

PLV
POSTED
3-10-80

ACTION

354

DATE

COMMITTEE _____

M.A.P.C. *approved* 4-10-80

B.C.C./B.C.C.C. *Approved* 5-6-80

BP-76 - GARDNER RIVERLAWN COMM'L
CUP. - APPROVED FILE #1 - on prop.
only zoned "LC" - generally located
in the area of the project.

Map No. 5350
Sec. 6
Twp. 27S
Range 1E

DATA SHEET
COMMUNITY UNIT PLAN

DP - 76
Z-
Filed 3-3-80

APPLICATION REQUEST: Approval of proposed planned GARDNERS RIVERLAWN
COMMERCIAL CUP development. AMENDED FILE #1

1. Applicant Gardner Land, Inc.
Address 601 N. Broadway 67214 Phone 264-9181
2. Agent James L. Gardner
Address Same as above Phone _____
3. General Location North side of 21st St. North. in an area between
Coolidge and Amidon. Address _____
4. Proposed Use _____

AREA DATA

1. Acres 8.5 (_____ ft. by _____ ft.)
2. Existing Zoning "LC" Proposed Zoning _____
3. Area (is) (is not) platted. _____ Addition _____
4. Existing R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.
Proposed R/W _____ ft. _____ ft. _____ ft.
_____ St. _____ St. _____ St.

HISTORY

PROCEDURE DATA

1. MAPC Meeting:

| Date | Action |
|----------------|-----------------|
| <u>4-10-80</u> | <u>approved</u> |
| <u>5-4-80</u> | |
| _____ | _____ |
| _____ | _____ |

2. Governing Body

| Date | Action |
|---------------|-----------------|
| <u>5-6-80</u> | <u>Approved</u> |
| _____ | _____ |
| _____ | _____ |

HARTMAN ENGINEERS
LOCAL CH - ANDERSON, TX, U. S. A.

Shirley
No. 2153C

Map No. 5350
 Sec. 6
 Twp. 27S
 Range 1E

DATA SHEET

DP- 76
 Filed 3-3-80

GARDNERS RIVERLAWN COMMERCIAL CUP - AMENDED FILE #1

APPLICATION DATA:

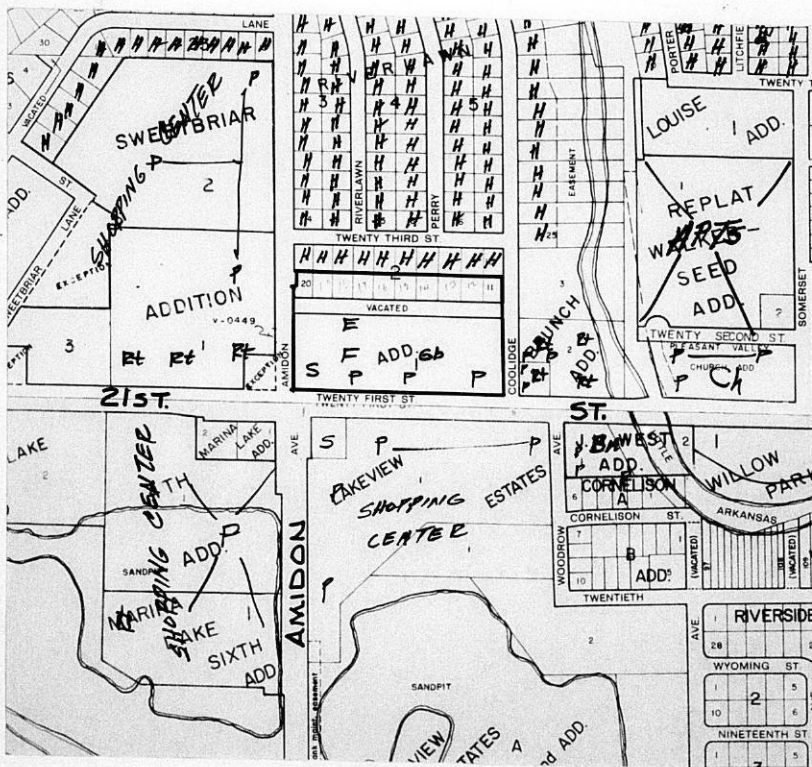
- Applicant: Gardner Land, Inc.
 Address 601 North Broadway, 67214 Phone 264-9181
- Agent: James L. Gardner
 Address Same as above Phone _____
- General Location: North side of 21st St. North, in an area between
Coolidge and Amidon. Address _____
- Proposed Use: _____

AREA DATA:

- Acres: 8.5 (460 ft. by 900 ft.)
- Existing Zoning: "LC"
- Land Use: East RESTAURANT South SHOPPING CENTER
 West RESTAURANT & PARKING LOT North SINGLE FARM
- Sketch Plan Land Use is for: _____
- Present Land Use is for: FOOD STORE, APPLIANCE STORE & GEN. BUSINESS
- Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



PICTURE SHEET

May 14, 1980

Robert B. Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

DP-76 - Gardner's Riverlawn Commercial C.U.P.
Generally located on the north side of 21st Street
North, in an area between Coolidge and Amidon.

The Board of City Commissioners on May 6, 1980, considered the
above captioned CUP. Their action was to approve the CUP
subject to the following conditions:

- a. The development plan shall be revised to show complete access control for Parcel #2, provided that one opening is permitted in the east 55 feet of the south boundary, and one opening is permitted in the north 40 feet of the west boundary.
- b. A financial guarantee in the amount of \$2,000, guaranteeing the closing of the two entrances closest to the intersection of 21st Street North and Amidon within one year of City Commission approval, shall be filed prior to scheduling before the Board of City Commissioners.
- c. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- d. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- e. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

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

Jack H. Galbraith
Chief Planner

JHG:MDC:el
Attachment#

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR APPROVAL OF AMENDMENT
COMMERCIAL COMMUNITY UNIT PLAN

CASE NO. DP-76

CONSIDERED BY MAPC: 4-10-80

REQUEST FOR: Approval of Amendment to C.U.P.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To expand the list of permitted uses on Parcel #2."

GENERAL LOCATION: North side of 21st Street North in an area between
Coolidge and Amidon.

LEGAL DESCRIPTION:

(See excerpt of Planning Commission minutes of
April 10, 1980)

APPLICANT: Gardner Land, Inc., 601 North Broadway.

AGENT FOR APPLICANT: None

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, "B"; East, "LC" & "BB"; South and West, "IC".

LAND USE: Existing, Food store, appliance store & general business; North,
Single family; East, Restaurant; South, Shopping Center; West, Restaurant
and Parking Lot.

CPO RECOMMENDATION: CPO Council Area "M" vote 8-1 to recommend approval.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to conditions as shown in excerpt
from the Planning Commission minutes of April 10, 1980. Bayouth moved,
Hennessy seconded and it carried unanimously. Gardner abstained from voting.
Goebel, Lofton and Martens were absent. One vacancy.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area Plan-
ning Commission and approve the Community Unit Plan subject to the recommend-
ed conditions; or
2. Return the application to the Metropolitan Area Planning Com-
mission for its reconsideration. The City Commission states the following
reasons for its action.

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 10, 1980

15. Case No. DP-76 - Gardner Land, Inc. requests approval of Amendment to the Gardner's Riverlawn Commercial Community Unit Plan for Block 1, the vacated 22nd Street between Amidon Avenue and Coolidge Avenue, and Lots 11 through 20 inclusive, in Block 2, all in the Gardner's Riverlawn Addition to the City of Wichita, Kansas. Generally located on the north side of 21st Street North, in an area between Coolidge and Amidon.

COMMISSIONER GARDNER said that he had an interest in this application and requested permission to abstain from voting, but to be present at the bench to constitute a quorum.

MOTION: That Commissioner Gardner be granted permission to remain at the bench. Jones moved, Bayouth seconded and it carried unanimously. Goebel, Lofton and Martens were absent. One vacancy.

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

COMMENTS:

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

In compliance with Section 28.04.190 of the Code of the City of Wichita, an application has been submitted proposing an amendment to an approved commercial Community Unit Plan (C.U.P.) located at the northeast corner of 21st Street and Amidon. The amendment proposes to enlarge the list of permitted uses for Parcel #2 and reduce the number of access openings for Parcel #2. No changes have been proposed for Parcel #1.

2. The current C.U.P., approved in April, 1976, listed only service station as a permitted use for Parcel #2. The applicant is proposing to enlarge the permitted use list to include liquor store, convenience grocery store, retail and personal service shops, but excluding fast food or carry-out establishments. By enlarging the permitted use list the applicant will gain flexibility in redeveloping the vacant service station on Parcel #2 without substantially deviating from the intent and purpose of the original C.U.P.
3. In consideration of comments from the Public Works Department, the applicant is proposing to limit access for Parcel #2 to one opening on Amidon and one opening on 21st Street North. The two existing openings closest to the intersection are to be closed.
4. Originally the contingent dedications, for Parcel #2, were to become effective upon the removal of the service station improvements. Staff concurs in the rewording of the contingent dedications as indicated on the development plan. The applicant will need to submit new contingent dedications for City Commission review and acceptance in order to supercede the existing dedications.
5. Should the Planning Commission determine that the proposed amendment is appropriate, the following are recommended conditions of approval:

- a. The development plan shall be revised to show complete access control for Parcel #2, provided that one opening is permitted in the east 55' of the south boundary, and one opening is permitted in the north 40' of the west boundary.
- b. A financial guarantee, in the amount of \$2,000, guaranteeing the closing of the two entrances closest to the intersection of 21st Street North and Amidon, within one year of City Commission approval shall be filed prior to scheduling before the Board of City Commissioners.
- c. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- d. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.
- e. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

CHAMBERS stated that the staff was in support of the proposed uses, and recommended approval of the application. CPO Council Area "M" voted 8-1 to recommend approval.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10; the minor nature of the proposed amendment; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. The development plan shall be revised to show complete access control for Parcel #2, provided that one opening is permitted in the east 55 feet of the south boundary, and one opening is permitted in the north 40 feet of the west boundary.
- b. A financial guarantee, in the amount of \$2,000, guaranteeing the closing of the two entrances closest to the intersection of 21st Street North and Amidon, within one year of City Commission approval shall be filed prior to scheduling before the Board of City Commissioners.
- c. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

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

Bayouth moved, Hennessy seconded and it carried unanimously. Gardner abstained from voting. Goebel, Lofton and Martens were absent. One vacancy.

April 14, 1980

James L. Gardner
Gardner Lane, Inc.
601 North Broadway
Wichita, Kansas 67214

Re: DP-76

Dear Mr. Gardner:

At its regular meeting on April 10, 1980, the Metropolitan Area Planning Commission considered the above-captioned amendment to the C.U.P. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. The development plan shall be revised to show complete access control for Parcel #2, provided that one opening is permitted in the east 55' of the south boundary, and one opening is permitted in the north 40' of the west boundary.
- b. A financial guarantee, in the amount of \$2,000, guaranteeing the closing of the two entrances closest to the intersection of 21st Street North and Amidon, within one year of City Commission approval shall be filed prior to scheduling before the Board of City Commissioners.
- c. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- d. Any major changes in this development plan shall be re-submitted to the Planning Commission and to the City Commission for its consideration.

- e. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

Ten copies of the revised plan need to be submitted to our office by April 25th so that subject case can be scheduled for the next regular meeting of the Board of City Commissioners for their consideration. This meeting to be held on May 6, 1980, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

ADC
Arthur D. Chambers, AICP
Junior Planner

ADC:sad

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE April 8, 1980

TO Jack Galbraith, Chief Planner, Current Plans

FROM Ginny Schrag, CPO Administrative Aide

SUBJECT DP-76 (GARDNER'S RIVERLAWN
COMMERCIAL COMMUNITY UNIT PLAN
(North of 21st Street between
Coolidge and Amidon)

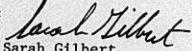
At their meeting of April 2, the Area "M" CPO Council considered the captioned case. Area residents were present to discuss the proposed amendment with the Council.

The Council voted 8-1 to recommend approval of the request for an amendment to Gardner's Riverlawn Commercial CUP to add to the originally approved use of a filling station, the additional uses of a liquor store, convenience grocery store, and personal services and that the Council's approval of the amendment was limited to Parcel #2.

Please inform the MAPC of the Council's action when they consider the case on April 10. Thank you.


Ginny Schrag
CPO Administrative Aide

GS:rs

Noted: 
Sarah Gilbert
Assistant CP Coordinator



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 4-10-80

Case No. DP-76 Request: Approval of Amendment to C.U.P.

Location: North side of 21st Street North in an area between Coolidge and Amidon.

Reason: To expand the list of permitted uses on Parcel #2.

Acres: 8.5 Size: 460' x 300'

| | <u>Land Use</u> | <u>Zoning</u> |
|----------|--|------------------|
| Existing | Food store, appliance store & general business | "B", "BB" & "LC" |
| North | Single-family | "B" |
| East | Restaurant | "LC" & "BB" |
| South | Shopping Center | "LC" |
| West | Restaurant & parking lot | "LC" |

Adequate street right-of-way to be acquired by contingent dedications.

Platted: Yes History: Z-0242 "B" to "LC"
6-20-60 MAPC Approve
8-09-60 BCC Approve
Z-0626 "B" to "BB"
2-18-65 MAPC Deny
3-19-65 BCC Deny
Z-0659 "B" to "BB"
5-20-65 MAPC Approve
6-08-65 BCC Approve
DP-76 C.U.P.
3-18-76 MAPC Approve
4-06-76 BCC Approve

COMMENTS:

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

In compliance with Section 20.04.190 of the Code of the City of Wichita, an application has been submitted proposing an amendment to an approved commercial Community Unit Plan (C.U.P.) located at the northeast corner of 21st Street and Amidon. The amendment proposes to enlarge the list of permitted uses for Parcel #2 and reduce the number of access openings for Parcel #2. No changes have been proposed for Parcel #1.

2. The current C.U.P., approved in April, 1976, listed only service station as a permitted use for Parcel #2. The applicant is proposing to enlarge the permitted use list to include liquor store, convenience grocery store, retail and personal service shops, but excluding fast food or carry-out establishments. By enlarging the permitted use list the applicant will gain flexibility in redeveloping the vacant service station on Parcel #2 without substantially deviating from the intent and purpose of the original C.U.P.
3. In consideration of comments from the Public Works Department, the applicant is proposing to limit access for Parcel #2 to one opening on Amidon and one opening on 21st Street North. The two existing openings closest to the intersection are to be closed.
4. Originally the contingent dedications, for Parcel #2, were to become effective upon the removal of the service station improvements. Staff concurs in the rewording of the contingent dedications as indicated on the development plan. The applicant will need to submit new contingent dedications for City Commission review and acceptance in order to supercede the existing dedications.
5. Should the Planning Commission determine that the proposed amendment is appropriate, the following are recommended conditions of approval:
 - a. The development plan shall be revised to show complete access control for Parcel #2, provided that one opening is permitted in the west 55' of the south boundary, and one opening is permitted in the north 40' of the west boundary.
 - b. A financial guarantee, in the amount of \$2,000, guaranteeing the closing of the two entrances closest to the intersection of 21st Street North and Amidon, within one year of City Commission approval shall be filed prior to scheduling before the Board of City Commissioners.
 - c. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 - d. Any major changes in this development plan shall be resubmitted to the Planning Commission and to the City Commission for its consideration.

Page 3
DP-76
MPC AGENDA
4-10-90

- e. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

DP-76 - 61 "Notice to Adjoining Property Owners" mailed 3-27-80 for the MAPC meeting
of 4-10-80

1 (including map) to CPO Office

62 TOTAL

WICHITA-SEDCWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

March 27, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Thursday, April 10, 1980, said meeting beginning at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, will consider an application for amendment to the GARDNER'S RIVERLAWN COMMERCIAL COMMUNITY UNIT PLAN, for property legally described as follows:

DP-76 - Block 1, the vacated 22nd Street between Amidon Avenue and Coolidge Avenue, and Lots 11 through 20 inclusive, in Block 2, all in the Gardner's Riverlawn Addition to the City of Wichita, Kansas. Generally located on the north side of 21st Street North, in an area between Coolidge and Amidon.

The Development Plan of this area, originally approved on April 4, 1976, has been resubmitted as required under the Community Unit Plan provisions of Section 23.04.190 of the City Zoning Ordinance of the City of Wichita. The Development Plan is on file in the Planning Department Office, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas, and is available for public information and review.

The revised Development Plan now on file proposes the following general amendment to the approved plan:

Adding permitted uses to the originally approved use of a filling station. The additional uses include liquor store, convenience grocery store, and personal services.

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

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

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

Robert A. Lakin
Secretary

March 19, 1980

James L. Gardner
601 North Broadway
Wichita, Kansas 67214

Re: DP-76 - Gardners Riverlawn Commercial CUP - Generally located on the north side of 21st Street North, in an area between Coolidge and Amidon.

Dear Mr. Gardner:

We have reviewed the proposed amendment to the C.U.P. at the above location and the following are our comments, as well as those of other City Departments, regarding the project.

Generally we see no problems with changing the permitted uses for Parcel #2 as proposed. One suggestion we would make is that you may wish to include other uses in addition to the proposed liquor store. This would allow you greater flexibility in developing this parcel. It would also preclude the necessity of amending the C.U.P. each time a different use was proposed. Additional uses that we consider appropriate for this location include service station, convenience grocery store and personal services, but excluding fast food/carry out establishments.

The Public Works Department has indicated that they do not, at this time, need the right-of-way that is contingently dedicated on the south and west sides of Parcel 2. However, they did request the dedication of 40 feet of complete access control, in both directions from the intersection, and that the two drives closest to the intersection be closed, (See "marked copy") and access control limited to one (1) opening on 21st and one opening on Amidon for Parcel 2. If the access control is granted, we feel that the contingent dedications for Parcel 2 should be reworded in a manner similar to the contingent dedications on Parcel 1. If this is done, General Provision #9 should be rewritten as follows:

Page Two
James L. Gardner
March 19, 1980

9. In the event that the contingent dedications located within Parcels 1 and 2 are needed by the City of Wichita for fill, paving, installation of utilities, or other similar street uses, the additional street right-of-way as indicated on the plan shall become effective.

General Provision #7 should be changed to read as follows:

7. A lot grading plan of subject property shall be submitted to the Department of Engineering prior to the issuance of any building permits involving substantial redevelopment of the existing uses on Parcel 1.

These are our comments at this time. We have scheduled this item for consideration by the Planning Commission on April 10, 1980, and it is necessary that we receive fourteen (14) amended copies of the plan showing the changes by March 27, 1980. If you have any questions, please call me or Art Chambers.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ADC:el

Enclosure

WICHITA-SEDGWICK COUNTY

DATE

March 5, 1980

METROPOLITAN AREA PLANNING DEPARTMENT

✓Dean Sellers, Acting City Engineer
Robert B. Feldner, Superintendent of Central Inspection
Paul B. Graves, Traffic Engineer

TO Paul Johnston, Flood Control Engineer

FROM Jack H. Galbraith, Chief Planner

SUBJECT Proposed Amendment to DP-76 - GARDNERS RIVERLAWN Commercial C.U.P. - Generally located on the north side of 21st Street North, in an area between Coolidge and Amidon.

We have received an application proposing an amendment to the permitted uses for Parcel 2 of the above captioned C.U.P. The change is from a filling station to a liquor store. Setbacks, coverage, access, etc., is to remain as originally approved.

The only potential problem area I see at this time involves the contingent dedications. If they are not needed at this time, we may wish to delete General Provision #9a. This would allow the City to acquire the dedication at such time that funds are available for intersection improvements.

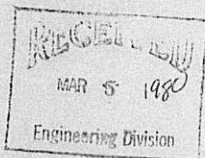
I would appreciate receiving any comments you might have regarding this C.U.P. by March 12, 1980.

JHG
Jack H. Galbraith
Chief Planner

JHG:ADC:e1

Attachment

*In lieu of dedication of RW today,
I suggest obtaining 40 ft of access Control
both directions from the intersection and
closing the drives at the intersection.*



JHG

art c

THE CITY OF WICHITA

OFFICE OF Flood Control and Landfill Div. **DATE** March 12, 1980

TO Jack Galbraith, Chief Planner, MAPD

FROM Paul Johnston

SUBJECT Gardners Riverlawn - Proposed Amendment
to DP-76

Reference is made to your memo of March 5th requesting comments on subject proposal. I have no comments concerning the proposed change in use; however, with the 3/3/80 revision, the wording of the text in Item 7 might have been updated to cover the reorganization of the Department.



Paul Johnston,
Acting Director
Flood Control and Landfill Division

PJ/glm

cc: Gardners Riverlawn Addn. Plat File

RECEIVED

MAR 13 1980
METROPOLITAN PLANNING
ROUTE

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE March 6, 1980

TO Jack Galbraith, Chief Planner

FROM James H. Jorgensen, Building Plans Examiner

SUBJECT Amendment to DP-76

I have no comments regarding the proposed CUP amendment.

James H. Jorgensen
James H. Jorgensen
Building Plans Examiner

JHJ:bg

RECEIVED

MAR 7 1980

METROPOLITAN PLANNING

ROUTE

ant

March 5, 1980

Dean Sellers, Acting City Engineer
Robert B. Feldner, Superintendent of Central Inspection
Paul B. Graves, Traffic Engineer
Paul Johnston, Flood Control Engineer

Jack H. Galbraith, Chief Planner

Proposed Amendment to DP-76 - GARDNERS RIVERLAWN Commercial
C.U.P. - Generally located on the north side of 21st Street
North, in an area between Coolidge and Amidon.

We have received an application proposing an amendment to the
permitted uses for Parcel 2 of the above captioned C.U.P. The
change is from a filling station to a liquor store. Setbacks,
coverage, access, etc., is to remain as originally approved.

The only potential problem area I see at this time involves
the contingent dedications. If they are not needed at this
time, we may wish to delete General Provision #9a. This
would allow the City to acquire the dedication at such time
that funds are available for intersection improvements.

I would appreciate receiving any comments you might have
regarding this C.U.P. by March 12, 1980.

Jack H. Galbraith
Chief Planner

JHG:ADC:el

Attachment

5350
675
15

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

DP76
Sec 6
T 275
RIE

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

*Gardner's Riverlawn
comme CUP*

*April 10
initials*

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

- a. Applicant Gardner Land, Inc.
- Address 601 North Broadway, Wichita 67214 Phone 264-9181
- Agent James L. Gardner
- Address 601 N Broadway, Wichita 67214 Phone 264-9181
- b. Applicant _____
- Address _____ Phone _____
- Agent _____
- Address _____ Phone _____
- c. Applicant _____
- Address _____ Phone _____
- Agent _____
- Address _____ Phone _____

DP-76
Amend. #1

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

II.A The applicant hereby requests Community Unit Plan approval on property zoned LC, CUP and legally described as Lot(s) attached, Block(s) _____ Addition.

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

Block 1, ^{Lots 1-20} inclusive Block 2, the vacated 22nd Street from the West line of Coolidge to the East line of Amidon, except those areas dedicated for street purposes, all in Gardner's Riverlawn Addition to Wichita, Kansas

use legal description

II.B There are 8.5 acres (round to nearest tenth) in the above described property.

III. This property is located at (address) _____.

The general location is (use appropriate section)

- a. at the _____ corner of _____
and _____; or
- b. on the North _____ side of 21st Street _____ (Ave.,
Street) between Coolidge _____ (Ave., Street) and
Amidon _____ (Ave., Street).

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

Gardner Land, Inc.

By James L. Gardner By _____
Authorized Agent (if any) Authorized Agent (if any)

By _____ By _____
Authorized Agent (if any) Authorized Agent (if any)

V. OFFICE USE ONLY

This application was received at the Planning Department at _____ (AM, PM) on _____ (Day, Month, Year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 400.

Arthur D. Chambers Name
Jr. [Signature] Title

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
 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:

All the owners within 500 feet of:

Block 1, the vacated 22nd Street between Amidon Avenue and Coolidge Avenue, and Lots 11, 12, 13, 14, 15, 15, 17, 18, 19 and 20, in Block 2, all in GARDNERS RIVERLAWN ADDITION to the City of Wichita, Sedgwick County, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

| <u>LOTS AND BLOCKS</u> | <u>ADDITION</u> | <u>OWNERS</u> |
|---|--------------------|---|
| Block 1, the vacated 22nd Street between Amidon Avenue and Coolidge Avenue, and Lots 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, in Block 2, | GARDNERS RIVERLAWN | Gardner Land, Inc. M. K. Gentry & Vernon J. Jacobs 3100 S. Meridian, Unit 68 Wichita, Kansas 67217 |
| Lot 1, Block 2, | GARDNERS RIVERLAWN | Margaret F. Park 5707 E. 19th St. Wichita, Kansas 67208 |
| Lot 2, Block 2, | GARDNERS RIVERLAWN | Donald R. & Ruby Eva Elinor Armstrong 1921 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 3, Block 2, | GARDNERS RIVERLAWN | Donald A. & Lois M. Filby 1915 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 4, Block 2 | GARDNERS RIVERLAWN | V. A. & Mildred B. Miller & Kathleen D. Garrison 1909 W. 23rd St. N. Wichita, Kansas 67204 |

Fidelity  Title
 COMPANY, INC.

LOTS AND BLOCKS

ADDITION

OWNERS

| | | |
|------------------|-----------------------|---|
| Lot 5, Block 2, | GARDNERS RIVERLAWN | ✓ Nick J. & Cathy L. Clausen 1901 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 6, Block 2, | GARDNERS RIVERLAWN | ✓ E. W. & Nell M. Schubert 1827 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 7, Block 2, | GARDNERS RIVERLAWN | ✓ George S. & Rosa L. Simpson 1821 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 8, Block 2, | GARDNERS RIVERLAWN | ✓ Stephen J. & Janet L. Betton 1815 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 9, Block 2, | GARDNERS RIVERLAWN | ✓ William Henry & Marjorie Holsapple 1807 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 10, Block 2, | GARDNERS RIVERLAWN | ✓ Avis R. & Deloris Gutshall 1801 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 10, Block 3, | GARDNERS RIVERLAWN | ✓ Willa Mae & Richard F. Whorton 2428 N. Amidon Wichita, Kansas 67204 |
| Lot 11, Block 3, | GARDNERS RIVERLAWN | ✓ Rodney Michael & Melanie K. Minson 2424 Amidon Wichita, Kansas 67204 |
| Lot 12, Block 3, | GARDNERS RIVERLAWN | ✓ Violet J. Steven & Brenda Sue Sherrill & Charles David Steven 2416 Amidon Wichita, Kansas 67204 |
| Lot 13, Block 3, | GARDNERS RIVERLAWN | ✓ Ray & Georgia I. Shropshire 2410 Amidon Wichita, Kansas 67204 |
| Lot 14, Block 3, | GARDNERS RIVERLAWN | ✓ Alonzo W. & Lorene Johnson 2126 N. Minnesota ADDRESS UNKNOWN 67214 Real Estate Address: 2402 Amidon Wichita, Kansas 67204 |
| Lot 15, Block 3, | GARDNERS RIVERLAWN | ✓ Fern L. Lytton 1918 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 16, Block 3, | GARDNERS Riverlawn | ✓ Jack B. & Mary L. Hollowell 2409 Riverlawn Drive Wichita, Kansas 67204 |


Fidelity
Title
Company,
inc.



| <u>LOTS AND BLOCKS</u> | <u>ADDITION</u> | <u>OWNERS</u> |
|------------------------|-----------------------|---|
| Lot 17, Block 3, | GARDNERS RIVERLAWN | Paul W. & Katherine M. Reeves 2415 Riverlawn Drive Wichita, Kansas 67204 |
| Lot 18, Block 3, | GARDNERS RIVERLAWN | John Richard & Myra M. Small 2421 Riverlawn Drive Wichita, Kansas 67204 |
| Lot 19, Block 3, | GARDNERS RIVERLAWN | Roy D. & Elizabeth J. Mountain 2427 Riverlawn Drive Wichita, Kansas 67204 |
| Lot 11, Block 4, | GARDNERS RIVERLAWN | Guy A. & Eunice G. Schneider 2428 Riverlawn Drive Wichita, Kansas 67204 |
| Lot 12, Block 4, | GARDNERS RIVERLAWN | Gerald B. & Lois E. Becker 2422 Riverlawn Drive Wichita, Kansas 67204 |
| Lot 13, Block 4, | GARDNERS RIVERLAWN | Marjorie J. & Frederick M. Knodle 2416 Riverlawn Drive Wichita, Kansas 67204 |
| Lot 14, Block 4, | GARDNERS RIVERLAWN | James Stanley & Kim Elaine Becker 2410 Riverlawn Drive Wichita, Kansas 67204 |
| Lot 15, Block 4, | GARDNERS RIVERLAWN | James & LaDonna J. Sanders 1214 Kevin Road Wichita, Kansas 67208 |
| Lot 16, Block 4, | GARDNERS RIVERLAWN | Wendell E. & Betty M. Palin 1824 W. 23rd St. N. Wichita, Kansas 67204 |
| Lot 17, Block 4, | GARDNERS RIVERLAWN | David E. & Edna E. Monk 2409 Perry Avenue Wichita, Kansas 67204 |
| Lot 18, Block 4, | GARDNERS RIVERLAWN | Ted O. & Josephine M. Brim 2415 Perry Avenue Wichita, Kansas 67204 |
| Lot 19, Block 4, | GARDNERS RIVERLAWN | Robert W. & Lou Perrill 2421 Perry Avenue Wichita, Kansas 67204 |
| Lot 20, Block 4, | GARDNERS RIVERLAWN | George Parrish & Dorethea L. Freeman, ux ADDRESS UNKNOWN <i>Trg. 1016 N. Lightfoot Dr. 67208</i> <i>returned - no other add.</i> |


Fidelity
Title
Company,
inc.



| <u>LOTS AND BLOCKS</u> | <u>ADDITION</u> | <u>OWNERS</u> |
|---|-----------------------|--|
| Lot 12, Block 5, | GARDNERS RIVERLAWN | Harold C. & Lucille E. Welch ✓ 2428 Perry Avenue Wichita, Kansas 67204 |
| Lot 13, Block 5, | GARDNERS RIVERLAWN | Margaret L. Kirkpatrick & Mildred L. Brown ✓ 2422 Perry Avenue Wichita, Kansas 67204 |
| Lot 14, Block 5, | GARDNERS RIVERLAWN | Gary Wayne Stout ✓ 2416 Perry Avenue Wichita, Kansas 67204 |
| Lot 15, Block 5, | GARDNERS RIVERLAWN | Lorie J. Rumsey ✓ 2308 Hyacinth Wichita, Kansas 67204 |
| Lot 16, Block 5, | GARDNERS RIVERLAWN | Jerome Hobbs & Connie L. Johnson, ux ✓ 2402 Perry Avenue Wichita, Kansas 67204 |
| Lot 17, Block 5, | GARDNERS RIVERLAWN | R. Vernon Middlebush ✓ 2401 Coolidge Wichita, Kansas 67204 |
| Lot 18, Block 5, | GARDNERS RIVERLAWN | Carey D. & Dolores A. Granger ✓ 2409 Coolidge Wichita, Kansas 67204 |
| Lot 19, Block 5, | GARDNERS RIVERLAWN | Richard L. & Viola C. Trummel ✓ 2415 Coolidge Wichita, Kansas 67204 |
| Lot 20, Block 5, | GARDNERS RIVERLAWN | Richard E. & Mary B. Smith ✓ 2421 Coolidge Wichita, Kansas 67204 |
| Lot 21, Block 5, | GARDNERS RIVERLAWN | John W. & Wanda B. Crosby ✓ 2427 Coolidge Wichita, Kansas 67204 |
| Lot 21, except River Bend on East, Block 8, | GARDNERS RIVERLAWN | Carol Ann McLeod ✓ 2428 Coolidge Wichita, Kansas 67204 |
| Lot 22, except River Bend on East, Block 8, | GARDNERS RIVERLAWN | James L. Gardner-Trustee Tax Notice to: ✓ L.E. Gardner 2422 Coolidge Wichita, Kansas 67204 |
| Lot 23, except River Bend on East, Block 8, | GARDNERS RIVERLAWN | Patricia B. & C. A. Doolittle, Jr. ✓ 2416 Coolidge Wichita, Kansas 67204 |
| Lot 24, Block 8, except River Bend on East, | GARDNERS RIVERLAWN | Clarence H. & Rosamond L. Corr ✓ 2410 Coolidge Wichita, Kansas 67204 |


Fidelity
Title
Company,
inc.



| <u>LOTS AND BLOCKS</u> | <u>ADDITION</u> | <u>OWNERS</u> |
|--|--------------------|---|
| Lot 25, Block 8, except River Bend on East, | GARDNERS RIVERLAWN | Vernon L. & Marjorie I. Williams 2402 Coolidge Wichita, Kansas 67204 |
| Lots 1, 2 and 3, River-bend adjacent on East | A. R. BRUNCH | A. R. & Thelma Brunch ADDRESS UNKNOWN |
| Lot 1, | JOHN M. WEST | Twin Lakes State Bank 2150 Woodrow Wichita, Kansas 67203 |
| Lot 2, | JOHN M. WEST | City of Wichita 455 North Main Wichita, Kansas 67202 |
| Lots 3, 4, 5 and 6, Block A, | CORNELISON | Twin Lakes State Bank 21st Street & Woodrow Wichita, Kansas 67204 |
| Lot 7, Block B, | CORNELISON | Graham Michaelis 211 North Broadway, Rm 301 Wichita, Kansas 67202 |
| Part of Block 1, described as Beginning 126.7 feet West of the NE corner, Block 1, West 640.29 feet, South 158.71 feet, West 158.71 feet, South 368 feet, East 325 feet, NE 200 feet, East 475 feet, North 275 feet, West 129.33 feet, North 125 feet to beginning, and beginning NE corner, Block 1, West 126.7 feet, South 125 feet, East 129.33 feet, North 125 feet to beginning, LAKEVIEW ESTATES, a Replat of Lots 1, 4, 5 and a part of Lots 2 and 3 LAKEVIEW ADDITION, | | Lakeview Development Co., Inc. P.O. Box 4048 Wichita, Kansas 67204 |
| West 208.71 feet of North 208.71 feet, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 27, Range 1 East of the 6th P.M., Except the West 50 feet and except the North 50 feet for street. | | Marcus D. Gow %Derby Refininf Company P.O. Box 1030 Wichita, Kansas 67201 |
| Lot 1, except beginning at southwest corner, Northeast 96.95 feet; South to South line, West to beginning, LAKEVIEW ESTATES 2ND ADDITION, | | Lakeview Development Co., Inc. P.O. Box 4048 Wichita, Kansas 67204 |
| Lot 1, | MARINA LAKE | Mid Kansas Federal Savings & Loan Assn. 230 South Market Wichita, Kansas 67202 |
| Lot 2, | MARINA LAKE | Kiser Inc. 1446 Willow Road Wichita, Kansas 67208 |
| Lot 1, | MARINA LAKE 4TH | Clear Lakes, Inc. %Resident Agent Theodore H. Hill 810 W. Douglas Wichita, Kansas 67213 |


Fidelity
Title
Company
inc.



LOTS AND BLOCKS

ADDITION

OWNERS

East 170 feet of South
180 feet of SE $\frac{1}{4}$ of SW $\frac{1}{4}$,
except the East 40 feet
and except the South 50
feet for Street, Section
6, Township 27, Range 1
East, Sedgwick County,
Kansas,

Sweetbriar Garden Inc.
%Amoco Oil Co.
P.O. Box 20
Shawnee Mission, Kansas
66201

Lot 2, Block A,

SWEETBRIAR
ADDITION AND
REPLAT OF PART
OF BENJAMIN HILLS
SECOND ADDITION

E. A. McLean, etal
% Prudential Savings Bank
390 6th Avenue
New York, New York 10011

Beginning at Northeast
corner of Lot 1, thence
South 15.43 feet, thence
West 150 feet, thence
South 190.64 feet, thence
West 50 feet, thence South
200 feet, thence West 45
feet, thence South 50 feet,
thence West 371 feet,
thence North 461.8 feet, thence
East 616 feet to beginning,
Block A,

SWEETBRIAR

E. A. McLean, etal
% Prudential Savings Bank
390 6th Avenue
New York, New York 10011

is Avenue of the Americas

Part of Lot 1, beginning
15.43 feet south of North-
east corner of Lot 2, thence
South 200 feet; thence West
150 feet; thence North 200
feet; thence East 150 feet
to beginning, Block A,

SWEETBRIAR

E. A. McLean etal
%Champlain Pet. Co.
P.O. Box 552
Enid, Oklahoma 73701

The South 150 feet of the
West 371 feet of Lot 1,
Block A,

SWEETBRIAR

E. A. McLean etal
%Savage, Savage & Brown
2809 NW Expressway
Oklahoma City, Oklahoma
73112

Part of Lot 1, beginning
215.43 feet south of
NE Corner; thence West 150
feet; thence North 9.36 feet;
thence West 50 feet; thence
South 200 feet; thence East
200 feet; thence North 196.22
feet to beginning, Block A,

SWEETBRIAR

E. A. McLean etal
%Bonanza Inc.
3900 West Kellogg
Wichita, Kansas 67213

Part of Lot 1, beginning
371 feet east of Southwest
corner; thence North 200
feet; thence East 245 feet;
thence South 70 feet; thence
West 120 feet; thence South
130 feet, thence West to
beginning, Block A,

SWEETBRIAR

E. A. McLean etal
%Kings X
1807 East Douglas
Wichita, Kansas 67211

Dated at Wichita, Kansas, this 21st day of February, 1980; 7:00 AM.

FIDELITY TITLE COMPANY, INC.

By *Fattie M. Greer*
Vices President

Tracer No. 51130


Fidelity
Title
Company,
inc.



FORM 29-0

PAYMENT NOTICE
City of Wichita

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

| DESCRIPTION | AMOUNT |
|------------------------|----------------------|
| Community Unit Plan | \$ 400 ⁰⁰ |

NAME JAMES L. GARDNER

ADDRESS 2464 COLDRIDGE 62204

FUND 110-00-000-4001 DUE DATE 1-004

COMMENTS

DATE 3-3-80 BY

*

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

Roll #1

*