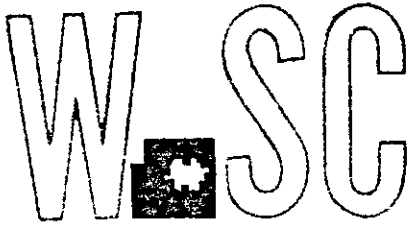


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4561

March 22, 1991

Greg Severance  
Baughman Company  
315 Ellis  
Wichita, KS 67211

Re: S/D 91-13 (Final Plat) Davis-Moore 8th Addition

Dear Greg:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, March 21, 1991, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The plat shall be subject to any conditions of the associated zone change (Z-3018).
- B. This plat involves the dedication of access controls which will require the closure of certain drives. The applicant shall therefore provide the following guarantees:
  1. A guarantee to close the two drives to Kellogg, now within the area of complete access control.
  2. A guarantee to close the two drives openings to both Marcilene and to Edgemoor since, one opening is to be allowed to each street and the existing alley is intended to serve as the allowed opening.
- C. Prior to scheduling this case before the City Council, the structure which encroaches into the street right-of-way being dedicated by this plat must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- D. Although Edgemoor is not presently classified as an arterial on the transportation plan, amendments to the transportation plan are in progress which will classify Edgemoor, from Central to Harry, as an arterial. Further, various improvements are under consideration along Kellogg and/or the Edgemoor intersection.

Except for older additions along Edgemoor, 40-feet of half street right-of-way has been dedicated for this street. The final plat tracing shall therefore indicate 40-feet of half street right-of-way along the entire east line of this plat for Edgemoor.

- E. On the final plat tracing the area of vacated alley right-of-way shall be labeled both as a utility and drainage easement.
- F. On the final plat tracing, in the areas where an opening is to be allowed, the face of the plat shall be amended to delete out reference to C.A.C. (complete access control). Since an opening is being allowed in these areas, the term complete access control is contradictory.
- G. The final plat shall indicate the platting of the 20-foot and 35-foot building setbacks from Marcilene, Kellogg and Edgemoor through the existing buildings which encroach into the setback areas. Central Inspection has advised that the platting of these building setbacks do not preclude the property owner from maintaining or remodeling that portion of the buildings within the setback area. The buildings cannot, however, be enlarged within the setbacks and, if the buildings are removed, any new building construction must observe the platted building setback.
- H. On the final plat tracing a 25-foot building setback shall be indicated to Marcilene for the area south of the alley vacation. Immediately to the south of this site and west across Marcilene are existing homes which are observing a 25-foot setback.
- I. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- J. The applicant is advised that according to the title binder for this site significant unpaid property taxes are due for this site and that proof that all due taxes have been paid will need to be provided before this plat can be released for recording.
- K. 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.
- L. 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.

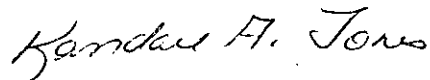
- M. The applicant shall submit a platting binder with the final plat tracing.
- N. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- O. Recording of the plat within 30 days after approval by the City Council.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable Letter of Credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, March 28, 1991 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



Kandace A. Jones  
Associate Planner

KJ:sm  
Enclosure

cc: T.G. Davis Jr. c/o Pete Klein, P.O. Box 780047, Wichita, KS  
67218  
Mike Lindebak, City Engineer



NOTE: A previous final plat was approved by the MAPC March 28, 1991 for this site as well as a rezoning on March 19 to light commercial. Since that time, an additional lot has been added to the southeast corner of this plat resulting in the need for further rezoning (which is to be heard by the MAPC, June 6) as well as requiring a revised final plat to be submitted. A use exception for a car sales lot is pending before the Board of Zoning Appeals on May 28, 1991.

STAFF COMMENTS:

- A. Approval of this plat shall be subject to MAPC and City Council approval of the requested zone change and any conditions of that change (Z-3018 & Z-3024).
- B. This plat involves the dedication of access controls which will require the closure of certain drives. The applicant shall therefore provide the following guarantees:
  - 1. A guarantee to close the two drives to Kellogg, now within the area of complete access control.
  - 2. A guarantee to close the two driveway openings to Marcilene and the three driveway openings to Edgemoor since one opening is to be allowed to each street and the existing alley is intended to serve as the allowed opening.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. City Engineering and Traffic Engineering should be prepared to comment on any other right-of-way needs for this site. Specifically, it needs to be indicated if any additional right-of-way is required at the Kellogg and Edgemoor intersection.
- F. Prior to scheduling this case before the City Council, the structure which encroaches into the street right-of-way being dedicated by this plat must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- G. On the final plat tracing, in the areas where an opening is to be allowed, the face of the plat shall be amended to delete out reference to C.A.C. (complete access control). Since an opening is being allowed in these areas, the term

complete access control is contradictory. Also, the final plat tracing shall be amended to show one opening only to Edgemoor.

- H. On the final plat tracing a 25-foot building setback shall be indicated to Marcilene for the area south of the alley vacation. Immediately to the south of this site and west across Marcilene are existing homes which are observing a 25-foot setback.
- I. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- J. The applicant is advised that according to the title binder for this site significant unpaid property taxes are due for this site and that proof that all due taxes have been paid will need to be provided before this plat can be released for recording.
- K. 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.
- L. 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.
- M. The applicant shall submit a platting binder with the final plat tracing.
- N. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- O. Recording of the plat within 30 days after approval by the City Council.
- P. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.

Note: This plat has been submitted in final form only.

**SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 10

March 21, 1991

STAFF REPORT  
(Final Plat)

CASE NUMBER: S/D 91-13 - DAVIS-MOORE 8TH ADDITION

OWNER/APPLICANT: T.G. Davis, Jr. c/o Pete Klein, P.O. Box 780047, Wichita, KS 67218

SURVEYOR/ENGINEER: Baughman Company, 315 Ellis, Wichita, KS 67211

LOCATION: Southwest corner of Kellogg & Edgemoor

SITE SIZE: 1.2 Acres

NUMBER OF LOTS

Residential:	
Office:	
Commercial:	1
Industrial:	
Total:	1

MINIMUM LOT AREA: 51,164 sq. ft.

CURRENT ZONING: "LC" Light Commercial, "A" Two Family Dwelling

PROPOSED ZONING: "LC" Light Commercial (Z-3018)

VICINITY MAP:



NOTE: A zone change for this site (Z-3018) is scheduled to be heard by the City Council on March 19, 1991. This zone change will result in the entire site being zoned "LC" light commercial.

STAFF COMMENTS:

- A. The plat shall be subject to any conditions of the associated zone change (Z-3018).
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. This plat involves the dedication of access controls and the vacation of an alley which will require the closure and/or the reconstruction of certain drives or alley openings. The applicant shall therefore provide the following guarantees:
  - 1. A guarantee to close the two drives to Kellogg, now within the area of complete access control.
  - 2. A guarantee to close the drive or alley opening to Marcilene. If the alley is to be retained as the one allowed opening to Marcilene, the guarantee shall in addition to guaranteeing the closure of the other drive, provide for reconstruction of the alley opening to a private drive standard.
  - 3. For the alley opening to Edgemoor, a guarantee shall be provided to either close the alley opening, or if to be used as the one allowed opening, then for the reconstruction of the alley opening to a private drive standard.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. Prior to scheduling this case before the City Council, the structure which encroaches into the street right-of-way being dedicated by this plat must be removed. Once the structure has been removed, a letter so stating shall be submitted from the platting engineer.
- F. Although Edgemoor is not presently classified as an arterial on the transportation plan, amendments to the transportation plan are in progress which will classify Edgemoor, from Central to Harry, as an arterial. Further, various improvements are under consideration along Kellogg and/or the Edgemoor intersection.

Except for older additions along Edgemoor, 40-feet of half street right-of-way has been dedicated for this street. The final plat tracing shall therefore at least indicate 40-feet of half street right-of-way along the entire east line of this plat for Edgemoor. City and Traffic Engineering should, however, be prepared to discuss the right-of-way needs that should be considered for this intersection (for both Edgemoor and Kellogg).

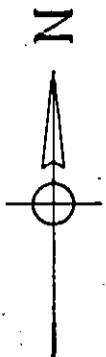
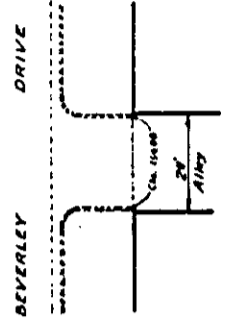
- G. Also for the Edgemoor and Kellogg intersection, Traffic Engineering should be prepared to indicate the acceptability of the 40-feet of complete access control to Edgemoor. Much of the northern 75-feet of this property along Edgemoor is encumbered by a fire hydrant and an existing building which makes a drive in this location impracticable.
- H. On the final plat tracing, in the areas where an opening is to be allowed, the face of the plat shall be amended to delete out reference to C.A.C. (complete access control). Since an opening is being allowed in these areas, the term complete access control is contradictory.
- I. The final plat shall indicate the platting of the 20-foot and 35-foot building setbacks from Marcilene, Kellogg and Edgemoor through the existing buildings which encroach into the setback areas. Central Inspection has advised that the platting of these building setbacks do not preclude the property owner from maintaining or remodeling that portion of the buildings within the setback area. The buildings cannot, however, be enlarged within the setbacks and, if the buildings are removed, any new building construction must observe the platted building setback.
- J. On the final plat tracing a 25-foot building setback shall be indicated to Marcilene for the area south of the alley vacation. Immediately to the south of this site and west across Marcilene are existing homes which are observing a 25-foot setback.
- K. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- L. The applicant is advised that according to the title binder for this site significant unpaid property taxes are due for this site and that proof that all due taxes have been paid will need to be provided before this plat can be released for recording.
- M. 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.
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S/D 91-13 - DAVIS-MOORE 8TH ADDITION  
Page 4

- Q. Recording of the plat within 30 days after approval by the City Council.
- R. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

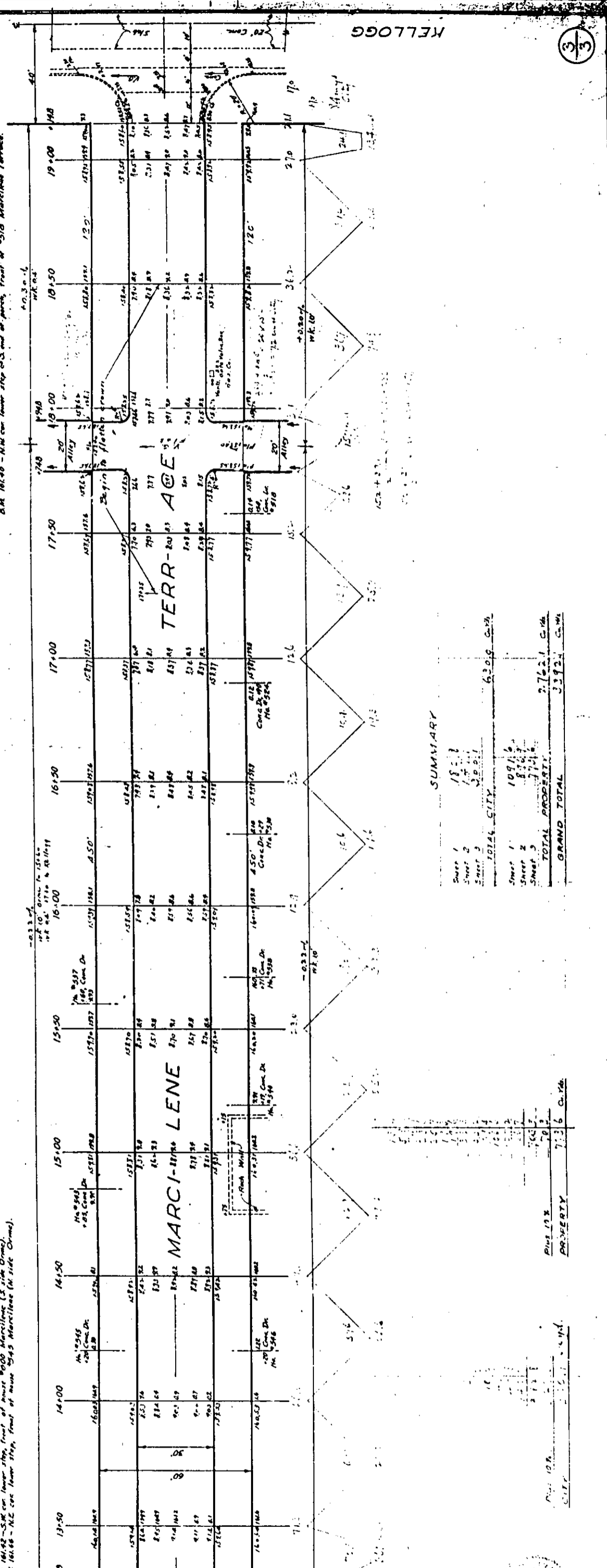
Note: This plat has been submitted in final form only.

PAVING PLAN ----- 1945  
**MARCILENE TERRACE** S.L. MORRIS  
**MARCILENE TERRACE** S.L. KELLOGG  
 CONCRETE 30' & CURB



18642 - S.W. cor. lower 1/4, front of prop. 8000 Marcilene (S. side Drive).  
 18648 - N.E. cor. lower 1/4, front of prop. 545 Marcilene (N. side Drive).

844 18188 - 70' x 120' lot, front of prop. 8000 Marcilene (S. side Drive).  
 844 18189 - 140' x 120' lot, front of prop. 8000 Marcilene (S. side Drive).



SUMMARY

Sheet 1	18 1/2
Sheet 2	1 1/2
Sheet 3	3 1/2
TOTAL CITY	63 1/2
Sheet 1	109 1/2
Sheet 2	4 1/2
Sheet 3	7 1/2
TOTAL PROPERTY	121 1/2
GRAND TOTAL	339 1/2

DATE 1/28  
 PROPERTY 7336 C.M.A.

DATE 1/28  
 CITY 7336 C.M.A.

