

ACTION

DATE

COMMITTEE

M.A.P.C.

Approved sub. to
Conditions

4/6/84

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

Approved as

2-3-87

Recommended

Null & Void

Failure to plot.

(Original DP-83 new
in effect again)

DP-83, Amendment #1 - SOUTHWEST PLAZA
COMMERCIAL C.U.P. - At the northeast cor-
ner of 31st Street South and Maridian.

POSTED 12-18-86
KE

ACTION

COMMITTEE	DATE
M.A.P.C. <i>Approval sub to conditions</i>	<i>1/8/87</i>
B.C.C./B.C.C. <i>Approved as recommended</i>	<i>2-3-87</i>

NULL & VOID

Failure to plot.

(Original DP-83 now
in effect again)

DP-83, Attachment #1 - SOUTHWEST PLAZA
COMMERCIAL C.O.P. - At the northeast cor-
ner of 1st Street South and Meridian.

DATA SHEET

Z- _____
 SCZ- _____
 CU- _____
 DR- _____
 DP- 83

Case Filed: Amend 1
 10-29-86
 Associated Case: _____

APPLICATION DATA: Map No. 5344 C

- General Location: At The northeast corner of Meridian and 31st Street South
- From _____ to _____
- Proposed Use: _____
- DP Name: SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN
- Applicant: M. K. Gentry Company
 Address 3100 South Meridian, Wichita, Kansas 67217 Phone 942-8171
- Agent: Same
 Address _____ Phone _____

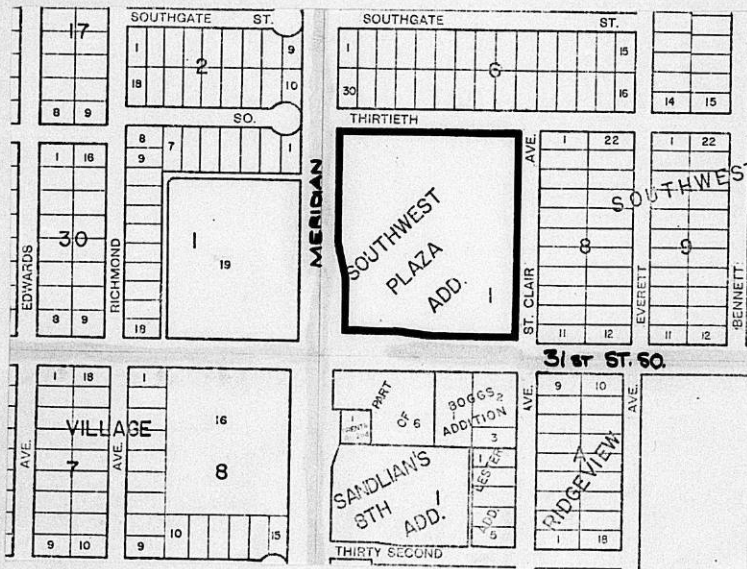
AREA DATA:

- Acres: 8.29 (_____ ft. by _____ ft.)
- Adjoining Zoning: N "A" & "AA" S "LC" E "A" & "AA" W "LC" & "RB"
- Land Use: North _____ East _____
 South _____ West _____

PICTURE SHEET

PHOTO DATA:

Taken by _____ Date _____ Time _____



NOTES:

S. H. Spauld. No. 2-153C
 HASTINGS, MN
 LOS ANGELES, CHICAGO, LOGAN, OH
 MEMPHIS, TULSA, CANTON, GAITHERSBURG, MD
 USA

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: May 3, 1989

TO: Monty Robson, Superintendent, CID
FROM: Louise Olivarez, Principal Planner *L. Olivarez*
SUBJECT: DP-83 Amendment #1 - Southwest Plaza Commercial
C.U.P. Generally located at the northeast corner of
31st St. South and Meridian.

On February 3, 1987, the City Commission approved the above-captioned C.U.P. amendment which differed from the original C.U.P. in that a second parcel was created on the corner for a service station/convenience store or a financial institution. Approval of the amendment was subject to the property being replatted within one year, or the amended C.U.P. would be considered null and void. The replat has not been completed and ownership of the property has passed from the estate of M.K. Gentry to the Kansas City Life Insurance Company according to records on file in the County Clerk's office. The surveyors who prepared the replat and who tried to get the owners to complete the replatting process have advised us that replatting will not be completed and the associated files (DP-183 Amendment #1 and S/D 87-15 Southwest Plaza 2nd Addition) can be closed.

Therefore, all paper copies and microfilm copies of DP-83 Amendment #1 should be marked "null and void" and the original DP-83, approved in 1977, is valid once again. If you need copies of the original DP-83, please let us know.

LO:jcm

cc: Brent Wooten, Baughman Co., 315 Ellis, 67211
Dan Wilson, Wilson-Darnell Associates, 128 N. Oliver, 67208
DP-83 Amendment #1 file
DP-83 file
S/D 87-15 file

FILE COPY

WICHITA-SEDCWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

February 13, 1987

TO: Monty Robson, Superintendent of Central Inspection

FROM: Barbara Harris, Senior Planner, Current Plans

SUBJECT: DP-83, Amendment #1 - Southwest Plaza Commercial Community Unit Plan. Generally located at the northeast corner of 31st Street South and Meridian.

The Board of City Commissioners on February 3, 1987, considered the above-captioned C.U.P. Their action was to approve the C.U.P. subject to the following conditions:

- a. 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. 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.
- d. The property included in this C.U.P. shall be platted within one year from the date of approval by the Board of City Commissioners and prior to the issuance of any building permits or the provisions of this C.U.P. shall become null and void for the portions which remain unplatted.
- e. ^{2 ->} ~~At the time of platting and~~ ^{Noticed C.U.D. 2-17-87} prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.

Attached for your information and files are two approved C.U.P. copies. If you have any questions concerning this matter, please call me at 268-4421.

BH:blw
Attachments

cc: M. K. Gentry Company, 3100 South Meridian, Wichita, KS. 67217
Dan Wilson, Wilson-Darnell Associates, 128 North Oliver,
Wichita, KS. 67208

PL/0088/4

Planning Agenda Item # _____

City of Wichita
City Commission Meeting
February 3, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: DP-83, AMENDMENT #1 - REQUEST FOR APPROVAL OF AMENDMENT TO THE SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN, LOCATED AT THE NORTHEAST CORNER OF 31ST STREET SOUTH AND MERIDIAN. (M. K. Gentry Company)

INITIATED BY: Metropolitan Area Planning Department.

AGENDA ACTION: Planning

MAPC Recommendation: Approve (9-0)

Staff Recommendation: Approve

Background: On January 8, 1987, the MAPC held a public hearing to consider an amendment to the 8.29-acre, one-parcel commercial C.U.P. on the northeast corner of 31st Street South and Meridian. Presently, there is one building on the site that is partially vacant. No one spoke in opposition to the requested change in the development plan. The Planning Commission recommended approval of the request subject to several conditions including replatting.

CPO Council "B" voted 6-0 at its January 6 meeting to recommend that the amendment be approved.

Analysis: The applicant has submitted a revised C.U.P. which has two (2) parcels and retains complete access control and wall and landscaping buffers to the residential areas to the north and east. The additional parcel is proposed on the northeast corner of 31st Street South and Meridian. There are apartments to the west and southwest of this major street intersection, and to the south are located a convenience store, a club, a fast food restaurant and a car wash. Single family houses are also located west of the north part of the C.U.P. site.

The revised development plan shows the same access controls to Meridian, 30th Street South and St. Clair as the original plan, and proposes one additional curb cut to 31st Street South from Parcel 2. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as service stations (including convenience sales) and financial institutions.

A recent field check indicates that the asphalt parking lot and wall are in need of repair. The amended general provisions state that the wall is to be painted. It is noted that the landscaping along the perimeter of the wall adjacent to 30th Street South and Meridian needs maintenance and the missing or dead plant materials replaced in accordance with the landscape plan approved with the original C.U.P. Staff and MAPC recommended that at the time of platting and prior to issuance of an

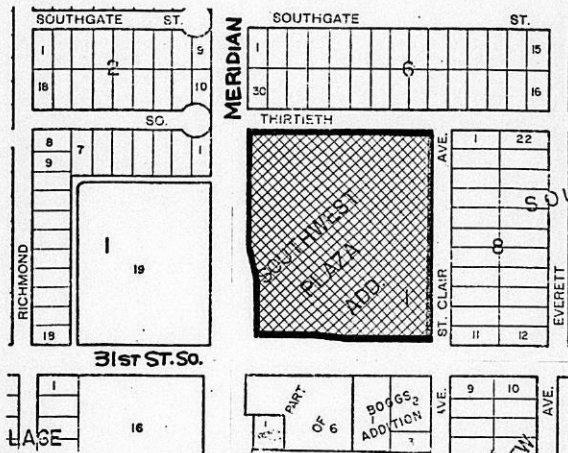
PL/0003/4

additional building permit, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.

The Planning Commission found that the character of the neighborhood, the zoning and uses of properties nearby, the suitability of subject property for the uses proposed, and the recommendation of staff justified approval of the development plan.

- Action:
1. Concur with the findings of the MAPC and approve the C.U.P. subject to the recommended conditions; or
 2. Take appropriate action stating reasons.

Attachments: Area Map
1-8-87 MAPC Minutes
CPO Memorandum
DP-83 site plan



DP-83, AMENDMENT #1 - REQUEST FOR APPROVAL OF AMENDMENT TO THE
 SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN, LOCATED AT THE
 NORTHEAST CORNER OF 31ST STREET SOUTH AND MERIDIAN.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 8, 1987

LEGAL:

6. Case No. DP-83, Amendment #1 - M. K. Gentry Company requests approval of amendment to the Southwest Plaza Commercial Community Unit Plan for Lot 1, Southwest Plaza Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Meridian Avenue and 31st Street South.

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

Background: The 8.29-acre, one-parcel C.U.P. on the northeast corner of 31st Street South at Meridian has not been amended since it was first approved in August 1977. Presently, there is one building on the site that is partially vacant.

Analysis: The applicant has submitted a revised C.U.P. which has two (2) parcels and retains complete access control and wall and landscaping buffers to the residential areas to the north and east. The additional parcel is proposed on the northeast corner of 31st Street South and Meridian. There are apartments to the west and southwest of this major street intersection, and to the south are located a convenience store, a club, a fast food restaurant and a car wash. Single family houses are also located west of the north part of the C.U.P. site.

The development plan shows the same access controls to Meridian, 30th Street South and St. Clair, and proposes one additional curb cut to 31st Street South from Parcel 2. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as service stations (including convenience sales) and financial institutions.

A recent field check indicates that the asphalt parking lot and wall are in need of repair. The amended general provisions state that the wall is to be painted. It is noted that the landscaping along the perimeter of the wall adjacent to 30th Street South and Meridian needs maintenance and the missing or dead plant materials replaced in accordance with the landscape plan approved with the original C.U.P. As a requirement of approval of this C.U.P. amendment, the applicant should either fulfill the requirements of the approved landscape plan or submit a new landscape plan for review and approval.

Should the Planning Commission determine that this commercial C.U.P. amendment is appropriate, the following are recommended conditions of approval:

- a. The property shall be replanted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
- b. The following wording in the general provisions shall be added or changed:

1. A general provision should be added -- "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
 2. General Provision #8 should be changed to read "All utilities shall be installed underground."
 3. In General Provision #3, under curb cuts in Parcel No. 1, the wording should include -- "No curb cut at St. Clair Ave. or 30th Street South."
 4. The second sentence in General Provision #12 should be deleted as it is not applicable in this case.
- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.
- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. 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.

DISCUSSION:

GALBRAITH stated that this has been a C.U.P. since 1977 and this is the first amendment that has ever occurred on this C.U.P. He pointed out that this shopping center is now partially unoccupied. The intent now is to convert or amend this C.U.P. into a two-parcel C.U.P. He mentioned that the applicants are adjusting some building setbacks to accommodate a proposed service station convenience store type operation. GALBRAITH stated that staff recommended approval of the request. CPO Council "B" voted 6-0 that the application be approved.

DAN WILSON, architect representing the applicants, was present.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10;

taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. The property shall be replatted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
- b. The following wording in the general provisions shall be added or changed:
 1. A general provision should be added -- "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
 2. General Provision #8 should be changed to read "All utilities shall be installed underground."
 3. In General Provision #3, under curb cuts in Parcel No. 1, the wording should include -- "No curb cut at St. Clair Ave. or 30th Street South."
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- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.
- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial

1-8-87
Page 4

development and be binding upon the present owners, their successors and assigns, unless amended.

Gardner moved, Conlee seconded and it carried unanimously. Crockett was absent.

PL/1013/2

THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services DATE January 7, 1987

TO Jack Galbraith, Chief Planner-Current Plans

FROM Shirley Mast, Administrative Aide III

SUBJECT DP-83: Northeast corner of
Meridian Avenue and 31st Street
South - Southwest Plaza Commercial
C.U.P.

CPO Council "B" considered the captioned case at its January 6th meeting and voted 6-0 to recommend that the amendment to the Southwest Plaza Commercial Community Unit Plan be approved subject to the conditions recommended in the MAPD Secretary's report.

No one was present to speak in support or opposition to the application.

Please provide the Council's recommendation to the MAPC and City Council when case DP-83 is considered.

Shirley Mast
Shirley Mast
Administrative Aide III

SM:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

January 9, 1987

Dan Wilson
Wilson Darnell Associates, P.A.
128 North Oliver
Wichita, Kansas 67208

Re: DP-83 Amendment #1 - Southwest Plaza Community Unit Plan. At the northeast corner of Meridian and 31st Street South.

Dear Mr. Wilson:

At its regular meeting on January 8, 1987, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. The property shall be replatted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
- b. The following wording in the general provisions shall be added or changed:
 1. A general provision should be added -- "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
 2. General Provision #8 should be changed to read "All utilities shall be installed underground."
 3. In General Provision #3, under curb cuts in Parcel No. 1, the wording should include -- "No curb cut at St. Clair Ave. or 30th Street South."
 4. The second sentence in General Provision #12 should be deleted as it is not applicable in this case.
- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot

DP-83
January 9, 1987
Page 2

conditions up to standards as specified on the C.U.P. or in the City Code.

- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. 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.

Enclosed is a marked copy of the C.U.P. which identifies corrections needing to be made. Please submit ten (10) corrected folded copies of the C.U.P. no later than January 21, 1987 in order for this matter to be forwarded to the Board of City Commissioners for consideration at their regular meeting on February 3, 1987. This meeting will be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, beginning at 9:00 a.m. We would remind you that Planning items are considered after all other matters of business.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG/lw

cc: M. K. Gentry Company, 3100 S. Meridian, Wichita, KS 67217

THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services DATE January 7, 1987

TO Jack Galbraith, Chief Planner--Current Plans

FROM Shirley Mast, Administrative Aide III

SUBJECT DP-83: Northeast corner of
Meridian Avenue and 31st Street
South - Southwest Plaza Commercial
C.U.P.

CPO Council "B" considered the captioned case at its January 6th meeting and voted 6-0 to recommend that the amendment to the Southwest Plaza Commercial Community Unit Plan be approved subject to the conditions recommended in the MAPD Secretary's report.

No one was present to speak in support or opposition to the application.

Please provide the Council's recommendation to the MAPC and City Council when case DP-83 is considered.

Shirley Mast
Shirley Mast
Administrative Aide III

SM:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

CASE NO. DP-83 Amend #1

133	Notices to adjoining property owners mailed on 12-23-86 for MAPC meeting on 1-8-87.
1	One to Applicant.
3	One each to CPO, Carl Gipson and Karen Crook.
3	One each to Louise, Barbara and Glen.

140	TOTAL
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**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688**

December 23, 1986

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, January 8, 1987, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to the SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN for property legally described as follows:

DP-83 Lot 1, Southwest Plaza Addition to Wichita, Sedgwick
AMENDMENT #1: County, Kansas. Generally located at the northeast corner
of Meridian Avenue and 31st Street South.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. 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 amended Development Plan now on file proposes to create two parcels out of the original single parcel C.U.P. This is the first amendment to this C.U.P. since it was approved in August of 1977. The development plan shows the same access controls to Meridian, 30th Street South and St. Clair, and proposes one additional curb cut to 31st Street South from the new parcel on the corner of 31st Street South and Meridian. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as uses for a service station (including convenience sales) and financial institution. Additional information regarding building setbacks, proposed uses, building coverage, etc. is indicated on the plan. The wall along the perimeter of the property to 30th Street South and to St. Clair is proposed to remain.

The hearing of the proposed amendment to this Development Plan is to be held and the same will then and there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

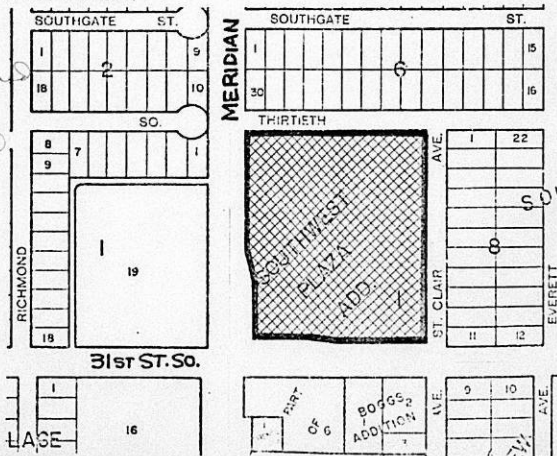
Additional information concerning this case may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council "C" will consider this case at their meeting to be held on Monday, January 12, 1987, at 7:30 p.m., at the National Guard Armory, 3617 South Seneca. Enter through Command Entrance, northwest corner of building. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.

Area is in Council B's jurisdiction. Both Councils reviewed the request. No one appeared from the neighborhood at either CPO meeting. Council B recommended approval.

Council C took no action.

APPLICATION AREA



WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

Date: November 3, 1986

TO: Walt Campbell, Deputy Chief of Operations
Bill McKinley, Traffic Engineer
Mike Lindebak, City Engineer

FROM: Barbara R. Harris, Senior Planner

RE: DP-83 - Southwest Plaza Commercial Community Unit Plan
Amendment Proposal. Generally located at the northeast
corner of Meridian and 31st Street South.

Attached for your review and comments is a copy of the proposed development plan for the above-referenced property. The applicant, M.K. Gentry Company, is proposing creating another parcel out of the one-parcel original C.U.P.

I would appreciate your comments regarding this development proposal by November 13th so it can be scheduled for MAPC review.

BRH:dik

Attachments

9-17-86 10⁰⁰ am - 11⁰⁰ am

Meeting with Dan Wilson of Wilson Darnell Associates

681-2099 128 No. Oliver

Staff present: Jack Galbraith
Barbara Harris

Southwest Plaza Addition

NE corner of
Meridian and 31st St. So.

DP-83 Southwest Plaza C.U.P.

Baughman Co. #17

Discussion: Wants gas station on corner.
Won't interfere with parking requirement
for existing building.
It's now one parcel with big setbacks.

Staff recommendation: Amendment (Minor)

- 1) Change in allowable # of bldgs.
- 2) Change in building setbacks.
Bldg. setbacks aren't platted.
- 3) Change in access control, if needed.
Access controls are platted.
- 4) Service station not a permitted use.
- 5) Car wash wanted? Need
BZA wording ^{in C.U.P.} approval
- 6) Canopies - "Lc" permits them
They should be freestanding though

7) Could do 1/5th if ^{or repeat} sell this
2nd parcel.

Don't have to do either
if lease

Vacation -

~~500'~~ notification -

CASE NO. DP-83 AMENDMENT #1

SOUTHWEST PLAZA COMMERCIAL
COMMUNITY UNIT PLAN

Southwest Plaza Addition to Wichita, Sedgwick County, Kansas. Generally
located at the northeast corner of Meridian Avenue and 31st Street South.

3. The general location is (USE APPROPRIATE SECTION):

A. At the Northeast corner of Meridian Ave. and 31st Street South, OR

B. On the NA side of NA (Ave.) Street between NA (Ave.) Street and NA (Ave.) Street.

4. WE 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; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

X _____ BY M. G. Smith
APPLICANT'S SIGNATURE AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE BY AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE BY AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 11⁰⁰ (AM, PM) on 10-29-86 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 200.00.

Barb Harris Name
Senior Planner Title

OWNERSHIP LIST

DP-83
Amendment #1

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 16	Block 5	Second Addition to Southwest Village	Jack L. Williams Claire O. Williams 3051 Everett Wichita, KS 67217
Lot 17	Block 5	"	Carson & Co. Inc. 1619 Willow Oak Andover, KS 67002
Lot 18	Block 5	"	Larry W. Westerberg Debra A. Westerberg 2216 Southgate Wichita, KS 67217
Lot 19	Block 5	"	William L. Hagemann Linda J. Hagemann 2222 Southgate Wichita, KS 67217
Lot 20	Block 5	"	Lloyd D. McCoombs 2228 Southgate Wichita, KS 67217
Lot 21	Block 5	"	William R. DeHaven Diana L. DeHaven 2304 Southgate Wichita, KS 67217
Lot 22	Block 5	"	DeLancy M. Hotalen Barbara Ann Hotalen 2310 W. Southgate Wichita, KS 67217
Lot 23	Block 5	"	Ralph Raymond Fleming Betty M. Fleming 2316 W. Southgate Wichita, KS 67217
Lot 24	Block 5	"	Jeffrey P. Moldenhauer Susan A. Moldenhauer 2322 W. Southgate Wichita, KS 67217
Lot 25	Block 5	"	Brad A. Clampitt Diana Clampitt 2328 W. Southgate Wichita, KS 67217
Lot 26	Block 5	"	A. W. Hainline Edith M. Hainline 2404 W. Southgate Wichita, KS 67217
Lot 27	Block 5	"	Terry G. Duncan Georgia M. Duncan 2410 W. Southgate Wichita, KS 67217
Lot 28	Block 5	"	Clarence L. Coffelt Darlene M. Coffelt 2416 W. Southgate Wichita, KS 67217

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 29	Block 5	Second Addition to the Southwest Village	Angelica Kelly Bourgesis 2422 W. Southgate Wichita, KS 67217
Lot 30	Block 5	"	William C. Nulik Juanita M. Nulik 2428 W. Southgate Wichita, KS 67217
Lot 1	Block 5	"	James E. Mull Teresa D. Mull 2427 W. Sunnybrook Wichita, KS 67217
Lot 2	Block 5	"	William Bryon Potts Berniece Ann Potts 2421 W. Sunnybrook Wichita, KS 67217
Lot 3	Block 5	"	Glen Park Christian Church 2757 S. Glenn Wichita, KS 67217
Lot 4	Block 5	"	William H. Brown Maggie V. Brown 2409 W. Sunnybrook Wichita, KS 67217
Lot 5	Block 5	"	Charles D. Robinett Virginia Robinett 2403 W. Sunnybrook Wichita, KS 67217
Lot 6	Block 5	"	Robert J. McDonald Stacy R. McDonald 2327 W. Sunnybrook Wichita, KS 67217
Lot 7	Block 5	"	Earl A. Jennings Donna A. Jennings 501 N. Emporia Valley Center, KS 67147
Lot 8	Block 5	"	Kenneth L. Pfannenstiel Anetta Pfannenstiel 2315 W. Sunnybrook Wichita, KS 67217
Lot 9	Block 5	"	Linda G. DeHart Jesse P. Freeman 2309 W. Sunnybrook Wichita, KS 67217
Lot 10	Block 5	"	Elmer Rupp Bonnie Jean Rupp 2303 Sunnybrook Wichita, KS 67217

Lot	Block	Addition	Property Owner
Lot 1	Block 6	Second Addition to Southwest Village	Diana Lynn Musick 2427 Southgate Wichita, KS 67217
Lot 2	Block 6	"	Lawrence Kennison Lowrey Annie T. Lowrey 2421 Southgate Wichita, KS 67217
Lot 3	Block 6	"	Richard Allan Yerton 2415 W. Southgate Wichita, KS 67217
Lot 4	Block 6	"	Robert Wayne Grover Judith Ann Grover 2409 W. Southgate Wichita, KS 67217
Lot 5	Block 6	"	Charles C. Hawley Nellie V. Hawley 2403 W. Southgate Wichita, KS 67217
Lot 6	Block 6	"	Allen L. Cremeen Gloria J. Cremeen 2327 Southgate Wichita, KS 67217
Lot 7	Block 6	"	Charles W. Shepard Beverly S. Shepard 2321 W. Southgate Wichita, KS 67217
Lot 8	Block 6	"	Timothy C. May Cindi Rene May 2315 W. Southgate Wichita, KS 67217
Lot 9	Block 6	"	Margaret A. Daniel 2309 Southgate Wichita, KS 67217
Lot 10	Block 6	"	Kenneth E. Turner Kay D. Turner 2302 W. Southgate Wichita, KS 67217
Lot 11	Block 6	"	Clyde J. Holman Mary Lou Holman 2227 W. Southgate Wichita, KS 67217
Lot 12	Block 6	"	Debra D. Bleier 2221 W. Southgate Wichita, KS 67217
Lot 13	Block 6	"	David Allan Yerton Richard Steven Yerton 2415 W. Southgate Wichita, KS 67217
Lot 14	Block 6	"	Earl E. Kiger Ruth M. Kiger 2209 W. Southgate Wichita, KS 67217

Lot	Block	Addition	Property Owner
Lot 15	Block 6	Second Addition to Southwest Village	Hubert R. Clough Mary J. Clough 3065 Everett Wichita, KS 67217
Lot 16	Block 6	"	Anna M. Schuckman c/o A. M. Price 2204 W. 30th South Wichita, KS 67217
Lot 17	Block 6	"	Clyde E. Ewers Helen J. Ewers 2210 W. 30th South Wichita, KS 67217
Lot 18	Block 6	"	Steven L. Nivison Kathy L. Nivison 2216 W. 30th South Wichita, KS 67217
Lot 19	Block 6	"	Rita Sue Davis 207 N. Pinecrest Wichita, KS 67217
Lot 20	Block 6	"	Donald E. Prichard Virginia H. Prichard 2228 W. 30th South Wichita, KS 67217
Lot 21	Block 6	"	Jerry F. Alter Judy A. Alter 2304 W. 30th South Wichita, KS 67217
Lot 22	Block 6	"	William Frank Owen Pauline Owen 2310 W. 30th South Wichita, KS 67217
Lot 23	Block 6	"	Ollie R. Gray Isabelle I. Gray 2316 W. 30th South Wichita, KS 67217
Lot 24	Block 6	"	Jerry L. Malmgren Edna M. Malmgren 2322 W. 30th South Wichita, KS 67217
Lot 25	Block 6	"	Betty I. Huenergarde Smith Center, KS 66967
Lot 26	Block 6	"	Jimmy L. Coatney Masako Coatney 2404 W. 30th South Wichita, KS 67217
Lot 27	Block 6	"	Mary Ann Thornell 2410 W. 30th South Wichita, KS 67217

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 28	Block 6	Second Addition to Southwest Village	Rosie M. Walker 2416 W. 30th South Wichita, KS 67217
Lot 29	Block 6	"	Judith R. Moore 2422 W. 30th South Wichita, KS 67217 AND Irene V. Relf Address Unknown
Lot 30	Block 6	"	Patrick E. Schulck Virginia M. Schulck 2428 W. 30th South Wichita, KS 67217
Lot 1	Block 8	"	Ted R. Barnes Ladonna M. Barnes 3104 S. St. Clair Wichita, KS 67217
Lot 2	Block 8	"	Willard C. Dingus Sharon S. Dingus 3110 S. St. Clair Wichita, KS 67217
Lot 3	Block 8	"	Elsie Monsam Joseph J. Monsam 3116 S. St. Clair Wichita, KS 67217
Lot 4	Block 8	"	Veterans Administration 901 George Washington Blvd. Wichita, KS 67211
Lot 5	Block 8	"	Ronald G. Box Karen A. Box 3128 S. St. Clair Wichita, KS 67217
Lot 6	Block 8	"	John Marvin Jones Janice V. Sapp 3134 S. St. Clair Wichita, KS 67217
Lot 7	Block 8	"	Elizabeth J. Bradley 3140 S. St. Clair Wichita, KS 67217
Lot 8	Block 8	"	Gerald E. Thomas Deanna D. Thomas 3147 Chase Wichita, KS 67217
Lot 9	Block 8	"	Michael E. Foster Constance C. Foster 619 Butler Valley Center, KS 67147

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 10	Block 8	Second Addition to Southwest Village	Roy L. Wallis 11908 E. Pawnee Wichita, KS 67207
Lot 11	Block 8	"	George H. Bunch Reita L. Bunch 2511 S. Osage Wichita, KS 67217
Lot 12	Block 8	"	Ray C. Hainlen Cheryl Ann Hainlen 3163 S. Everett Wichita, KS 67217
Lot 13	Block 8	"	Wilbur L. Boeken Barbara J. Boeken 3157 S. Everett Wichita, KS 67217
Lot 14	Block 8	"	CIT Financial Service Inc. 2533 S. Seneca Wichita, KS 67217
Lot 15	Block 8	"	Belva Henderson 3145 Everett Wichita, KS 67217
Lot 16	Block 8	"	Carol Jean Johnson 3139 Everett Wichita, KS 67217
Lot 17	Block 8	"	Jerry B. Lanterman M. Norene Lanterman 3133 Everett Wichita, KS 67217
Lot 18	Block 8	"	Hubert E. Richerson Beverly J. Richerson 3127 Everett Wichita, KS 67217
Lot 19	Block 8	"	Tammy L. Shipman 419 W. Skinner Wichita, KS 67213
Lot 20	Block 8	"	Don R. Waite Peggy Joyce Waite 3115 Everett Wichita, KS 67217
Lot 21	Block 8	"	Gerald P. Walters Lu Ann Walters 3109 Everett Wichita, KS 67217
Lot 22	Block 8	"	Rodney D. Houser Jodi L. Giffin 3103 Everett Wichita, KS 67217
Lot 1	Block 9	"	Ronald L. Spurlock Lana L. Spurlock 2107 W. 30th South Wichita, KS 67217

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 2	Block 9	Second Addition to Southwest Village	Fidelity Savings Association of Kansas 229 S. Market Wichita, KS 67202
Lot 3	Block 9	"	Glenn Lee Nicholas Linda J. Nicholas 3116 Everett Wichita, KS 67217
Lot 4	Block 9	"	Herbert A. Temple Linda K. Temple 3122 Everett Wichita, KS 67217
Lot 5	Block 9	"	William F. Knowles Isabelle L. Knowles 3128 Everett Wichita, KS 67217
Lot 6	Block 9	"	Aloysius Horn Verna M. Horn 3134 Everett Wichita, KS 67217
Lot 7	Block 9	"	Henry W. Frank Elvenor Frank 3140 Everett Wichita, KS 67217
Lot 8	Block 9	"	Clarence P. Rogers Kay F. Rogers 3146 Everett Wichita, KS 67217
Lot 9	Block 9	"	Ralph W. Palmer Iva M. Palmer 3152 Everett Wichita, KS 67217
Lot 10	Block 9	"	J. L. Fox Martha Lou Fox 3158 Everett Wichita, KS 67217
Lot 11	Block 9	"	Gary L. Clawson Emily L. Clawson 3164 Everett Wichita, KS 67217
Lot 10	Block 10	"	Leland B. Carlson Maureen C. Carlson 3058 Everett Wichita, KS 67217
Lot 11	Block 10	"	Alois Graf Greta Joann Graf 3064 Everett Wichita, KS 67217
Lot 12	Block 10	"	Hugh Allen Gilbert Sharlene Gilbert 3070 Everett Wichita, KS 67217

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 13	Block 10	Second Addition to Southwest Village	Glenn A. Keith Krista A. Merritt 3076 Everett Wichita, KS 67217
Lot 14	Block 10	"	Clifford J. Campbell Betty S. Campbell 2108 W. 30th South Wichita, KS 67217
Lot 1 & the East 1 foot of Lot 2	Block 1	Builders Fourteenth Addition	James W. Clapp Mary Lucille Clapp 2503 W. 30th South Wichita, KS 67217
The West 2 feet of Lot 2, all of Lot 3 & the East 2 feet of Lot 4	Block 1	"	Howard E. Stewart Marsha D. Stewart 7101 W. 36th South Wichita, KS 67215
Lot 4 except the East 2 feet & the East 1 foot of Lot 5	Block 1	"	Patricia Merlene Bogart 2521 W. 30th South Wichita, KS 67217
Lot 5 except the East 1 foot	Block 1	"	Jerry V. Friesen Laura L. Friesen 2527 W. 30th South Wichita, KS 67217
Lot 6 except the West 3 feet	Block 1	"	Janet L. Wells Robert J. Mallinson 2533 W. 30th St. Cr. Wichita, KS 67217
The West 3 feet of Lot 6 & all of Lot 7	Block 1	"	Shirley Elaine Short 2539 W. 30th South Wichita, KS 67217
Lot 19	Block 1	"	Westport, Inc. c/o Norman MacKnight 201 Continental Blvd. El Segundo, CA 90245
Lot 4	Block 2	"	Charles E. Switzer Virginia M. Switzer 2533 Southgate Wichita, KS 67217
Lots 1, 2 & 3		Boggs Addition	Orville A. Brown 2419 Greenwood Wichita, KS 67216
Lot 1		Brentari 2nd Addition	Lickteig-Pearce, Inc. c/o Avtax Inc. P.O. Box 35527 Tulsa, OK 74153
Lot 5	Block 2	Builders Fourteenth Addition	Gary L. Coyan Denise A. Coyan 3420 Euclid Wichita, KS 67217

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 6	Block 2	Builders Fourteenth Addition	Jerry W. Lane Mary M. Lane 2521 Southgate Wichita, KS 67217
Lot 7	Block 2	"	Donald E. Goertz Linda L. Goertz 3145 Bennett Wichita, KS 67217
Lot 8	Block 2	"	John F. Copeland Jr. Kimberly J. Copeland 2509 Southgate Wichita, KS 67217
Lot 9	Block 2	"	Peter R. Pennington Betty C. Pennington 2503 Southgate Wichita, KS 67217
Lot 10 & the East 1 foot of Lot 11	Block 2	"	Robert R. Rusher Patricia J. Rusher Elizabeth Rusher 344 Laura Wichita, KS 67211
Lot 11 except the East 1 foot & except the West 2 feet	Block 2	"	Michael Dean Miller Anita E. Miller 2808 W. 30th South Wichita, KS 67217
The West 2 feet of Lot 11, all of Lot 12 & the East 2 feet of Lot 13	Block 2	"	Peter L. Bonfiglio Sherry L. Bonfiglio 2514 W. 30th South Wichita, KS 67217
Lot 14 except the East 1 foot	Block 2	"	Dorothy L. Monford 2526 W. 30th South Wichita, KS 67217 AND Judith Ann Underhill Address Unknown AND Vicki Lynn Thomas Address Unknown
Lot 13 except the East 2 feet and the East 1 foot of Lot 14	Block 2	"	Sharfuddin Shah Nafis F. Shah 2520 W. 30th South Wichita, KS 67217
Lot 15 except the West 3 feet	Block 2	"	Gary L. Rundell Jackilyn A. Rundell 535 N. Emporia Valley Center, KS 67147

Lot	Block	Addition	Property Owner
The West 3 feet of Lot 15 & all of Lot 16	Block 2	Builders Fourteenth Addition	Secretary of Housing & Urban Development c/o Housing-Economic Development Department 455 N. Main Wichita, KS 67202
Lot 10	Block 3	"	Walter L. Bennett Carolyn S. Bennett 2914 Chase Wichita, KS 67217
Lot 11	Block 3	"	Steve T. Curry Jody A. Curry 2508 Southgate Wichita, KS 67217
Lot 12	Block 3	"	Edwin B. Stephens Fern N. Stephens 253 Pine Grove Wichita, KS 67212
Lot 1		Sandlians 8th Addition	S & O Sports Partnership 3234 S. Meridian Wichita, KS 67217
Lot 1	Block 1	Lesters Addition	Robert Dean Harris Patricia Helena Harris 3235 S. St. Clair Wichita, KS 67217
Lot 2	Block 1	"	Jack M. Howard Judith A. Howard 3239 S. St. Clair Wichita, KS 67217
Lot 3	Block 1	"	George A. Clark Wanda L. Clark 3243 S. St. Clair Wichita, KS 67217
Lot 6, Block 1, Lesters Addition, except the North 125 feet of the West 135 feet and except part platted as Bentari 2nd Addition and Sandlians 8th Addition.			Ted Maisch Rentals 1336 S. Mosley Wichita, KS 67211
The North 125 feet of the West 135 feet of Lot 6, Block 1, Lesters Addition.			Lickteig-Pearce Inc. c/o Avtax Inc. P.O. Box 35527 Tulsa, OK 74153
The North 5 feet of Lot 3 & Lot 4 exc. the North 6 feet	Block A	Ridgeview Second Addition	Dennis W. Athey Glenda D. Athey 3222 S. St. Clair Wichita, KS 67217

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 3 exc. the North 5 feet	Block A	Ridgeview Second Addition	Earle C. Albright Elizabeth S. Albright 2908 S. Osage Wichita, KS 67217
The North 6 feet of Lot 4 & all of Lot 5	Block A	"	Jimmy Junior Langford Tweila Langford 3218 S. St. Clair Wichita, KS 67217
Lot 6	Block A	"	Daniel O. Bettinger Peggy L. Bettinger 3214 S. St. Clair Wichita, KS 67217
Lot 7 & the South 6 feet of Lot 8	Block A	"	Veterans Administration 901 George Washington Blvd. Wichita, KS 67211
Lot 8 exc. the South 6 feet & the South 12 feet of Lot 9	Block A	"	Park Inc. 1219 W. 42nd South Wichita, KS 67217
Lot 9 exc. the South 12 feet	Block A	"	Robert L. Powell Carol S. Powell 2205 W. 31st South Wichita, KS 67217
Lot 10	Block A	"	Charles Grover Gordon Jr. Doris Elizabeth Gordon 2201 W. 31st South Wichita, KS 67217
Lot 11	Block A	"	Edward R. Fiel Betty Lou Fiel 3205 Everett Wichita, KS 67217
Lot 12	Block A	"	Veterans Administration 901 George Washington Blvd. Wichita, KS 67211
Lot 13	Block A	"	Loal J. Wilson 2903 E. Clark Wichita, KS 67211
Lot 14	Block A	Ridgewood Second Addition	George Robert Dean Johnson Shirlee M. Johnson 3217 Everett Wichita, KS 67217
Lot 15	Block A	"	M. N. Carter Gertrude C. Carter 3221 Everett Wichita, KS 67217

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 16	Block 8	Third Addition to Southwest Village	Aero Community Services Inc. c/o Harrell Inv. P.O. Box 305 Wichita, KS 67201

Tract Description

Beginning 1646.2 feet East of the NW/c of Section 7, Township 28 South, Range 1 East, said point being on the North line of Section 7 and at the NW/c of Ridgeview Addition; th. South along the West line of said Addition, 1324.2 feet to the North line of Gentry's 2nd Addition; th. West along the North line of Gentry's 2nd Addition, 658.15 feet; th. at right angle to right of 89°31' a distance of 1323 feet to the North line of Section 7; th. East along the North line 658.35 feet to beginning.

Board of Park Commissioners
and
City of Wichita
455 N. Main
Wichita, KS 67202

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tract within a 500 foot radius of:

Southwest Plaza Addition, Wichita, Kansas, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 23rd day of October, 1986, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

Mary Stable

By

Sr. Vice-President

Order No.: 369512

nj

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 8, 1987

LEGAL:

6. Case No. DP-83, Amendment #1 - M. K. Gentry Company requests approval of amendment to the Southwest Plaza Commercial Community Unit Plan for Lot 1, Southwest Plaza Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Meridian Avenue and 31st Street South.

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

Background: The 8.29-acre, one-parcel C.U.P. on the northeast corner of 31st Street South at Meridian has not been amended since it was first approved in August 1977. Presently, there is one building on the site that is partially vacant.

Analysis: The applicant has submitted a revised C.U.P. which has two (2) parcels and retains complete access control and wall and landscaping buffers to the residential areas to the north and east. The additional parcel is proposed on the northeast corner of 31st Street South and Meridian. There are apartments to the west and southwest of this major street intersection, and to the south are located a convenience store, a club, a fast food restaurant and a car wash. Single family houses are also located west of the north part of the C.U.P. site.

The development plan shows the same access controls to Meridian, 30th Street South and St. Clair, and proposes one additional curb cut to 31st Street South from Parcel 2. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as service stations (including convenience sales) and financial institutions.

A recent field check indicates that the asphalt parking lot and wall are in need of repair. The amended general provisions state that the wall is to be painted. It is noted that the landscaping along the perimeter of the wall adjacent to 30th Street South and Meridian needs maintenance and the missing or dead plant materials replaced in accordance with the landscape plan approved with the original C.U.P. As a requirement of approval of this C.U.P. amendment, the applicant should either fulfill the requirements of the approved landscape plan or submit a new landscape plan for review and approval.

Should the Planning Commission determine that this commercial C.U.P. amendment is appropriate, the following are recommended conditions of approval:

- a. The property shall be replatted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
- b. The following wording in the general provisions shall be added or changed:

PL/1013/2

1. A general provision should be added -- "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
 2. General Provision #8 should be changed to read "All utilities shall be installed underground."
 3. In General Provision #3, under curb cuts in Parcel No. 1, the wording should include -- "No curb cut at St. Clair Ave. or 30th Street South."
 4. The second sentence in General Provision #12 should be deleted as it is not applicable in this case.
- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.
- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. 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.

DISCUSSION:

GALBRAITH stated that this has been a C.U.P. since 1977 and this is the first amendment that has ever occurred on this C.U.P. He pointed out that this shopping center is now partially unoccupied. The intent now is to convert or amend this C.U.P. into a two-parcel C.U.P. He mentioned that the applicants are adjusting some building setbacks to accommodate a proposed service station convenience store type operation. GALBRAITH stated that staff recommended approval of the request. CPO Council "B" voted 6-0 that the application be approved.

DAN WILSON, architect representing the applicants, was present.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10;

taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. The property shall be replatted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
- b. The following wording in the general provisions shall be added or changed:
 1. A general provision should be added -- "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
 2. General Provision #8 should be changed to read "All utilities shall be installed underground."
 3. In General Provision #3, under curb cuts in Parcel No. 1, the wording should include -- "No curb cut at St. Clair Ave. or 30th Street South."
 4. The second sentence in General Provision #12 should be deleted as it is not applicable in this case.
- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.
- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial

1-8-87
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development and be binding upon the present owners, their successors and assigns, unless amended.

Gardner moved, Conlee seconded and it carried unanimously. Crockett was absent.

PL/1013/2

JANUARY 8, 1987

STAFF REPORT



DP-83, AMENDMENT #1 - REQUEST FOR APPROVAL OF AMENDMENT TO THE SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN, LOCATED AT THE NORTHEAST CORNER OF 31ST STREET SOUTH AND MERIDIAN.

Applicant: M. K. Gentry Company, 3100 S. Meridian, Wichita, KS 67217

	Land Use	Zoning	Size
Application Area	Shopping Center	"LC" w/CUP	8.29 acres
North	Single-family houses	"A" & "AA"	
South	Light Commercial uses	"LC"	
East	Single-family houses	"A" & "AA"	
West	Apartments & single-family houses	"LC" & "RB"	

History:	DP-83 & Z-1933	6/9/77	MAPC	Approved subject to conditions
	("B" to "LC")	7/5/77	BCC	Returned to MAPC
		7/21/77	MAPC	Approved subject to conditions
		8/2/77	BCC	Approved subject to replatting and conditions

Background: The 8.29-acre, one-parcel C.U.P. on the northeast corner of 31st Street South at Meridian has not been amended since it was first approved in August 1977. Presently, there is one building on the site that is partially vacant.

Analysis: The applicant has submitted a revised C.U.P. which has two (2) parcels and retains complete access control and wall and landscaping buffers to the residential areas to the north and east. The additional parcel is proposed on the northeast corner of 31st Street South and Meridian. There are apartments to the west and southwest of this major street intersection, and to the south are located a convenience store, a club, a fast food restaurant and a car wash. Single family houses are also located west of the north part of the C.U.P. site.

The development plan shows the same access controls to Meridian, 30th Street South and St. Clair, and proposes one additional curb cut to 31st Street South from Parcel 2. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as service stations (including convenience sales) and financial institutions.

A recent field check indicates that the asphalt parking lot and wall are in need of repair. The amended general provisions state that the wall is to be painted. It is noted that the landscaping along the perimeter of the wall adjacent to 30th Street

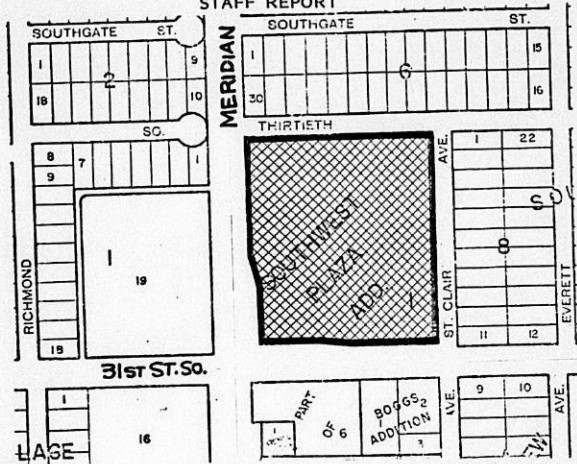
South and Meridian needs maintenance and the missing or dead plant materials replaced in accordance with the landscape plan approved with the original C.U.P. As a requirement of approval of this C.U.P. amendment, the applicant should either fulfill the requirements of the approved landscape plan or submit a new landscape plan for review and approval.

Should the Planning Commission determine that this commercial C.U.P. amendment is appropriate, the following are recommended conditions of approval:

- a. The property shall be replatted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
- b. The following wording in the general provisions shall be added or changed:
 1. A general provision should be added -- "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
 2. General Provision #8 should be changed to read "All utilities shall be installed underground."
 3. In General Provision #3, under curb cuts in Parcel No. 1, the wording should include -- "No curb cut at St. Clair Ave. or 30th Street South."
 4. The second sentence in General Provision #12 should be deleted as it is not applicable in this case.
- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.
- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. 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.

JANUARY 8, 1987

STAFF REPORT



DP-83, AMENDMENT #1 - REQUEST FOR APPROVAL OF AMENDMENT TO THE
SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN, LOCATED AT THE
NORTHEAST CORNER OF 31ST STREET SOUTH AND MERIDIAN.

Applicant: M. K. Gentry Company, 3100 S. Meridian, Wichita, KS 67217

	Land Use	Zoning	Size
Application Area	Shopping Center	"LC" w/CUP	8.29 acres
North	Single-family houses	"A" & "AA"	
South	Light Commercial uses	"LC"	
East	Single-family houses	"A" & "AA"	
West	Apartments & single-family houses	"LC" & "RB"	

History:	DP-83 & Z-1933 ("B" to "LC")	Date	Agency	Action
		6/9/77	MAPC	Approved subject to conditions
		7/5/77	BCC	Returned to MAPC
		7/21/77	MAPC	Approved subject to conditions
		8/2/77	BCC	Approved subject to replatting and conditions

Background: The 8.29-acre, one-parcel C.U.P. on the northeast corner of 31st Street South at Meridian has not been amended since it was first approved in August 1977. Presently, there is one building on the site that is partially vacant.

Analysis: The applicant has submitted a revised C.U.P. which has two (2) parcels and retains complete access control and wall and landscaping buffers to the residential areas to the north and east. The additional parcel is proposed on the northeast corner of 31st Street South and Meridian. There are apartments to the west and southwest of this major street intersection, and to the south are located a convenience store, a club, a fast food restaurant and a car wash. Single family houses are also located west of the north part of the C.U.P. site.

The development plan shows the same access controls to Meridian, 30th Street South and St. Clair, and proposes one additional curb cut to 31st Street South from Parcel 2. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as service stations (including convenience sales) and financial institutions.

A recent field check indicates that the asphalt parking lot and wall are in need of repair. The amended general provisions state that the wall is to be painted. It is noted that the landscaping along the perimeter of the wall adjacent to 30th Street

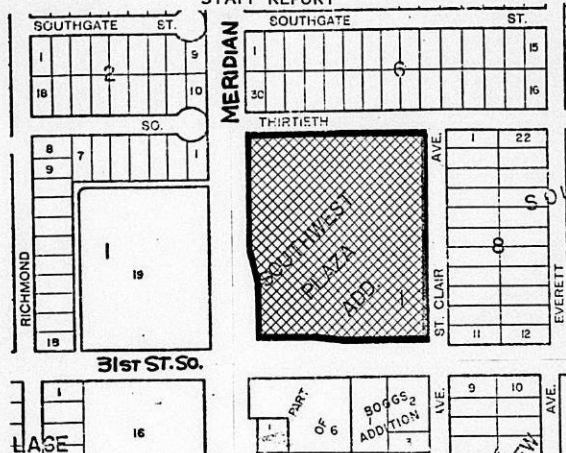
South and Meridian needs maintenance and the missing or dead plant materials replaced in accordance with the landscape plan approved with the original C.U.P. As a requirement of approval of this C.U.P. amendment, the applicant should either fulfill the requirements of the approved landscape plan or submit a new landscape plan for review and approval.

Should the Planning Commission determine that this commercial C.U.P. amendment is appropriate, the following are recommended conditions of approval:

- a. The property shall be replatted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
- b. The following wording in the general provisions shall be added or changed:
 1. A general provision should be added -- "Trash receptacles shall be appropriately screened to reasonably hide them from ground view."
 2. General Provision #8 should be changed to read "All utilities shall be installed underground."
 3. In General Provision #3, under curb cuts in Parcel No. 1, the wording should include -- "No curb cut at St. Clair Ave. or 30th Street South."
 4. The second sentence in General Provision #12 should be deleted as it is not applicable in this case.
- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.
- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. 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.

JANUARY 8, 1987

STAFF REPORT



DP-83, AMENDMENT #1 - REQUEST FOR APPROVAL OF AMENDMENT TO THE SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN, LOCATED AT THE NORTHEAST CORNER OF 31ST STREET SOUTH AND MERIDIAN.

Applicant: M. K. Gentry Company, 3100 S. Meridian, Wichita, KS 67217

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Shopping Center	"LC" w/CUP	8.29 acres
North	Single-family houses	"A" & "AA"	
South	Light Commercial uses	"LC"	
East	Single-family houses	"A" & "AA"	
West	Apartments & single-family houses	"LC" & "RB"	
History:	DP-83 & Z-1933	6/9/77 MAPC	Approved subject to conditions
	("B" to "LC")	7/5/77 BCC	Returned to MAPC
		7/21/77 MAPC	Approved subject to conditions
		8/2/77 BCC	Approved subject to replatting and conditions

Background: The 8.29-acre, one-parcel C.U.P. on the northeast corner of 31st Street South at Meridian has not been amended since it was first approved in August 1977. Presently, there is one building on the site that is partially vacant.

Analysis: The applicant has submitted a revised C.U.P. which has two (2) parcels and retains complete access control and wall and landscaping buffers to the residential areas to the north and east. The additional parcel is proposed on the northeast corner of 31st Street South and Meridian. There are apartments to the west and southwest of this major street intersection, and to the south are located a convenience store, a club, a fast food restaurant and a car wash. Single family houses are also located west of the north part of the C.U.P. site.

The development plan shows the same access controls to Meridian, 30th Street South and St. Clair, and proposes one additional curb cut to 31st Street South from Parcel 2. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as service stations (including convenience sales) and financial institutions.

A recent field check indicates that the asphalt parking lot and wall are in need of repair. The amended general provisions state that the wall is to be painted. It is noted that the landscaping along the perimeter of the wall adjacent to 30th Street

South and Meridian needs maintenance and the missing or dead plant materials replaced in accordance with the landscape plan approved with the original C.U.P. As a requirement of approval of this C.U.P. amendment, the applicant should either fulfill the requirements of the approved landscape plan or submit a new landscape plan for review and approval.

Should the Planning Commission determine that this commercial C.U.P. amendment is appropriate, the following are recommended conditions of approval:

- a. The property shall be replatted within one year after City Commission approval of the C.U.P. amendment and prior to any additional building permits being obtained or the case shall be considered denied and closed.
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- c. At the time of platting and prior to issuance of any additional building permits, the applicant shall bring all wall, landscaping and parking lot conditions up to standards as specified on the C.U.P. or in the City Code.
- d. 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.
- e. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- f. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

December 23, 1986

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, January 8, 1987, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC), at a meeting beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor of City Hall, 455 North Main, Wichita, Kansas, will consider an application for amendment to the SOUTHWEST PLAZA COMMERCIAL COMMUNITY UNIT PLAN for property legally described as follows:

DP-83 Lot 1, Southwest Plaza Addition to Wichita, Sedgwick
AMENDMENT #1: County, Kansas. Generally located at the northeast corner
of Meridian Avenue and 31st Street South.

The Development Plan of this area has been submitted as required under the Community Unit Plan provisions of Section 28.04.190 of the Wichita Zoning Ordinance. 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 amended Development Plan now on file proposes to create two parcels out of the original single parcel C.U.P. This is the first amendment to this C.U.P. since it was approved in August of 1977. The development plan shows the same access controls to Meridian, 30th Street South and St. Clair, and proposes one additional curb cut to 31st Street South from the new parcel on the corner of 31st Street South and Meridian. Proposed uses for the new smaller parcel include the shopping center and office uses permitted on the other parcel, as well as uses for a service station (including convenience sales) and financial institution. Additional information regarding building setbacks, proposed uses, building coverage, etc. is indicated on the plan. The wall along the perimeter of the property to 30th Street South and to St. Clair is proposed to remain.

The hearing of the proposed amendment to this Development Plan is to be held and the same will then and there be discussed by said MAPC. Those persons interested in this matter will be heard at that time.

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

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council "C" will consider this case at their meeting to be held on Monday, January 12, 1987, at 7:30 p.m., at the National Guard Armory, 3617 South Seneca. Enter through Command Entrance, northwest corner of building. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.

APPLICATION
AREA



CPO Council "B"

1-6-87

Shirley Mast will
schedule for both
B & C Councils.
Is really in Council
"B"'s jurisdiction

FORM 29-021

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
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	

*

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

Roll # 1

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