

SUBDIVISION REPORT

S/D 85-87 - MULBERRY EAST ADDITION

Page 3

- T. It is noted that this plat includes property required to be vacated by a separate instrument associated with the replat of Hi-Tech Industrial Park to the south. Prior to the plat of Mulberry East Addition being submitted for scheduling before the Board of City Commissioners, the vacation case to the south shall be completed. This associated vacation case has been scheduled for final public hearing before the City Commission on February 18, 1986.
- U. The applicant is advised that a temporary cul-de-sac easement exists on this property to terminate Comotara Street to the south of this plat. The final plat tracing shall indicate the perimeter of the temporary cul-de-sac easement with associated recording information. The final plat tracing shall also indicate and label Comotara Street where it touches the south line of Reserve A.
- V. A requirement of the Hi-Tech Industrial Park replat to the south is for the applicant to file a down-zoning request from "E" (light industrial) to "AA" (single-family) for the area subject to an associated separate vacation case. Prior to the plat of Mulberry East Addition being submitted for scheduling before the Board of City Commissioners, the down-zoning case shall be completed.
- W. The property within the perimeter of this plat is subject to a zone case (Z-2053), which requested "E" (light industrial) zoning. Since this property is now proposed for residential purposes, the applicant shall request that zone case Z-2053 be closed.
- X. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- Y. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- Z. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.

S/D No.: 85-87      Name: MULBERRY EAST ADDITION

Preliminary Approved: 11/7/85  
Scheduled S/D Meeting: 2/13/86

DESCRIPTION

General Location: On the east side of Rock Road in an area north of 37th Street North.

Owner: Woodlawn Development Company, c/o Donald J. Ablah, 151 N. Main, Suite #300, Wichita, KS 67201

Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

1. Gross Acreage of Plat: 101.5 Acres
  2. Number of Lots:
    - Residential: 101
    - Office:
    - Commercial:
    - Industrial:
    - Total: 101
  3. Minimum Lot Area: 7,700 Sq. Ft.
  4. Existing Zoning: "E" & "AA"
  5. Proposed Zoning: "AA"
- 

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee the paving of the proposed interior streets.
- D. The applicant shall guarantee the construction of the storm water sewers and storm drain system required by this plat. The applicant shall also guarantee the construction of the drainage structure needed under the railroad tracks to the east. The applicant is advised it is their responsibility to obtain all necessary permits from the railroad for construction of the drainage structures.
- E. When the preliminary plat was reviewed by the Subdivision Committee, a requirement for construction of a sidewalk on one side of the long, continuous loop street, proposed to serve both Mulberry First and Second Additions, was discussed. The construction of a sidewalk on one side of the continuous street is required by Section 3(C)(2) of the City's Sidewalk Policy (Ordinance No. 36-327) and Article 8-103(B)(1)(b) of the Subdivision Regulations. During the preliminary plat discussion, the Subdivision Committee expressed concern about the merits of requiring a sidewalk to be constructed adjacent to street right-of-way and offered to the applicant the alternative of preparing a drawing which depicted how the planned golf cart path system would function as an acceptable substitute for the sidewalk system required adjacent to the long, continuous street. In order to avoid having to discuss, at great length, the sidewalk issue at the time of final plat review, staff and the applicant were instructed to work toward resolving the matter. In this regard, a condition of preliminary plat approval was for the applicant to submit, prior to or at the time of submitting a final plat, a drawing or plan which showed the golf cart path system. Since such a plan has not been discussed or submitted with the final plat, the applicant should be required to guarantee the construction of a sidewalk on one side of Mulberry/Ironwood.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. It is recommended that the final plat tracing indicate the following street name changes:
  1. The cul-de-sac serving Lots 12-16, Block 3, as Ironwood Court.
  2. The cul-de-sac serving Lots 1-7, Block 1, as Tara Circle.

3. The Drive suffix shall be deleted from the street name of Mulberry. The Drive suffix denotes a frontage road adjacent to a limited access highway.
  4. The north/south street segment serving Lots 25 and 26, Block 4 as Ironwood.
- H. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- I. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- J. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- K. The final plat tracing shall state in the plat's text who is to own and maintain the reserves.
- L. The applicant shall dedicate, by separate instrument, the right-of-way needed for the Rock Road realignment proposed by this plat.
- M. The legal description for the off-site Rock Road right-of-way dedication shall be approved by City Engineering.
- N. The applicant is advised that, since this plat proposes the realignment of a portion of Rock Road, a temporary right-of-way easement will need to be recorded with this plat which provides for continued public use of that portion of Rock Road proposed for vacation by this plat. The provisions of the temporary easement shall specify that the easement expires upon completion of the realigned roadway. This temporary right-of-way easement shall be drafted and submitted for review and approval by the City's Legal staff.
- O. Since street right-of-way is proposed for vacation by this replat, reference to K.S.A. 12-512(b) shall be made in the engineer's text.
- P. The final plat tracing shall reference the recording information for the instrument which dedicated the 50 feet of half-street right-of-way depicted for Rock Road adjacent to the northerly portion of this plat. If this right-of-way presently exists only as a "roadway easement," it shall be dedicated outright by this plat.
- Q. The final plat tracing shall reference, on the face of the plat, the minimum building pad elevation required for Lots 2 through 15 and Lots 19 through 21, Block 3.
- R. On the final plat tracing, the wording in the plat's text shall be amended to reference the platting of the 2-foot wide "wall easement" adjacent to the east line of the plat. The following wording is suggested: "The wall easement is hereby platted for the purpose of wall construction."
- S. On the final plat tracing, the discrepancy between lines 4, 43 and 48 of the engineer's text and the bearings or distances on the face of the plat shall be resolved.



## AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

**OFFICE COPY**  
**DO NOT REMOVE**

R = 407.00'  
 $\Delta = 23^{\circ}50'15''$   
 L = 169.33'  
 Brg = N.54°34'56"E.  
 Chd. = 168.11'

R=183.00'  
 $\Delta=7^{\circ}53'13''$   
 L=25.19'  
 Brg.= N.17°56'36"W.  
 Chd.=25.17'

R = 247.00'  
 $\Delta = 7^{\circ}53'13''$   
 L = 34.00'  
 Brg. = N.  $17^{\circ}56'36''$  W.  
 Chd. = 33.97'

enter Section 29  
26S., R. 2 E., 6th. P.M.

Scale: 1" = 100'

LEGEND

= Iron

show temporary cut-de-sac easement w/ recording info.

70' 464.82' S. 82°48'38"W.  
Comotara Street ← label existing St. r.o.w.

February 20, 1986

Mid-Kansas Engineering Consultants, P.A.  
3500 N. Rock Road, Bldg. #800  
Wichita, KS 67226

Re: S/D 85-87 - Final Plat of Mulberry East Addition.

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on February 20, 1986, the above-captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of February 14, 1986.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the platfor.
3. Certification that all real estate taxes for 1985 and all prior years have been paid.

Please call if you have any questions.

Very truly yours,

Barbara R. Bonanni  
Junior Planner

BRB:mlh

cc: Woodlawn Development Company, c/o Donald J. Ablah, Atty. 151 N.  
Main, Suite 300, Wichita, KS 67201  
Mike Lindebak, City Engineer