

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 80-44 Name Oak Knoll Industrial Park
Date Application Rec'd. 6-27-80 Preliminary Approval _____
Scheduled S/D Meeting 9-4-80

DESCRIPTION

General Location 1/2 mile south of Oak Knoll on the east side of
Rock Road
Owner American Land Development Co., Inc., c/o Randall J. Voth, Vice-President
Surveyor/Engineer Professional Engineering Consultants, P.A. (Gary Wiley)
Address 355 Ellis 67211 Phone 263-1107

- 1. Gross Acreage of Plat 40.0+
- 2. Number of Lots:
 - Residential _____
 - Commercial _____
 - Industrial 22
 - Other _____
- 3. Minimum Lot Frontage 200 ft.
- 4. Minimum Lot Area 30,000
- 5. Existing Zoning E
- 6. Proposed Zoning E
- 7. Lineal Feet of New Streets:
 - a. 70' R/W 2450 ft.
 - b. _____ R/W _____ ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 2450 ft.
- 8. Sidewalk adjacent to all streets? yes no
- 9. Public Water Supply Yes (Yes-No), Name City of Wichita
- 10. Public Sanitary Sewers Yes (Yes-No), Name City of Wichita
- 11. Health Department Approval (where applicable) N/A (Yes-No)
- 12. City of Wichita X: Three-Mile Area _____

STAFF COMMENTS:

- A. Since municipal sewer and water are needed for this industrial plat and since this property is contiguous with the City limits, approval of this plat in final form shall be subject to the annexation of this property.
- B. Because of the high traffic volume on Rock Road at this proximity to McConnell and because the area drainage is carried in roadside ditches, it is recommended that the number of access points from this property to Rock Road be kept to a minimum. Instead of the six access points shown on this preliminary plat (2 streets plus 4 driveways), it is recommended that access be limited to the two streets. Lots 9 and 10, Block 2 should be combined into one lot with access only to Marion. The Engineering Department shall be prepared to comment on the right-of-way needed for Rock Road.
- C. City Engineering has approved the applicant's drainage concept based on construction of a detention pond within the floodway in Block 2 which will restrict the amount of outflow from this site to the amount of outflow existing now in its undeveloped state. Approval of a final plat shall be subject to approval of a final drainage plan and guarantees for drainage improvements. It should be noted that the temporary drainage easement through this property from Oak Knoll 1st and 2nd Additions is being abandoned. Two alternate 30 foot drainage easements (adjacent to Lot 4, Block 1) are being dedicated on this plat.
- D. An avigational easement and restrictive noise covenant shall be submitted for this entire property.
- E. The applicant shall guarantee the extension of sanitary sewer to serve all lots. This property has already been included in a sanitary sewer main benefit district.
- F. The applicant shall guarantee the extension of City water to serve all lots.

- G. The applicant shall guarantee construction of all interior streets to industrial street standards and shall guarantee construction of decel lanes (if required) on Rock Road.
- H. 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.
- I. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

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Date Application Rec'd. 6-27-80 Preliminary Approval 9-4-80
Scheduled S/D Meeting 4-2-81

DESCRIPTION

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Owner American Land Development Co., Inc., c/o Randall J. Voth, Vice-Pres.
Surveyor/Engineer Professional Engineering Consultants, P.A. (Gary Wiley)
Address 355 Ellis, Wichita, Ks. 67211 Phone 263-1107

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STAFF COMMENTS:

- A. The representative from the City Engineer's Office should be prepared to comment on the status of the applicant's final drainage plan and state what drainage improvements are required by the platting of this property.
- B. The applicant shall guarantee the extension of sanitary sewer to serve all lots. This property has already been included in a sanitary sewer main benefit district.
- C. The applicant shall guarantee the extension of City water to serve all lots.
- D. The applicant shall guarantee the paving and construction of all interior streets to industrial street standards.
- E. The applicant shall guarantee construction of both a temporary and a permanent accel-decel lane to serve Lot 10, Block 2.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The applicant shall submit a restrictive covenant providing for the ownership and maintenance of the detention lake. The covenant shall contain a provision which gives the City authority to maintain the drainage facility and charge the costs to the owner(s) in the event the owner(s) fail to maintain the detention lake.
- H. An avigational easement and restrictive noise covenant shall be submitted for this entire property.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

COVENANT

This Declaration made this 17th day of June, 1981, by American Land Development Company, Inc., hereinafter called Declarant,

WITNESSETH

Whereas, Declarant is owner of the following described tract; The Southwest 1/4 of the Northwest 1/4 of Section 5, Township 28 South, Range 2 East of the 6th P.M.

and

Whereas, the Declarant, wishes to subdivide the above described tract of land as Oak Knoll Industrial Park Addition to Wichita, Sedgwick County, Kansas and whereas it is required in connection therewith that a Covenant for the maintenance of a storm water detention reservoir, to be constructed in the Floodway located in Block Two (2), be placed of Record:

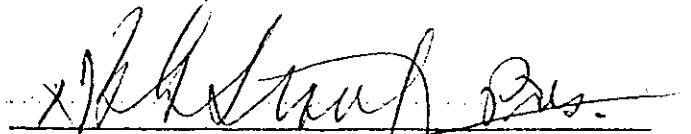
Now, Therefore, Declarant hereby declares and covenants that the owner(s) of Lots 1 through 10, Block 2, Oak Knoll Industrial Park Addition to Wichita, Sedgwick County, Kansas, will maintain the storm water detention reservoir located in The Floodway of said addition.

In the event that the owner(s) of Lots 1 through 10, Block 2, their successors or assigns, shall fail at any time to maintain said storm/water detention reservoir, the City of Wichita may serve a written Notice of Delinquency upon the owner(s) setting forth the manner in which the owner(s) have failed to fulfill their obligations. Such Notice shall include a statement describing the obligation that has not been fulfilled and shall grant twenty (20) days within which the owner(s) may fulfill their obligation. If said obligation is not fulfilled within the time specified, the City of Wichita may enter upon said Lots 1 through 10, Block 2, and perform the obligations listed in the Notice of Deficiency. All costs incurred by the City of Wichita in carrying out these maintenance obligations of Declarant may be assessed against Lots 1 through 10, Block 2, in the same manner as provided by law for special assessments and shall be assessed to the lots on an equal basis, herein subjected to these covenants. Said assessment may be established as a lien upon said platted lots. Should the owner(s), their successors, or assigns, upon receipt of said Notice of Delinquency believe that the obligations described in said Notice are not proper for any reason, they may within the twenty-day period to be provided in said Notice, apply for a hearing before the Board of City Commissioners to appeal said assessments and any further proceeding under said Notice shall be suspended pending the outcome of any proceedings with respect to such appeal.

This covenant is binding on the owners, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in title to the above described property until such time as the department of Engineering of the City of Wichita determines that the storm water detention reservoir is no longer needed for drainage purposes.

Executed this day and year first above written.

American Land Development Company, Inc.

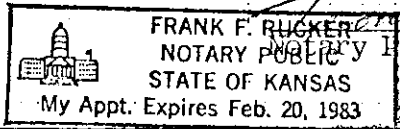

B. G. Stout, President

State of Kansas)

SS

County of Sedgwick)

Be it remembered that on this 17 day of June, 1981, before me a Notary Public in aforesaid State and County came American Land Development Company, Inc. by Byron Stout (B. G. Stout) to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledge the same for and on behalf and as the voluntary act and deed of said company, in testimony whereof I have hereunto set my hand and affixed my Notarial Seal the day and year above written.



My Commission Expires:

RECEIVED
JUL 6 1981
Dept. Of Engineering