceptions have been with respect to drive-in type services (banks, restaurants, liquor stores, etc.)

MULLINS pointed out that in view of the various setback lines already existing along 31st Street South, it is impossible to obtain an appealing line of sight and to require a 70-foot setback now would only add to the already irregular setback line.

FRANK MALONE, on behalf of Seneca Square, pointed out that this Center was built 12 years ago and that they desire to expand and improve the Center. He pointed out that at the Twin Lakes CUP at 21st and Amidon, it appears that there is no planting or wall along Porter Street, which is a residential street on the east side with the same zoning as on the west side of Exposition Street in subject case. He pointed out that the plan is to beautify and make the Center more pleasing as a place to shop and also more pleasing to nearby residential areas. MR. MALONE referred to several other centers which have not been developed under the CUP, and pointed out that there are free-standing buildings much closer to the street or property line than 70 feet. He referred to the setback observed presently along Seneca with respect to the drug store and said that this setback is seldom used for parking and they propose to put a small restaurant or ice cream

store in this area, which would still leave plenty of space for traffic circulation. It was his opinion they were not asking for anything unusual or that had not been granted to other developers on other shopping centers.

THE ABOVE MOTION FOR APPROVAL, SUBJECT TO THE STAFF CONDITIONS, WAS NOT SECONDED.

TROUT pointed out that it should be recognized that this is an existing shopping center and that there is a demand for more space and from an economic standpoint, they no doubt will have to meet some provisions they do not agree with. He suggested that the Planning Commission should try to cooperate in giving them the maximum use of their land, at the same time considering the surrounding area. With respect to setback requirements, TROUT was agreeable to a 45-foot setback on both Seneca and 31st Street South, pointing out that the triplexes on the west side of Exposition are far beyond the 45-foot setback and that residences along Seneca Street have observed less setback than suggested in this case.

With respect to the screening, whether a masonry wall or planting, the Central Inspection Division determines whether the development proposed facing Exposition is a front or rear of the shopping center. TROUT considered it would be detrimental to the area if the curb cut to the north on Exposition is allowed, and it was his opinion the staff recommendation in this respect should be followed.

GALBRAITH stated that to clarify the 20-foot setback of the "B" zoned area, which does not permit off-street parking, a notation should be made under "General Provisions" that the 10 feet adjacent to the east and southeast of the 10-foot planting area is not to be paved and utilized for off-street parking unless approved as a variance by the Board of Zoning Appeals or unless rezoned to a classification permitting off-street parking.

MR. VAN DOREN discussed further the fact that only two stores will actually have entrances from the Exposition parking lot, and that the east-west mall will provide an entrance from this parking lot to other stores facing on Seneca. He said that it is anticipated that deliveries will be made either in the morning or late at night and that it is not expected to block any parking facilities or make it more difficult for customers to patronize the shops.

HILL said he was in favor of the applicant being allowed to make the maximum use of their property, but also in favor of protecting the residents across the street. He thought that the applicants are going beyond the maximum use of the area.

MR. MALONE pointed out that they are complying with the CUP ordinance; that a survey of the amount of land, parking and buildings have been in compliance with the ordinance, and they are providing more parking than any other shopping center in Wichita. He pointed out that they desire to improve the Center for the benefit of the customers, citizens and everyone concerned.

HILL observed that Seneca Square was represented before the City Commission and objected to what the Traffic Commission and Traffic Engineer and the Planning Commission thought should be done with South Seneca to alleviate some of the traffic problems.

MR. MALONE said that Seneca Square was not represented but that 30 merchants of Seneca Square Shopping Center were present at that meeting, and that the City Commission had apparently decided that medians were not the best for the merchants concerned.

HILL pointed out that in past cases where screening or planting has been required, it has not been cared for nor does it confine the debris to the shopping center area; he felt that the requirement of a masonry wall should be considered.

TROUT said that his comments were not meant to pass up the possibility of a wall, but Central Inspection Division determines what is the front and what is the rear of a development and will require whatever the ordinance calls for.

GOEBEL pointed out that the stores at Park Lane have two fronts and trash containers are not visible from either side.

BRANSON thought there should be a low wall to prevent car lights from being a nuisance to the residents on the west side of Exposition. He did not favor a 70-foot setback since it apparently is not being observed by other structures on the site.

HILL felt that merely because all structures do not presently observe a 70-foot setback is no reason for permitting new structures to set closer to the street.

TROUT said that what has been done in the past does not concern him in this case; that he is considering it in the light of the present circumstances, and it was his feeling that requiring a 70-foot setback would serve no purpose.

HILL pointed out that the housing development on the northwest corner of 31st Street South and Exposition may some day be made light commercial and the developer would want to build right up to the corner if setback lines are not definitely established at this time.

MOTION: TROUT moved, GOEBEL seconded that the Planning Commission recommend to the City Commission that this application be approved, subject to the following:

1. Labeling the dashed lines as setback lines so that there is no misunderstanding as to where new construction will be permitted.
2. Indicating the setback from Seneca to the major structure of the shopping center as 45 feet and from 31st Street South to the major structure as 45 feet.
3. Amending the curb cut provisions under "General Provisions" to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
4. Wordng the screening provision as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South, and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, publicway or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent

to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, publicway or street. The above provisions shall be complied with upon the issuance of any new building permit."

5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be re-submitted to the Planning Commission and to the City Commission for their consideration.
7. The existing buildings appearing on the development plan.
8. The dedication of the east-west alley as required in vacation Case No. V-0377 appearing on the development plan from Exposition.

There was further discussion of a wall to protect residents on the west side of Exposition and it was pointed out that a masonry wall is quite expensive and that perhaps a redwood fence to catch debris and shield the car lights would be reasonable. MR. MALONE said they are attempting to provide something more attractive than present conditions and it was his feeling that the wall would be waived inasmuch as the expansion proposed will be a second front for the stores.

HILL pointed out that the Planning Commission cannot require the maintenance of any planting screen.

ERWIN RAY commented that their concern is with the possibility of trash and debris and if a low wall or fencing could be installed behind the planting strip that might be all that would be necessary. He indicated that they do not intend to be unreasonable and that they are flexible in their thoughts concerning the development proposed.

MR. MALONE reviewed their efforts with respect to maintaining their plantings along Seneca and 31st Street, noting their difficulty in negotiating with the Water Department, Park Board, etc. He said that a new ordinance passed allowed them to install water lines which was done about 15 months ago at a cost of \$3,000 and that they now have a contract with the Park Department to maintain their plantings.

THE ABOVE MOTION CARRIED UNANIMOUSLY."

May 6, 1966

Mr. Richard F. Mullins
Beacon Building
Wichita, Kansas

Subject: DP-16 - Seneca Square Shopping
Center Community Unit Plan on the north
side of 31st St. South between Exposition
and Seneca

Dear Mr. Mullins:

At its regular meeting on May 5, 1966, the Metropolitan Area Planning Commission considered the above-captioned community unit plan. The action of the Planning Commission was to approve the community unit plan subject to:

1. Labeling the dashed lines as setback lines so that there is no misunderstanding as to where new construction will be permitted.
2. Indicating the setback from Seneca to the major structure of the shopping center as 45 feet and from 31st Street South to the major structure as 45 feet.
3. Amending the curb cut provisions under "General Provisions" to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
4. Wording the screening provision as follows: "A 5'-8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material

May 6, 1966

shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South, and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB" or "B" District, even if separated by an alley, public way or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB" or "B" District and is separated by an alley, public way or street. The above provisions shall be complied with upon the issuance of any new building permit".

5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.
7. The existing buildings appearing on the development plan.
8. The dedication of the east-west alley as required in Vacation Case No. V-0377 appearing on the development plan from Exposition.

To clarify the 20-foot setback of the "B" zoned area, which does not permit off-street parking, a notation should be made under "General Provisions" that the 10 feet adjacent to the east and southeast of the 10-foot planting area is not to be paved and utilized for off-street parking unless approved as an exception by the Board of Zoning Appeals or unless rezoned to a classification permitting off-street parking.

It will now be necessary that you meet the above conditions and submit eight corrected copies of the development plan to our office. If these plans are submitted by 5:00 p.m. on Wednesday, May 11, 1966, this matter will be scheduled for the regular meeting of the City Commission on May 17, 1966.

WICHITA-SEDGWICK COUNTY 3

May 6, 1966

If you should have any questions concerning this matter, please do not hesitate to call.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bgs

cc: Seneca Square, Inc.
c/o Frank Malone
221 North Market

Mr. Don Bottenberg
Beacon Building

Woodman and VanDoren
Central Building

Mr. H. A. Gough
3151 South Exposition

Mr. Erwin R. Ray
3133 South Exposition

MICHIGAN-SENESICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

DATE: April 21, 1966

Case No. DP-16	Request: Approval of a Shopping Center under the CUP provisions of the Zoning Ordinance
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Location: Northwest corner of 31st Street South and Seneca

Acres: 11.5	Size: 790 ft. by 540 ft.
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	Land Use	Zoning
Existing	Seneca Square Shopping Center	"LC" and "B"
North	Single family and triplexes	"AA", "B" & "LC"
East	Office, service station & hardware	"LC"
South	Service station - shopping center	"LC"
West	Triplexes and single family	"AA", "B" & "LC"

Platted X

Existing R/W - Seneca - half 50 ft.

Proposed R/W - Seneca - half 50 ft.

Existing R/W - 11st St. So. - half 50 ft.

Proposed R/W - 11st St. So. - half 50 ft.

Existing R/W - 30th St. So. - 60 ft.

Proposed R/W - 30th St. So. - 60 ft.

Existing R/W - Exposition - 60 ft.

Proposed R/W - Exposition - 60 ft.

History: N/A

Comments

1. Subject property has over six acres of "LC" zoning under one ownership or control and, therefore, as required by ordinance, a development plan has been submitted for approval under the CUP provisions of the zoning ordinance. Seneca Square Shopping Center is almost completely developed, however, the owners desire to expand and must have approval of their development plan prior to the issuance of any building permit.

The development plan, as submitted, indicates the required information pertaining to the gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.

2. Existing structures do not appear as required by ordinance and, therefore, it is difficult to determine where expansion is taking place and where minimum setbacks can be required adjacent to 31st Street and Seneca. The development plan indicates a 42-foot setback from Seneca to the major structure in the northeast corner of the tract. The existing structure presently maintains a setback of approximately 70 feet, which is still below the setbacks generally required for major structures on development plans. The Planning Commission, on other approved development plans, has required that major structures set back at least 100 feet from street right-of-ways. On smaller parcels with associated commercial uses, the 35-foot minimum setback has been accepted. It is the opinion of the staff that in keeping with the Planning Commission recommendations of requiring greater setbacks for major structures, that the setback from Seneca and 31st Street South to the major structure should be a minimum of 70 feet on this plan, which is in line with the existing structures.
3. The plan indicates 5 curb cuts for Seneca, plus one for the alley, four curb cuts for 31st Street South, plus one for the alley and none from 10th Street South, except for the existing Martinson Street entrance.

These curb cuts, although considerably more than normally permitted on undeveloped community unit plans, are acceptable to the staff. The plan further indicates two curb cuts from Exposition, however, the curb cut at the south of Exposition will be for an alley which is to be dedicated as a condition of approval for vacation Case V-0377, which was approved by the Planning Commission on April 7, 1966. It is the opinion of the staff that adequate circulation can be achieved on the site by permitting access from Martinson and from the alley off Exposition and that no other curb cut should be permitted from this residential street.

4. The applicants have indicated a 10-foot planting strip adjacent to Martinson, 30th Street and Exposition. According to Section 8.a.2., a 5' - 8' solid or semi-solid wall constructed of brick, stone, masonry, architectural tile or other similar material must be installed along the property line when adjacent to residential districts and separated by a street if the storage area, service area or rear of the buildings face directly such "AA", "A", "RB" or "B" district. A planting strip of low shrubbery not less than 10 feet in width is required along the perimeter of the development in accordance with Section 8.b, when the development is separated from an "AA", "A", "RB" or "B" district by a street and fronts the residential areas.

Recommendation

The Planning Department recommends that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190, of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. Labeling the dashed lines as setback lines so that there is no misunderstanding as to where new construction will be permitted.
2. Indicating the setback from Seneca to the major structure as 70 feet and from 31st Street South to the major structure as 70 feet.
3. Amending the curb cut provisions under the general provisions to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
4. Wordng the screening provision as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South, and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB", or "B" district, even if separated by an alley, public way or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB", or "B" district and is separated by an alley, publicway or street. The above provisions shall be complied with upon the issuance of any new building permit.
5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

April 27, 1966

DP-16

It is the feeling of the property owners in the vicinity of and adjacent to the proposed construction in the Seneca Square shopping area that it would be necessary to have a continuous masonry wall from Martinson Entrance to 30th Street South to Exposition Avenue. The proposed access drives to the shopping area on exposition must be omitted. The ten foot planting strip facing Martinson, 30th Street South, and Exposition is to be maintained by the Seneca Square owners. The wall, 6 to 8 feet tall, must be complete along with trees, foliage and shrubs in the planting strip before any of the new construction is complete and in use.

Arthur H. Dutton - 3139 S. Martinson
Donald R. Dutton - 3139 S. Martinson
Faded H. T. George - 3143 S. Martinson
Erma Durney - 3143 S. Martinson
Mrs Lloyd Fullerton - 1334 W. 30th St.
Mrs. John H. Cible - 3121 S. Martinson
Mrs. Hazel C. Cible - 3121 S. Martinson
1134 Mrs. Harry C. Lytle 1434 W. 30th St.
Richard McCarrion 1428 W 30th St.
Pauline M. Larrison 1428 W. 30th St.
Thomas P. Cuthwaite 1322 W 30th St.
Boyd Wise & Norma 1328 W. 30th St.
Erin A. Ray 3133 S. Exposition Ave.
Stanley H. Ray 3133 S. Exposition Ave.

IT IS THE FEELING OF THE PROPERTY OWNERS IN THE VICINITY OF AND ADJACENT TO THE PROPOSED CONSTRUCTION IN THE SENECA SQUARE SHOPPING AREA THAT IT WOULD BE NECESSARY TO HAVE A CONTINUOUS MASONRY WALL FROM MARTINSON ENTRANCE TO 30TH STREET SOUTH, TO EXPOSITION AVENUE, AND THEN TO THE APARTMENT AREA PROPERTY ON SOUTH EXPOSITION. THE PROPOSED ACCESS DRIVES TO THE SHOPPING AREA ON EXPOSITION MUST BE OMITTED. THE TEN FOOT PLANTING STRIP FACING MARTINSON, 30TH STREET SOUTH, AND EXPOSITION IS TO BE MAINTAINED BY THE SENECA SQUARE OWNERS. THE WALL, 6 TO 8 FEET TALL, MUST BE COMPLETE ALONG WITH TREES, FOLIAGE, AND SHRUBS IN THE PLANTING STRIP BEFORE ANY OF THE NEW CONSTRUCTION IS COMPLETE AND IN USE.

Nash A. Gough - 3151 South Exposition
Lindell E. Gough 3151 S. Exposition
Artes Edward Leach 3139 So. Exposition
Dennis A. Coover 3157 So. Exposition
Edward L. Coover 3157 So. Exposition
Paul & Becker 3144 S. Martinson
Marie C. Becker 3144 S. Martinson
Rita J. Godwin 3145 S. Exposition
Helen R. Godwin 3145 S. Exposition
Bobby Gene Holst 3138 So. Martinson
Janet M. Belwits 3128 So. Martinson
Charles Sandison 3132 So. Martinson
Mrs. Harold Calk 3124 S. Martinson
Donald E. Bugni 3133 Martinson
Mrs Donald Bugni 3135 Martinson
Marjorie Malcolm 3156 S. Martinson
Charles F. Schwarz 3150 S. Martinson
Ann Schwarz 3150 S. Martinson
Josephine Galloony 1427 Marlboro
Mary M. Carter 1421 Marlboro
Ted Deaton 1421 Marlboro

IT IS THE FEELING OF THE PROPERTY OWNERS IN THE VICINITY OF AND ADJACENT TO THE PROPOSED CONSTRUCTION IN THE SENECA SQUARE SHOPPING AREA THAT IT WOULD BE NECESSARY TO HAVE A CONTINUOUS MASONRY WALL FROM MARTINSON ENTRANCE TO THIRTIETH STREET SOUTH, TO EXPOSITION AVENUE, AND THEN TO THE APARTMENT AREA PROPERTY ON SOUTH EXPOSITION. THE PROPOSED ACCESS DRIVES TO THE SHOPPING AREA ON EXPOSITION MUST BE OMITTED. THE TEN FOOT PLANTING STRIP FACING MARTINSON, 30TH STREET SOUTH, AND EXPOSITION IS TO BE MAINTAINED BY THE SENECA SQUARE OWNERS. THE WALL, 6 TO 8 FEET TALL, MUST BE COMPLETE ALONG WITH TREES, FOLIAGE, AND SHRUBS IN THE PLANTING STRIP BEFORE ANY OF THE NEW CONSTRUCTION IS COMPLETE AND IN USE.

Kathleen Porck
1415 Marlboro
Paul Porck
1415 Marlboro
Kitty Smith
1403 Marlboro
Mrs. Abeline Hanson
1333 Marlboro
Dwain A. Orr
1327 MARLBORO
Isabel Orr
1327 Marlboro
Frank P. Childers
1321 Marlboro
Lottie Childers
1321 Marlboro
Gene Mason
1304 Marlboro
Leola Mason
1304 Marlboro
Edward Mutter
1416 Marlboro
Mabel Sauerberg
1422 Marlboro
Gene Sauerberg
1432 Marlboro

John S. Barnum
1409 Marlboro
Robert P. Manger
1309 Marlboro
Mamie C. Manger
1309 Marlboro
E. M. Hollingsworth
1310 Marlboro
Mrs. Elizabeth Hollingsworth
1310 Marlboro
Victor R. Wilketh
1310 W. 30th South
Edgar L. Lincione
1316 W. 30th South
Mary C. Lincione
1316 W. 30th South
Howard J. Stevens
3198 South Exposition
James Wix
3102 S. Martinson
Bob Kumborg
1404 Marlboro
O. S. Lelandopoulos
3139 So. Exposition

IT IS THE FEELING OF THE PROPERTY OWNERS IN THE VICINITY OF AND ADJACENT TO THE PROPOSED CONSTRUCTION IN THE SENECA SQUARE SHOPPING AREA THAT IT WOULD BE NECESSARY TO HAVE A CONTINUOUS MASONRY WALL FROM MARTINSON ENTRANCE TO 30TH STREET SOUTH, TO EXPOSITION AVENUE AND THEN TO THE APARTMENT AREA PROPERTY ON SOUTH EXPOSITION. THE PROPOSED ACCESS DRIVES TO THE SHOPPING AREA ON EXPOSITION MUST BE OMITTED. THE TEN FOOT PLANTING STRIP FACING MARTINSON, 30TH STREET SOUTH, AND EXPOSITION IS TO BE MAINTAINED BY THE SENECA SQUARE OWNERS. THE WALL, 6 TO 8 FEET TALL, MUST BE COMPLETE ALONG WITH TREES, FOLIAGE, AND SHRUBS IN THE PLANTING STRIP BEFORE ANY OF THE NEW CONSTRUCTION IS COMPLETE AND IN USE.

Robert E. Maze 3127 So. Exposition
 Mary J. Maze " " "
 Charles E. Witt 3103 So. Exposition
 Florence F. Witt " " "
 James Curtis Graves 3121 S. Exposition
 Pauline Graves " " "
 Albert Gehbart
 Ruth Gehbart 3120 S. Martinson
 Oscar Lewis 3109 S. Martinson
 Leta J. Lewis 3107 So. Martinson
 D. S. Myers 3115 So. Martinson
 R. Dean 3103 So. Martinson
 L. M. Dean 3103 So. Martinson
 Ruth Koppert Sheppard 1404 W. 30th St. South
 Ruth B. Sheppard 1404 W. 30th St. South
 Elain D. Greenell 3115 So. Exposition
 Elizabeth Prunell 3115 So. Exposition
 Mildred Corbett 3109 So. Exposition

April 22, 1966

Mr. Don Bottenberg
Beacon Building
Wichita, Kansas

Subject: DP-16 - Seneca Square Shopping Center
Community Unit Plan, north side of 31st St.
South between Exposition and Seneca

Dear Mr. Bottenberg:

At its regular meeting on April 21, 1966, the Metropolitan Area Planning Commission considered the above-captioned community unit plan. The action of the Planning Commission was to defer this matter for two weeks due to the lack of a quorum. This matter will be placed as the first zoning item on the Planning Commission agenda at its next regular meeting.

This matter will be reconsidered by the Planning Commission at its next regular meeting on May 5, 1966.

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

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bdg

cc: Mr. Frank Malone
Seneca Square, Inc.
221 North Market

Woodman and Van Doren
Central Building

Mr. N. A. Gough
3151 South Exposition

WICHITA-EDGEMOCK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

DATE: April 21, 1966

Case No. DP-16	Request: Approval of a Shopping Center under the CUP provisions of the Zoning Ordinance
----------------	---

Location: Northwest corner of 31st Street South and Seneca

Acres: 11.5	Size: 790 ft. by 540 ft.
-------------	--------------------------

	Land Use	Zoning
Existing	Seneca Square Shopping Center	"LC" and "B"
North	Single family and triplexes	"AA", "B" & "LC"
East	Office, service station & hardware	"LC"
South	Service station - shopping center	"LC"
West	Triplexes and single family	"AA", "B" & "LC"

Platted X

Existing R/W - Seneca - half 50 ft.	History: N/A
Proposed R/W - Seneca - half 50 ft.	
Existing R/W - 1st St. So. - half 50 ft.	
Proposed R/W - 1st St. So. - half 50 ft.	
Existing R/W - 30th St. So. - 60 ft.	
Proposed R/W - 30th St. So. - 60 ft.	
Existing R/W - Exposition - 60 ft.	
Proposed R/W - Exposition - 60 ft.	

Comments

1. Subject property has over six acres of "LC" zoning under one ownership or control and, therefore, as required by ordinance, a development plan has been submitted for approval under the CUP provisions of the zoning ordinance. Seneca Square Shopping Center is almost completely developed, however, the owners desire to expand and must have approval of their development plan prior to the issuance of any building permit.

The development plan, as submitted, indicates the required information pertaining to the gross area, maximum building height, maximum building coverage, proposed general uses, maximum curb cuts, sign controls, minimum building setbacks and screening controls.

2. Existing structures do not appear as required by ordinance and, therefore, it is difficult to determine where expansion is taking place and where minimum setbacks can be required adjacent to 31st Street and Seneca. The development plan indicates a 42-foot setback from Seneca to the major structure in the northeast corner of the tract. The existing structure presently maintains a setback of approximately 70 feet, which is still below the setbacks generally required for major structures on development plans. The Planning Commission, on other approved development plans, has required that major structures set back at least 100 feet from street right-of-ways. On smaller parcels with associated commercial uses, the 35-foot minimum setback has been accepted. It is the opinion of the staff that in keeping with the Planning Commission recommendations of requiring greater setbacks for major structures, that the setback from Seneca and 31st Street South to the major structure should be a minimum of 70 feet on this plan, which is in line with the existing structures.
3. The plan indicates 5 curb cuts for Seneca, plus one for the alley, four curb cuts for 31st Street South, plus one for the alley and none from 10th Street South, except for the existing Martinson Street entrance.

These curb cuts, although considerably more than normally permitted on undeveloped community unit plans, are acceptable to the staff. The plan further indicates two curb cuts from Exposition, however, the curb cut at the south of Exposition will be for an alley which is to be dedicated as a condition of approval for vacation Case V-0377, which was approved by the Planning Commission on April 7, 1966. It is the opinion of the staff that adequate circulation can be achieved on the site by permitting access from Martinson and from the alley off Exposition and that no other curb cut should be permitted from this residential street.

4. The applicants have indicated a 10-foot planting strip adjacent to Martinson, 30th Street and Exposition. According to Section 8.a.2., a 5' - 8' solid or semi-solid wall constructed of brick, stone, masonry, architectural tile or other similar material must be installed along the property line when adjacent to residential districts and separated by a street if the storage area, service area or rear of the buildings face directly such "AA", "A", "RB" or "B" district. A planting strip of low shrubbery not less than 10 feet in width is required along the perimeter of the development in accordance with Section 8.b, when the development is separated from an "AA", "A", "RB" or "B" district by a street and fronts the residential areas.

Recommendation

The Planning Department recommends that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190, of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. Labeling the dashed lines as setback lines so that there is no misunderstanding as to where new construction will be permitted.
2. Indicating the setback from Seneca to the major structure as 70 feet and from 31st Street South to the major structure as 70 feet.
3. Amending the curb cut provisions under the general provisions to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
4. Worded the screening provision as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South, and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB", or "B" district, even if separated by an alley, public way or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB", or "B" district and is separated by an alley, publicway or street. The above provisions shall be complied with upon the issuance of any new building permit.
5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

Date: April 21, 1966

Request Approval of a Shopping Center
with the following conditions: (1) Being
located on the corner of
and access

General Description of Shopping Center:
This center will consist of a
shopping center of approximately 100,000 sq. ft.
with a parking area of approximately 100 spaces.

Location:
The center is located on the
corner of
&
&

Proposed R/W	200 ft	200 ft	200 ft
Existing R/W	100 ft	100 ft	100 ft
Proposed R/W	100 ft	100 ft	100 ft
Existing R/W	100 ft	100 ft	100 ft
Proposed R/W	100 ft	100 ft	100 ft
Existing R/W	100 ft	100 ft	100 ft
Proposed R/W	100 ft	100 ft	100 ft

History: N/A

Subject property has ever since been zoned under one
category or another and, therefore, as required by ordinance,
a development plan has been submitted for approval under the
city ordinance of the zoning ordinance. The proposed Shopping
Center is being completely developed. However, the owners
desire to expand and they have received their development
plan prior to the issuance of a building permit.

The development plan, as submitted, indicates the required
information pertaining to the gross area, maximum building
height, maximum building coverage, proposed general uses,
maximum curb cut, sign controls, minimum building setbacks
and screening controls.

Page 2 - Case No. DP-16
 April 21, 1966

2. Existing structures do not appear as required by ordinance and, therefore, it is difficult to determine where expansion is taking place and where minimum setbacks can be required adjacent to 31st Street and Seneca. The development plan indicates a 42-foot setback from Seneca to the major structure in the northeast corner of the tract. The existing structure presently maintains a setback of approximately 70 feet, which is still below the setbacks generally required for major structures on development plans. The Planning Commission, on other approved development plans, has required that major structures set back at least 100 feet from street right-of-ways. On smaller parcels with associated commercial uses, the 35-foot minimum setback has been accepted. It is the opinion of the staff that in keeping with the Planning Commission recommendations of requiring greater setbacks for major structures, that the setback from Seneca and 31st Street South to the major structure should be a minimum of 70 feet on this plan, which is in line with the existing structures.

3. The plan indicates 5 curb cuts for Seneca, plus one for the alley, four curb cuts for 31st Street South, plus one for the alley and none from 30th Street South, except for the existing Martinson Street entrance.

These curb cuts, although considerably more than normally permitted on undeveloped community unit plans, are acceptable to the staff. The plan further indicates two curb cuts from Exposition, however, the curb cut at the south of Exposition will be for an alley which is to be dedicated as a condition of approval for vacation Case V-0377, which was approved by the Planning Commission on April 7, 1966. It is the opinion of the staff that adequate circulation can be achieved on the site by permitting access from Martinson and from the alley off Exposition and that no other curb cut should be permitted from this residential street.

4. The applicants have indicated a 10-foot planting strip adjacent to Martinson, 30th Street and Exposition. According to Section 8.a.2., a 5' - 8' solid or semi-solid wall constructed of brick, stone, masonry, architectural tile or other similar material must be installed along the property line when adjacent to residential districts and separated by a street if the storage area, service area or rear of the buildings face directly such "AA", "A", "RB" or "B" district. A planting strip of low shrubbery not less than 10 feet in width is required along the perimeter of the development in accordance with Section 8.b, when the development is separated from an "AA", "A", "RB" or "B" district by a street and fronts the residential areas.

Page 3 - Case No. DP-16
April 21, 1966

The Planning Department recommends that the development plan be approved with the understanding that such approval is given on the basis that this tract of land is under one ownership and control and is in accordance with the intent of Section 28.04.190, of the ordinance to promote well-planned and well-organized shopping centers. It is further recommended that approval of the plan be given subject to the following conditions:

1. Labeling the dashed lines as setback lines so that there is no misunderstanding as to where new construction will be permitted.
2. Indicating the setback from Seneca to the major structure as 70 feet and from 31st Street South to the major structure as 70 feet.
3. Amending the curb cut provisions under the general provisions to eliminate all curb cuts from Exposition Avenue. However, access will be provided from Exposition by means of the east-west alley which is to be dedicated as a condition of vacation of a portion of the north-south alley.
4. Wordng the screening provision as follows: "A 5' - 8' solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material shall be constructed within one foot of the interior side of the indicated 10-foot planting strip adjacent to Martinson, 30th Street South, and Exposition, if the service area, storage area or rear of the commercial development faces an "AA", "A", "RB", or "B" district, even if separated by an alley, public way or street. A planting strip no less than 10 feet in width of low shrubbery shall be provided adjacent to the property line when the commercial development fronts toward any "AA", "A", "RB", or "B" district and is separated by an alley, publicway or street. The above provisions shall be complied with upon the issuance of any new building permit.
5. The development of this property shall proceed in accordance with the development plan as approved by the Planning Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for their consideration.

AT 31ST STREET SOUTH AND SENECA—WICHITA'S MOST MODERN ONE-STOP SHOPPING CENTER



Seneca Square Inc.

WICHITA, KANSAS

April 13, 1966



Wichita-Sedgwick County Metropolitan
Area Planning Department
City Building Annex
104 South Main
Wichita, Kansas 67202

SUBJECT: DP-16 - Seneca Square Shopping Center Commercial Community
Unit Plan

Gentlemen:

In accordance with the provisions of Section 28.04.190.B.9, request is hereby made that the Wichita-Sedgwick County Metropolitan Area Planning Commission waive the requirement of Section 28.04.190.B.8. A requiring a five to eight feet solid wall to be constructed along that part of the property zoned "LC" adjacent to that part of the property zoned "B" as shown in the records of the City of Wichita in Block 11, Replat of Iva Fultz Gardens, Wichita, Sedgwick County, Kansas, insofar as property in Block 11 is the subject of the application referred to above.

In support of this request it should be pointed out that the property in Block 11, Replat of Iva Fultz Gardens, covered by this application is owned by the applicant. In other words, all of the "LC" area and all of the "B" area is owned by Seneca Square, Inc.

In addition, we would point out that there is 50 feet adjacent to Exposition Avenue and 30th Street which is zoned "B", and each of these streets is 60 feet wide.

Anticipating that this waiver will be granted, the applicant proposes to construct

FRANK MALONE, JR.
President

M. K. GENTRY
Vice-President

WM. G. "BILL" MALONE
Vice-President

and Asst. Secretary

RICHARD F. MULLINS
Vice-President

and Secretary

Management Office: 221 NORTH MARKET • AMherst 2-8261

Seneca Square Merchants Association: c/o SENECA NATIONAL BANK

Seneca Square Inc., Wichita

Wichita-Sedgwick County Metropolitan
Area Planning Department
April 13, 1966
Page No. 2

a 10-foot planting area adjacent to Exposition Avenue and 30th Street South in place of the five to eight feet solid masonry wall. The 10-foot wide planting area referred to immediately above would be in accordance with the existing unit planning regulations.

Respectfully submitted,

SENECA SQUARE, INC.


Frank Malone, Jr., President

FM/ja

AT 31ST STREET SOUTH AND SENECA— WICHITA'S MOST MODERN ONE-STOP SHOPPING CENTER



Seneca Square Inc.

WICHITA, KANSAS

April 13, 1966

Wichita-Sedgwick County Metropolitan
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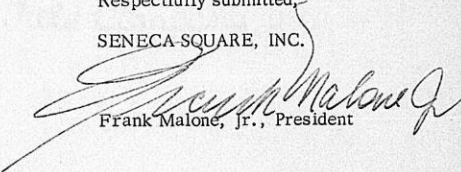
Seneca Square Inc., Wichita

Wichita-Sedgwick County Metropolitan
Area Planning Department
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WICHITA, KANSAS

April 13, 1966

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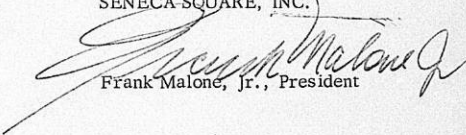
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Wichita-Sedgwick County Metropolitan
Area Planning Department
April 13, 1966
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WICHITA, KANSAS

April 13, 1966

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Area Planning Department
City Building Annex
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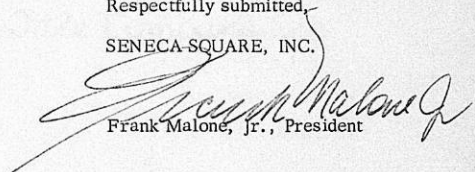
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SENECA-SQUARE, INC.


Frank Malone, Jr., President

FM/ja

DP-16 - 138 NOTICES MAILED APRIL 7, 1966, FOR APRIL 21, 1966, MAPC

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

NOTICE TO ADJOINING PROPERTY OWNERS

APR 7 - 1966

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at its meeting at 2:00 p.m. on APR 21 1966, at which time you may appear either in person or by agent or attorney, if you so desire.

C. Bickley Foster, Secretary

DP-16 - Lots 1 through 11, odd and even inclusive, Block 11, and all of Block 13, Replat of Iva Fultz Gardens Addition. Generally located on the north side of 31st Street South between Exposition and Seneca.

This Development Plan has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Code of the City of Wichita. The Development Plan is on file in the Office of the Planning Director, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The Development Plan on file proposes an 11.5 acre commercial development for the Seneca Square Shopping Center. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, C. Bickley Foster, 104 South Main, 7 days prior to the meeting. The Chairman and Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

T9-215

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

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

April 6, 1966

Mr. Don Bottenberg
Beacon Building
Wichita, Kansas

Subject: DP-16 - Seneca Square Shopping Center
Commercial Community Unit Plan

Dear Mr. Bottenberg:

We have reviewed the Preliminary Development Plan which was submitted for your client relative to the community unit plan development for the area generally located at the northwest corner of Seneca and 31st Street South. The following are our comments relative to the various segments of the community unit plan as indicated in the proposed Preliminary Development Plan:

Parcels

On the Preliminary Development Plan you have shown the location of existing structures as well as proposed expansion. The actual form of new buildings need not be shown. It is necessary to show, through use of setback lines or other means of delineation, that area in which all buildings will be located. On the Development Plan you have shown a large structure which will consist of a major portion of the shopping center uses and another group of buildings used as a bank, service station and post office. I would suggest that, as we earlier discussed, this Development Plan be divided into two separate parcels with the required information for each parcel being indicated separately on the plan. If two parcels are designated, we suggest perimeter setbacks as indicated on the enclosed marked copy of the Development Plan. It is necessary that the following information be provided for each separate parcel on the Plan:

1. Total area of each parcel.

2. Maximum building coverage for each parcel (30%).
3. Maximum gross floor area.
4. Building setback lines.
5. Maximum building height.
6. Parking ratio.
7. Proposed general uses.

General Provisions

On the Development Plan the following information should be indicated under General Provisions:

1. Sign Control - It should be indicated that signs along Seneca and 31st Street South shall not exceed 30 feet in height and shall be placed so as not to project over any public right-of-way. It should also be noted that no signs shall be permitted adjacent to 30th Street South and Exposition Avenue.
2. Curb Cuts - On the Development Plan you have indicated existing curb cuts to both Seneca and 31st Street South. Maximum curb cuts should be indicated on the Plan as:

Seneca - 5 curb cuts
31st Street South - 4 curb cuts.

We will recommend that no additional curb cuts be permitted on Exposition and 31st Street South.

3. Drainage - From reviewing this area in the field there appears to be a drainage problem in line with Martinson which you are indicating as future construction.
4. Screening - Section 28.04.190.8.A provides that a 5-8-foot solid wall shall be constructed along any property line which abuts an "A", "AA", "RB" or "B" zoning district and when not separated by

April 6, 1966

a public street. Consequently, a 5 to 8-foot solid wall is required adjacent to the "B" District on the west and northwest. It should be noted that if any waivers are requested under Section 28.04.190.B.9 those requests should be listed under the General Provisions of the Preliminary Development Plan, and the applicant should submit a written request in the form of a letter outlining whatever waivers are requested.

Parking

It should be pointed out that the "B" District which faces Exposition and 30th Street South may be used for off-street parking except for the 20-foot required front building setback. We had earlier discussed the possibility of you applying for "LC" zoning for that area so that the setback (except for the required 10-foot planting area) could be used for off-street parking. Should you request a waiver of the solid wall adjacent to the "B" District, it would of course be necessary that the 10-foot planting area be provided adjacent to both Exposition and 30th Street South.

Contours

The Community Unit Plan Regulations require that development plans indicate topography at two-foot contour intervals. Contours do not appear on the Plan.

These are most of the problems which we can foresee at this time as related to the various segments of the Development Plan. I hope these comments will be beneficial to you in making the necessary changes.

The application for community unit plan approval has been advertised for public hearing for the Planning Commission meeting on April 21, 1966. I would suggest that you resubmit twelve copies of the corrected Development Plan no later than April 11, 1966, so that these plans may be forwarded to the Planning Commission.

Please contact us if you have any questions concerning these comments.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:bjg
Enclosure
cc: Seneca Square, Inc.
221 North Market

Woodman-Van Doren
Central Building

() Published in The Wichita Beacon on March 31, 1966)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on April 21, 1966, at 2:00 P.M., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider an application for a COMMUNITY UNIT PLAN - PLANNED COMMERCIAL DEVELOPMENT, for property legally described as follows:

DP-16 - Lots 1 through 11, odd and even inclusive, Block 11, and all of Block 13, Replat of Iva Fultz Gardens Addition. Generally located on the north side of 31st Street South between Exposition and Seneca.

This Development Plan has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Code of the City of Wichita. The Development Plan is on file in the Office of the Planning Director, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, and is available for public information and review.

The Development Plan on file proposes an 11.5 acre commercial development for the Seneca Square Shopping Center. Included in the Development Plan is information concerning building setbacks, maximum ground coverage by structures, maximum gross floor area, maximum height limitations, location of ingress and egress, and off-street parking.

This hearing is to be held as provided in Section 28.04.190 of the Code of the City of Wichita and the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission. Those persons interested in this matter will be heard at that time.

WITNESS MY HAND AND SEAL this 29th day of March, 1966.

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

(SEAL)

(1-T)

I-3
6
28
1E
N-AA+BC
5-LC
E-LC
W-AA+LC

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

This is an application for a Community Unit Plan - Planned Development. The form must be completed and filed at the Planning Department, Room 402, City Building Annex, 104 South Main, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

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

- a. Applicant Seneca Square, Inc.
Address 221 North Market, Wichita Phone AM 2-8261
Agent _____
Address _____ Phone _____
- b. Applicant Don Bottenberg Co., Inc.
Address Beacon Building, Wichita Phone AM 4-5031
Agent _____
Address _____ Phone _____
- c. Applicant _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

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

II.A The applicant hereby requests Community Unit Plan approval on property zoned "LC" and "B" and legally described as Lot(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Block(s) 11 and all of Block 13, Replat of Iva Fultz Gardens Addition.

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

II.B There are 11.5 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) Northwest corner of 31st Street
South and Seneca Street.

The general location is (use appropriate section)

- a. at the _____ corner of _____
and _____; or
- b. on the North side of 31st (AVE., Street),
Street) between Seneca (Ave., Street) and
Exposition (Ave., Street).

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

By _____ Authorized Agent (if any) By Thomas E. Raw Pres
Authorized Agent (if any)

By _____ Authorized Agent (if any) By Ray Bitterberg Pres
Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at
4:45 (AM, PM) on March 23, 1966 (Day, Month,
Year). It has been checked and found to be complete and accom-
panied by required documents and the appropriate fee of
\$ None.

Raw _____ Name
PI _____ Title



5	12	4	
6	11	5	
7	10	6	
8	9	7	
9	8	8	
10	7	9	
11	6	10	
12	5	11	
13	4	12	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
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26	25	1
27	24	2
28	23	3
29	22	4
30	21	5
31	20	6
32	19	7
33	18	8
34	17	9
35	16	10


STATEMENT OF RECORD OWNERSHIP

STATE OF KANSAS)
)
 SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

Property lying within a radius of 500 ft of: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, in Block 11 & all Block 13, in Replat of Iva Fultz Gardens, an addition to Wichita, Kansas.


 Fidelity
 Title
 Company,
 inc.

And from such examination find that the record owners thereof are as set opposite the description of the property below, viz:

LOT	BLOCK	OWNER
<u>REPLAT OF IVA FULTZ GARDENS</u>		
4	5	<i>MC 4-11-66 X</i> / G. S. & Nona L. Bass, ux 403 Fultz <i>no address found</i>
5	5	✓ Loderick P. & Irene Troilo, ux 1323 Fultz
6 & W 23.62' of Lot 7	5	✓ N. Raymond & Beulah B. Stonger, ux 1317 Fultz
7 exc W 23.62' all Lot 8	5	<i>MC 4-19-66 X</i> / Robert H. & Esther A. King, ux 446 Bellview Dr., Springfield, Pa.
9	5	✓ Wilford Gene & Reba G. Moren, ux 1304 Marlboro
10	5	✓ E. M. & Elizabeth Hollingworth, ux 6933 Ida



LOT	BLK	OWNER
<u>REPLT OF IVA FULTZ GARDENS</u>		
11	5	/Ronald E. & Jeri S. Dutton, ux 1316 Marlboro
12	5	/Wallace J. & Erika C. Ravey, ux 1324 Marlboro
13	5	/Alfred A. & Marion F. Snider, ux 1334 Marlboro
14	5	/Buel L. & Margree Runberg, ux 1404 Marlboro
15	5	/Allan Anderson Carswell, Jr. & Elizabeth B. Carswell, ux 1410 Marlboro
16	5	/George J. & Anna R. Drescher, ux 1416 Marlboro
17	5	/Max H. & Leona B. Feuerborn, ux 1422 Marlboro
11	6	/Elk Investment, Inc. Res. Agt. Esther Newton 2014 S. Washington
12	6	/Walter E. & Ella M. West, ux 1110 Marlboro
13	6	/Administrator of Veterans Affairs Washington, D. C.
14	6	<i>ret. 4-11-66</i> X /Charles E. & Dorothy Mae Bradley, ux 1122 Marlboro <i>no address found</i>
15	6	/Gordon L. & Eleanor R. Taylor, ux 1204 Marlboro
16	6	/Edward L. & Buelah A. Kinsley, ux 1210 Marlboro
17	6	/Bill Franklin & Christina Blackwell, 1216 Marlboro ux
18	6	/Frank O. & Berniece J. Hicks, ux 1519 S. Pershing
19	6	/Curtis N. & Marjorie M. Woodruff, ux 1228 Marlboro
1	7	/B. W. & Viola Rose Bergen, ux 1221 Marlboro
2	7	/Lloyd J. & Gladys N. Larsen, ux 1215 Marlboro
3	7	/Myron W. Furnish, Jr. & Dorothy L. Furnish, ux 1209 Marlboro

LOT	BLK	OWNER
<u>Repl't of Iva Fultz Gardens</u>		
4	7	/H. Lindley & Margaret C. Cox, ux 1203 Marlboro
5	7	/John H. & Catherine T. Schmitz, ux 1121 Marlboro
6	7	/Jack B. & Pauline Wild, ux 1115 Marlboro
7	7	/Everett M. & Helen E. Trew, ux 1109 Marlboro
8	7	/Cecil Lee & Dorothy M. Kragh, ux 1103 Marlboro
9	7	/Burch O. & Margaret Margaret Breazeale, ux 1104 W 30th St. S.
10	7	/William J. & Rosalie Elizabeth Hess, ux 1110 W 30th St. S.
11	7	/CKG Urban Renewal, Inc. 150 N. Oliver
12	7	X Administrator of Veterans Affairs Washington, D. C.
13	7	/Donald A. Jahnke 1944 W 30th St. S.
14	7	X Administrator of Veterans Affairs
15	7	X Administrator of Veterans Affairs
1	8	/Harlin H. & Josephine Galloway, ux 1420 Marlboro
2	8	/Clarence T. & Mary M. Carter, ux 1421 Marlboro
3	8	/Paul Edward & Kathleen M. Porsch, ux 1415 Marlboro
4	8	/John T. Brumitt, sgle. 1321 Marlboro
5	8	/Howard F. & Peggy Smith, ux 1327 Marlboro
6	8	/E. E. & Alexine Larson, ux 1333 Marlboro
7	8	/Duane Ardell & Maria Guadalupe Orr, ux 1327 Marlboro
8	8	/Harold A. & Lottie L. Childers, ux 1321 Marlboro
9	8	/Lloyd A. & Rosalie E. Binyon, ux 1315 Marlboro
10	8	/Robert P. & Maxine C. Mainzer, ux 1309 Marlboro

LOT	BLK	OWNER
Repl't of Iva Fultz Gardens		
11	8	✓ Robert H. & Ruby Kippenberger, ux 1303 Marlboro
12	8	X Administrator of Veterans Affairs
13	8	✓ Victor Ray & Vera L. Wilmoth, ux 1310 W 30th St. S.
14	8	✓ Edgar Leroy & Mary Carolyn Lincicome, ux 1316 W 30th St. S.
15	8	X Administrator of Veterans Affairs
16	8	✓ Boyd & Norma O. Wise, ux 1328 W 30th St. S.
17	8	✓ Floyd M. & Betty L. Cuthbertson, ux 1334 W 30th St. S.
18	8	✓ Roger A. & Ruth B. Sheppard, ux 1802 Dallas
19	8	✓ Leland C. & L. Margaret Brier, ux 3202 W. 2nd St.
20	8	✓ Edmond M. & Doris Evelyn Hammer, ux 2533 Ellis
21	8	X I. Amos & Marjorie L. Copeland, ux No Address Available <i>no address found</i>
22	8	✓ Richard M. & Pauline M. Garrison, ux 1428 W. 30th St. S.
23	8	✓ Harry O. & Martha E. Lytle, ux 1434 W 30th St. S.
1	9	✓ Ralph W. & Mary K. Rampey, ux 3102 S. Elizabeth
2	9	✓ Herbert R. & Ruby M. Lawson, ux 3108 S. Elizabeth
3	9	✓ Kenneth O. & Alverta L. Gray, ux 3114 S. Elizabeth
4	9	✓ Edgar A. Dixon, Jr. & Frances Dixon, ux 3120 S. Elizabeth
5	9	✓ Dwight E. & Blanche V. Franklin, ux 3126 S. Elizabeth
6	9	<i>rel. 4-18-66</i> X ✓ Jack Allen & Alice M. Sorenson, ux <i>no address found</i> 3132 S. Elizabeth
7	9	✓ William T. & Tressa R. Hales, ux 3128 S. Elizabeth
8	9	✓ Henry W. & Meribeth Claassen, ux 240 N. Rutan
13	9	✓ Wade H. & Erma I. Turney, ux 3143 S. Martinson

LOT	BLK	OWNER
<u>Repl of Iva Fultz Gardens</u>		
14	9	✓ Arthur H. & Donna B. Dottery, ux 3139 S. Martinson
15	9	✓ Don Eugene & Kathleen Anne Bugni, ux 3133 S. Martinson
16	9	✓ William P. D. Wilson, Jr. & Patricia G. Wilson, ux 231 N. Dellrose
17	9	✓ John H. & Hazel E. Eitel, ux 3121 S. Martinson
18	9	✓ Daniel G. & Violette M. Myers, ux 3115 S. Martinson
19	9	✓ Oscar & Vesta Joy Sims, ux 3109 S. Martinson
20	9	✓ Bland R. Dean, Jr. & Loretha M. Dean, ux 3103 S. Martinson
1	10	✓ Frances D. Wix 3102 S. Martinson
2	10	✓ Gerald L. & Jene F. Stuever, ux 3108 S. Martinson
3	10	✓ John M. & Ethel M. McKinster, ux 537 W. McArthur
4	10	✓ Albert E. & Ruth Marie Gebhart, ux 3120 S. Martinson
5	10	✓ Harold & Gladys L. Odle, ux 3126 S. Martinson
6	10	✓ Charles H. & Ruth E. Sanderson, ux 3132 S. Martinson
7	10	✓ Bobby Gene & Janet Mae Roberts, ux 3138 S. Martinson
8	10	✓ Paul E. & Marie C. Decker, ux 3144 S. Martinson
9	10	✓ Charles F. & Ann C. Schwarz, ux 3150 S. Martinson
10	10	✓ Jack M. & Marjorie E. Malcolm, ux 3156 S. Martinson
11	10	✓ Marion J. & Earl E. Rush 1553 N. Topeka
12	10	✓ James A. & Edna L. Owens, ux 1018 Marys Dr.
13	10	✓ Nash A. & Lindell E. Gough, ux 3151 S. Exposition
14	10	✓ Glen Ray & Rita Joan Goodwin, ux 3145 S. Exposition

LOT BLK OWNER

Replat of Iva Fultz Gardens

15	10	√ H. A. & Albertina S. Liklardopoulos, ux 3139 S. Exposition
16	10	√ Erwin R. & Dorothy L. Ray, ux 3133 S. Exposition
17	10	X Robert E. & Mary V. Maze, ux No Address Available <i>no address found</i>
18	10	√ James Curtis & Pauline H. Reaves, ux 615 N. Hydraulic
19	10	√ Clair D. & Elizabeth Presnell, ux 3115 S. Exposition
20	10	√ Croft M. & Susan Mildred Corbett, ux 3109 S. Exposition
21	10	√ Charles E. & Glennice L. Wirt, ux 405 S. Hillside
1, 2, 3,	11	X Seneca Square, Inc. 221 N. Market
4, 5, 6, 7, 8,	11	X Seneca Square, Inc.
9, 10, 11,	11	X Don Bottenberg Co., Inc. Beacon Bldg.
12, 13, 14,	11	√ Floyd D. & Marie J. De Witt, ux 3325 S. Oak
1, 2, 3, 4, 5, 6,	12	" " " " "
All Block 13		X Seneca Square, Inc. 221 N. Market

ROBSON HEIGHTS

1, EXC W 10'		√ Skelly Oil Company 3066 S. Seneca
2		√ Carl M. & Sue Jane Meitner, ux 121 1/2 Regal
3 (N 137.5')		√ Federal Housing Commissioner Washington, D. C.
3 exc N 137.5')		√ Garnett Building Co., Inc. Elnora Hale, Treas. 701 Pattie Ave.
4		√ Marion G. & Margaret A. Hall, ux 1027 W 30th St. S.
5 (S 1/2)		X Garnett Building Co., Inc.
5 (N 1/2)		X Alvis Truman & Kathleen Perry Pickett, ux No Address Available <i>no address found</i>
6		√ O. Kenneth & Evelyn C. Doramus, ux 1001 W 30th St. S.
7		√ Albert Maurice & Mary Ann Peterson, ux 939 W 30th St. S.

LOT	BLK	OWNER
<u>CUMLEY'S ADDITION</u>		
2		✓ Amy Robbins, sgle. 3234 S. Seneca
3		✓ Raymond F. & Violet M. Koob, ux 3244 S. Seneca
17		X Amy Robbins, sgle 3234 S. Seneca
E 134 ft of N, 90 ft of Lot 18 1/2 Vac ALLEY ADJON N.		X Carrie Hohn No Address Available
Lot 18, exc N 100 ft of E 134 ft.		X Colby B. & Genevieve B. Sandlian, ux 443-E N. St. Francis

BASSETT ADDITION

3, 4, 5,	2	X T. H. & Berniece Mathies, ux No Address Available <i>no address found</i>
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SUBURBAN HOMES ADDITION

Lot 1, exc N 132 ft.		✓ Wendelin Herman & Tony Herman 6243 Millsboro Dr.
N 132 ft of Lot 1.		✓ Glenn L. Richardson 1202 S. Washington
2		✓ James O. Smith & R. E. Ray 439 S. Main
<u>LOMA LINDA GARDENS</u>		
1 & 2	A	✓ C. W. Barnum 2920 Aloma
3	A	<i>ret. & vacant 4-11-66</i> ✓ Curtis R. & Gwen Harper, ux 4355 Iroquois, 500 Alligoy Menule 26, Colorado
4 & 5	A	✓ J. D. & Margaret Andrews, ux 601 Tippacanoe
6	A	✓ Earl R. & Anna Spicer, ux 1208 W 32nd St. S.
7	A	✓ Edward Eugene & Ernestine Mary Hon, ux 1214 W 32nd St. S.
8	A	✓ Paul Laurence & Jeane Sandahl, ux 1630 S. Vine
1, 2, 3,	B	✓ Robert C. & Faye C. Dauffenbach, ux 530 N. Market

SLEASE 2nd ADDITION

26 & 27, 28		✓ Wall's Inc. 6404 Claytonia
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W. H. HENNING ADDITION

1		X Sterling Realty Corporation No Address Available <i>no address found</i>
2		✓ Caleb W. & Lizzie Barnum, ux 2920 Aloma

LOT	BLK	OWNER
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W. H. HENNING ADDITION

3		✓ Jerome Janger, Samuel Bergman, Harold Bergman, Bernard Henry Trachtmen. 6405 E. Kellogg
4		✓ Joseph W. & Eva Kinder, ux 2203 Savannah

BASSETT SECOND ADDITION

1		✓ Glenn L. Richardson 1202 S. Washington
2 & 3		✓ Glenn L. Richardson Jack H. Greene 1202 S. Washington
1	BARE ADDITION	✓ Chas. E. & Beulah M. Bare, ux 1849 Burns

D-6122-50G
Beg 378.9 ft E of SW cor SW $\frac{1}{4}$ Sec 5, Twp 28, R 1 E; N 330 ft; E 132 ft; S 330 ft; 1111 E. Kellogg
W to beg.

D-6122-50E
Beg at center of Seneca St & at the NW cor of S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 5, Twp 28, R 1 E; E 378.9 ft; S 115 ft; W 378.9 ft; N 115 ft to beg.

✓ Clayton F. Wyant
3000 S. Seneca

D-6122-50H
Beg 260 ft S of NW cor S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 5, Twp 28, R 1 E; E 378.75 ft; S 115 ft; W 378.75 ft; N 115 ft to beg.

✓ Lee H. Dow
3040 S. Seneca

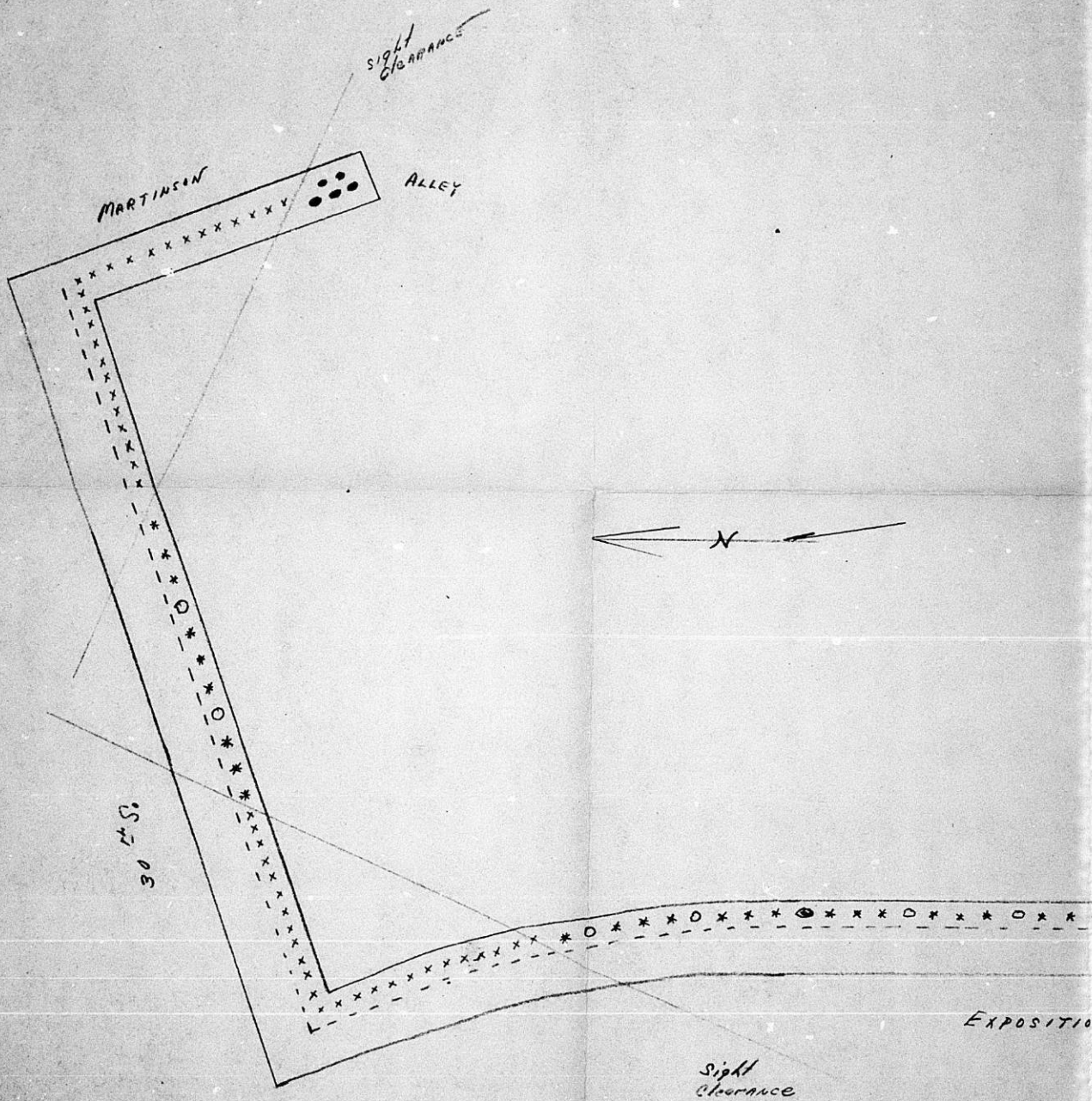
D-6122-50L
Beg 378.9 ft E of NW cor S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 5, Twp 28, R 1 E; E 941.3 ft; S 375 ft; W 941.3 ft; N 115 ft; W 378.9 ft; N 145 ft; E 378.9 ft; N 115 ft to beg, exc E 24.1 ft for Street.

✓ William D. & Thelma L. Gibbs, ux
3008 S Seneca

Dated at Wichita, Kansas this 17th day of March at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Elvie M Farrell Sec. OEM

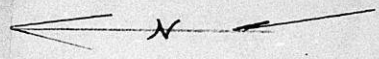


MARTINSON

SIGHT
CLEARANCE

ALLEY

30 M.S.



EXPOSITION

Sight
clearance

SENECA SQUARE SHOPPING CENTER
WICHITA, KANSAS

LANDSCAPE DESIGN FOR
10 FT. PLANTING AREA

SCALE 1" = 25'

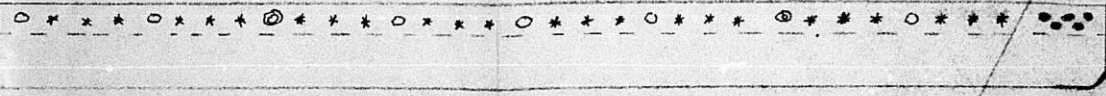
LEGEND:

- PURPLE LEAF HONEYSUCKLE
- X PROCEMBENS CREEPING JUNIPER
- * UPRIGHT JUNIPER (WELCHII)
- HAWTHORN TREE
- ⊙ FRUITLESS MULBERRY TREE

DESIGN BY
THOMAS O. MOSTALLER

FOR SUNNYSIDE NURSERY, INC.
WICHITA, KANSAS 67233
12-13-71 *T*

NOTE: NUMBER OF PLANT MATERIALS
REDUCED FROM 146 ON ORIGINAL
TO 117 ON THIS PLAN



ALLEY

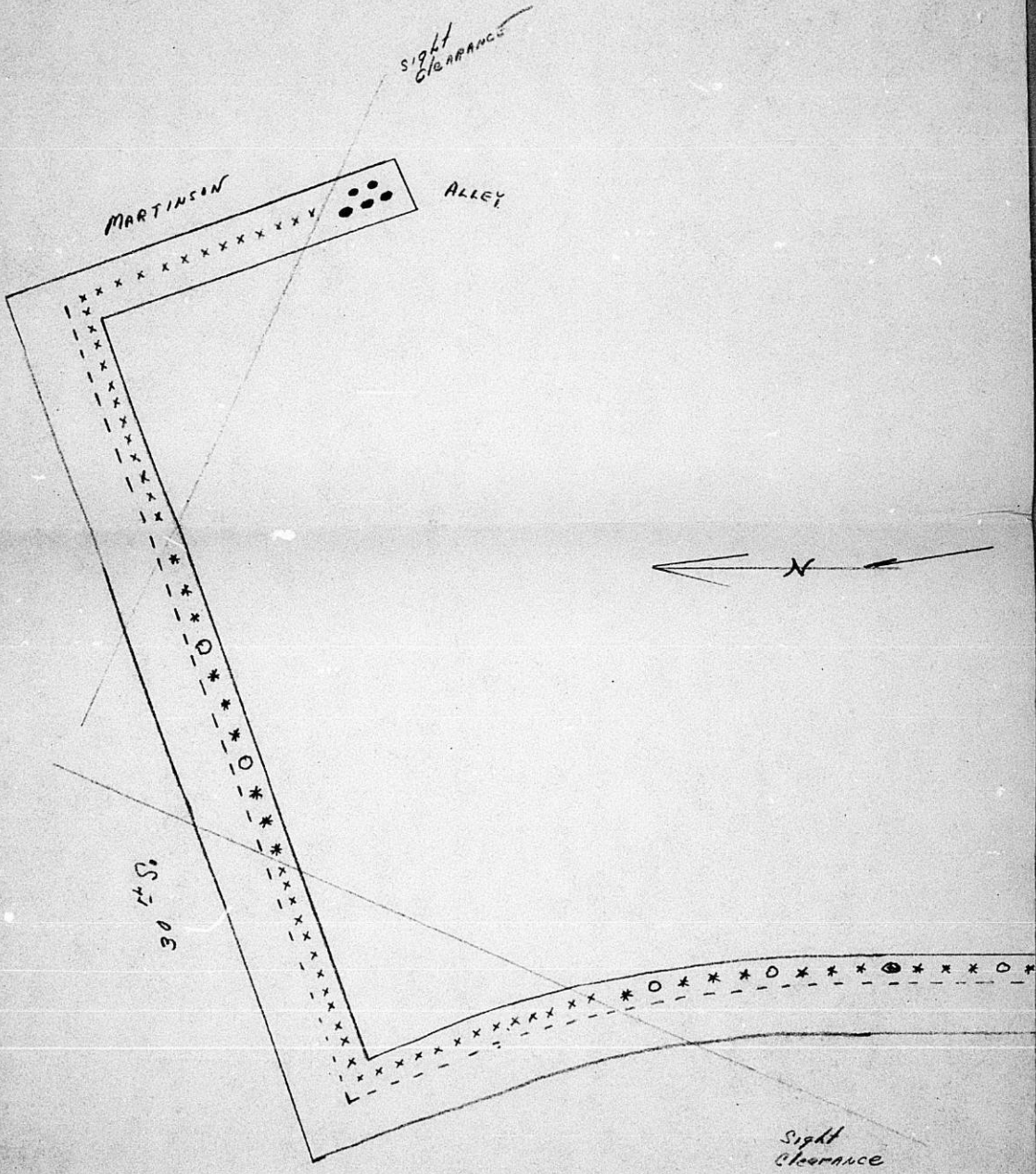
EXPOSITION



Approved
J.A.G.

Revised in field
on 1/11/72
Planted Site
J.S.

DP-16



*

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

Roll # 1

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