CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 10, 2002

D & D Realty, LLC
230 N. Mosley
Wichita, KS 67202

Re: **VAC2001-00049-** Request to vacate north Moore between 2nd – 3rd streets, generally located northeast of St. Francis & 2nd Street.

Dear Sirs:

These are the conditions attached to VAC2002-49 as approved by the MAPC at their November 8, 2001 meeting:

1. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.
2. All improvements shall be according to current City Standards.
3. Access from Moore to Mead dedicated as public ROW.
4. Abandon the sewer line in Moore Street.
5. Retain Moore as an easement, until all utilities/equipment as relocated.
6. Relocate KG&E/Gas equipment at owner/applicant's expense.
7. Dedicated new easement for relocated KG&E/Gas equipment.

Conditions #3 & #7 have been completed by SUB2002-85 – Old Town Square Addition plat, approved by MAPC 11-12-02. Condition #4 was completed as part the 2002 Sanitary Sewer Reconstruction, Phase II, OCA #620336, per the Water & Sewer Department records. Condition #6 has been completed per Weststar Energy Records, although a franchise agreement between The City and Weststar had the utilities relocated (underground) at Weststar Energy's expense. Conditions # 1 & #2 have been completed. Condition #5 is no longer needed as all utilities have been relocated. The case file for this request will be marked "withdrawn and closed" and this letter will be entered into the file.

If you have any further questions concerning this matter, please contact the Planning Department Office at 268-4494.

Sincerely,

Bill Longnecker
Senior Planner

BL:le

cc: Neil Cable, City Engineer, Public Works Department, Mail Stop 1-71
Paul Gunzelman/Carla Jones, Public Works Engineering, Mailstop 1-71
Michael Carney, Water & Sewer Department, Mailstop 1-81
Vicky Huang, Public Works Department, Mailstop 1-71
Dave Burk
City of Wichita, Economic Development, Attention: Allen Bell, Mailstop 1-127
DD Realty, 230 N. Mosley, #3, Wichita, KS 67202

METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 3-4
SEPTEMBER 12, 2002

(CORRECTED ITEM "D")
STAFF REPORT
(ONE-STEP FINAL PLAT APPROVED 9/5/02)

CASE NUMBER: SUB 2002-85 -- OLD TOWN SQUARE ADDITION

OWNER/APPLICANT: City of Wichita, 455 N. Main, Wichita, KS 67202; Old Town Warren Theatre, LLC, P.O. Box 782560, Wichita, KS 67278; DD Realty, LLC, 230 N. Mosley, Wichita, KS 67214; SE Building, LLC, 230 N. Mosley, Wichita, KS 67214

SURVEYOR/ENGINEER: Ruggles & Bohm, P.A., Attn: Tom Ruggles, 924 N. Main, Wichita, KS 67203

LOCATION: West side of Rock Island, Between 2nd and 3rd Streets

SITE SIZE: 5.05 acres

NUMBER OF LOTS

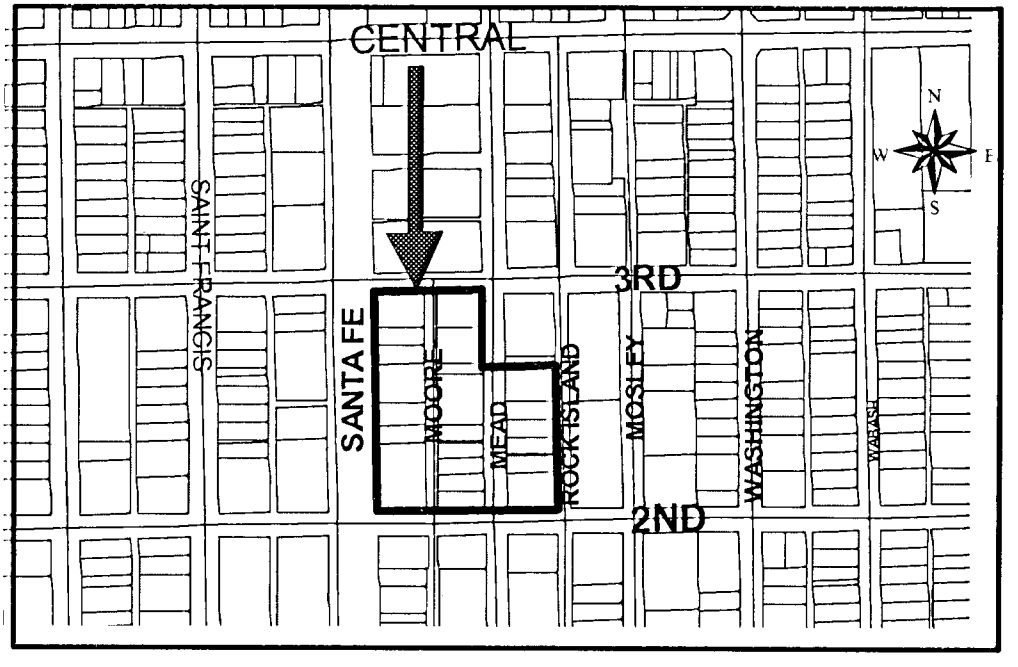
Residential:	
Office:	
Commercial:	
Industrial:	6
Total:	6

MINIMUM LOT AREA: 19,246 Sq. Ft.

CURRENT ZONING: LI, Limited Industrial

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This replat includes the vacation of the north segment of the north-south Moore Street and the dedication of an east-west Moore Street.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

A. Municipal services are available to serve the site.

B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

C. City Engineering needs to comment on the status of the applicant's drainage plan. ***The drainage plan is approved.***

D. Complete access control should be platted along 2nd Street for Blocks 2 and 3. The final plat tracing shall reference the dedication of access controls in the plattor's text.

E. On the final plat tracing, the MAPC signature block needs to reference "Michael E. Lindebak, Secretary".

F. Approval of this plat will require a waiver of the lot depth to width ratio of the Subdivision Regulations for Lots 1 and 2, Block 1, and for Lot 1, Block 2. The Subdivision Regulations state that the maximum depth of all non-residential lots shall not exceed three times the width.

G. The City Fire Department/GIS needs to comment on the plat's street names. ***The street names are acceptable.***

H. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.

I. The plattor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.

J. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)

K. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

L. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.

M. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

N. The owner of the subdivision should be aware of the fact that the evelopment of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.

O. Perimeter closure computations shall be submitted with the final plat tracing.

P. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.

Q. The representatives from the **utility companies** should be prepared to comment on the need for any additional utility easements to be platted on this property.

R. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.