



**Conditional Use Permit (CUP)  
Application Form**  
(Includes CUP Amendments)

City of Topeka Planning Department  
620 SE Madison, 3<sup>rd</sup> Floor (Unit #11)  
Topeka, KS 66607-1118  
Phone 785-368-3728 Fax 785-368-2535

**Applicant Information**

Property Owner(s): 901 Real Estate, LLC

Street Address: 5100 SW 10<sup>th</sup> Ave.

City: Topeka State: KS Zip: 66604 E-mail: \_\_\_\_\_

Work phone: 785-272-5102 Home phone: - Fax: -

Authorized Owner Representative (if any): Steve Clinkinbeard

Street Address: 5100 SW 10<sup>th</sup> Ave.

City: Topeka State: KS Zip: 66604 E-mail: steve@mindtopagroup.com

Work phone: 785-272-5102 Home phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Authorized Professional Agent (Engineer, Architect, Attorney, etc.) – if different from above

Stan Peterson

Street Address: 3542 SW Willowbrook Lane

City: Topeka State: KS Zip: 66614 E-mail: stan@lpkarchitects.com

Work phone: 785-350-2643 Home phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**Authorization**

I (we) am (are) the owner(s) of record for the subject property and hereby authorize filing of this application and any agent listed in this application to represent the owner(s). I (we) allow posting of signage on the property by the City of Topeka for the requested zoning change. I (we) declare that all submitted information is complete and accurate. I (we) hereby acknowledge that all zoning application procedures have been reviewed and understood as part of this submittal.

Owner 1 Name: Steve Clinkinbeard

Owner 1 Signature: Steve CLINKINBEARD Date: 9/6/2016

Owner 2 Name: \_\_\_\_\_

Owner 2 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Requested Action and Site Information

Address or Location of Property for which CUP is requested: 2035 SW Western Ave. as well as adjacent lots on Fillmore street. See attached for legal description.

Legal Description of Property\*: lot(s) \_\_\_\_\_ block \_\_\_\_\_ subdivision \_\_\_\_\_

lot(s) \_\_\_\_\_ block \_\_\_\_\_ subdivision \_\_\_\_\_

*\*if unplatted, attach metes and bounds description*

Total Area (acres or square feet): 89,440 square feet

CUP use requested: Use as a residential Re-entry center to house federal offenders as well as provide adequate parking

If this is an amendment to an existing CUP, is it a Minor or Major CUP Amendment? N/A

Existing Zoning of property: I-1 & M-1

Existing Use(s) on the property: Industrial warehouse, vacant office building, vacant lots

How long has the existing use been active on the property? Industrial warehouse was built in 1940 - current. Vacant office from 2006 - present, vacant lots unknown

Was a Pre-Application Meeting or Zoning Inquiry completed with staff? yes If yes, when? 9-6-16

Is neighborhood meeting required? yes If yes, indicate date, time, and place: 9-26-16 5:30

2035 SW Western Ave. Topeka, KS 66604

A CUP site plan is required unless waived by the Planning Director. The CUP site plan and a Statement of Operations describing the proposed use and its operating characteristics shall provide sufficient detail to address the Guidelines for Evaluation of CUP Applications. These guidelines can be found on pages 5 and 6 of the handout titled "Conditional Use Permit Application Procedures and Instructions".

This application will not be scheduled for public hearings until all property taxes and any special assessments due are current.

### PLANNING OFFICE USE ONLY

Date submitted: 9/7/16

Date notice sent: 9/23/16

Application no.: CU116105

Date advertised: 9/26/16

Filing fee: 700 Receipt no.:

Date of hearing: Oct 17, 2016

Property Taxes Current? Yes  No

Council district: 3 - Sylvia Ortiz

Parcel No.: \_\_\_\_\_

NIA/NA: Chesney PKI Central PKI  
Bunton Heights

Prepared By:  
Lawyers Title of Topeka, Inc.  
5715 SW 21st Street  
Topeka, KS 66604  
(785) 271-9500



Agent for: Fidelity National Title Insurance Company

**COMMITMENT FOR TITLE INSURANCE**  
**SCHEDULE A**

C.N. 34550

**Legal Descriptions**

Part of the Southeast Quarter of Section 1, Township 12 South, Range 15 East of the 6th P.M., corresponding to Lots 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762 and 764, (Fillmore Street, also known as Filmore Street) AND Lots 747, 749, 751, 753, 755, 757, 759, 761, 763, 765 and 767, (Western Avenue, formerly Union Avenue) all in Block 1, Steele's Addition (now vacated) to the City of Topeka, Shawnee County, Kansas.

[The following is the last deed of record and is provided for informational purposes only: Special Warranty Deed dated May 11, 2013, executed by Charles Joe Casson, a single man, to Western Avenue, LLC, a Kansas limited liability company, recorded June 7, 2013 at 10:25 A.M., as set out in Document No. 2013R11857.] (Lots 748, 750, 752 and 754)

[The following is the last deed of record and is provided for informational purposes only: Quit Claim Deed dated July 2, 2009, executed by Western Avenue Enterprises, a Kansas general partnership, to Western Avenue, LLC, a Kansas limited liability company, recorded April 13, 2011 at 3:56 P.M., as set out in Book 4891 Page 230 Document No. 20110006357.] (All Lots EXCEPT Lots 748, 750, 752 and 754)