

Preliminary Plat
SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D No.: 85-90 Name: TOBEN 4TH ADDITION

Preliminary Approved:
Scheduled S/D Meeting: 10/24/85

DESCRIPTION

General Location: At 37th Street North and Webb Road.
Owner: Horst K. Hiller, 630 North Washington, Wichita, KS 67214
Surveyor/Engineer: Bill G. Yung Design

- 1. Gross Acreage of Plat: 45.3 Acres
- 2. Number of Lots:
 - Residential:
 - Office:
 - Commercial: 24
 - Industrial:
 - Total: 24
- 3. Minimum Lot Area: 55,000 Sq. Ft.
- 4. Existing Zoning: "E"
- 5. Proposed Zoning: "E"

STAFF COMMENTS:

NOTE: This property is subject to the County Zone Case (SCZ-0513) requesting "R-1" and "LC" to "E" zoning.

- 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 pavement of Cypress and 38th Street North to the industrial street standard.
- D. The applicant shall guarantee the construction of a temporary decel lane along Toben and 39th Street North. In addition, the applicant shall petition for the construction of a permanent decel lane at this location. This petition is required so the permanent decel lane may be constructed at such time as Toben/39th Street North is constructed to a four-lane, arterial street standard.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The final plat tracing shall indicate the dedication of an additional 10 feet of street right-of-way for Toben/39th Street North. This additional right-of-way is needed for the future permanent decel lane.
- H. The final plat shall indicate "access control except for two (2) openings per lot" to Toben/39th Street North across the west line of Lots 9, 10 and 11, Block 1 and the north line of Lots 12, 13, 14, 15 and 16, Block 1.
- I. The applicant shall submit an avigational easement and restrictive noise covenant for this property. Section 7-107.
- J. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- K. 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.

- L. The applicant shall submit a copy of the instrument which establishes the Northwest Central Pipeline easement on this property.
- M. The final plat shall label the centerline of the utility easements.
- N. When Toben 3rd Addition was platted to the north, the terms of the Northwest Central Pipeline Easement were reviewed. Based upon that review, it was determined that the gas pipeline is located 45 feet west of the centerline of Webb Road. The terms of the pipeline agreement require a 66-foot wide pipeline easement centered on the pipeline. This places the west line of the pipeline easement 78 feet west of the centerline of Webb Road (east 28 feet of this property). The provisions of the pipeline agreement further require a 50-foot building setback from the center of the pipeline. This places the building setback 17 feet west of the west line of the pipeline easement, or 95 feet west of the centerline of Webb Road (east 45 feet of this property). Prior to filing a final plat, the applicant's agent shall carefully review the terms of the pipeline easement so as to properly reflect the pipeline easement and associated building setback on the final plat.
- O. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- P. 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.
- Q. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- R. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

S/D No.: 85-90 Name: INDUSTRIAL AIR CENTER (Formerly Toben 4th)

Preliminary Approved: 10/24/85
Scheduled S/D Meeting: 1/30/86

DESCRIPTION

General Location: Northwest corner of 37th Street North and Webb Road.
Owner: Horst K. Hiller, 630 North Washington, Wichita, KS 67214
Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

1. Gross Acreage of Plat: 45.3 Acres
 2. Number of Lots:
 - Residential:
 - Office:
 - Commercial:
 - Industrial: 24
 - Total: 24
 3. Minimum Lot Area: 55,000 Sq. Ft.
 4. Existing Zoning: "R-1" and "LC"
 5. Proposed Zoning: "E" (SCZ-0513)
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STAFF COMMENTS:

NOTE: This property is subject to the County Zone Case (SCZ-0513) requesting "R-1" and "LC" to "E" zoning. This plat was previously named Toben 4th.

- 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 pavement of Cypress and 38th Street North to the industrial street standard.
- D. As was agreed at the time of preliminary plat approval, the applicant shall guarantee the construction of a temporary decel lane along Toben and 39th Street North. In addition, the applicant shall petition for the construction of a permanent decel lane at this location. This petition is required so the permanent decel lane may be constructed at such time as Toben/39th Street North is constructed to a four-lane, arterial street standard.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The final plat tracing shall indicate the dedication of an additional 10 feet of street right-of-way for Toben/39th Street North. This additional right-of-way is needed for the future permanent decel lane.
- H. As was indicated on the approved preliminary plat, the final plat tracing shall indicate the dedication of five (5) feet of additional right-of-way for 37th Street North. (35 feet of half-street right-of-way.)
- I. The final plat tracing shall indicate the platting of 40 feet of "complete access control" to 39th Street North across the east 40 feet of the north line of Lot 16, Block 1.
- J. On the final plat tracing, the platlor's text shall be amended to state that the location of the permitted openings to Webb Road, 39th Street North and Toben Street "shall be determined by the City Engineer."
- K. On the final plat tracing, the labeling of the northwest Central Pipeline easement on Reserve B shall be dimensioned.

SUBDIVISION REPORT

S/D 85-90 - INDUSTRIAL AIR CENTER (Formerly Toben 4th)

Page 2

- L. The applicant shall submit an avigational easement and restrictive noise covenant for this property. Section 7-107.
- M. 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.
- N. 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.
- O. The applicant shall submit a copy of the instrument which establishes the Northwest Central Pipeline easement on this property.
- P. The applicant shall submit a copy of the instrument which establishes the Gas Service Company easement on this property.
- Q. Any relocation, lowering or encasement of the pipelines, made necessary by this development, will not be at the expense of the City.
- R. The applicant shall make satisfactory arrangements with K.G.& E. for removal of their power pole from the 38th Street North/Webb Road intersection. A letter shall be obtained for the Planning Department's files which states that proper arrangements have been made.
- S. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- T. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- U. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, what drainage guarantees are required with this plat?