

April 15, 1992

STAFF REPORT
(Final Plat; Preliminary Plat Approved 12/10/92)

CASE NUMBER: S/D 89-69 - ONE GREENWICH PLACE ADDITION

OWNER/APPLICANT: Kellogg-Greenwich Road Associates
c/o Robert W. Kaplan

SURVEYOR/ENGINEER: Baughman Company, Attn: Brent Wooten

LOCATION: South of Kellogg and east of Greenwich Road

SITE SIZE: 74.8 Acres

NUMBER OF LOTS

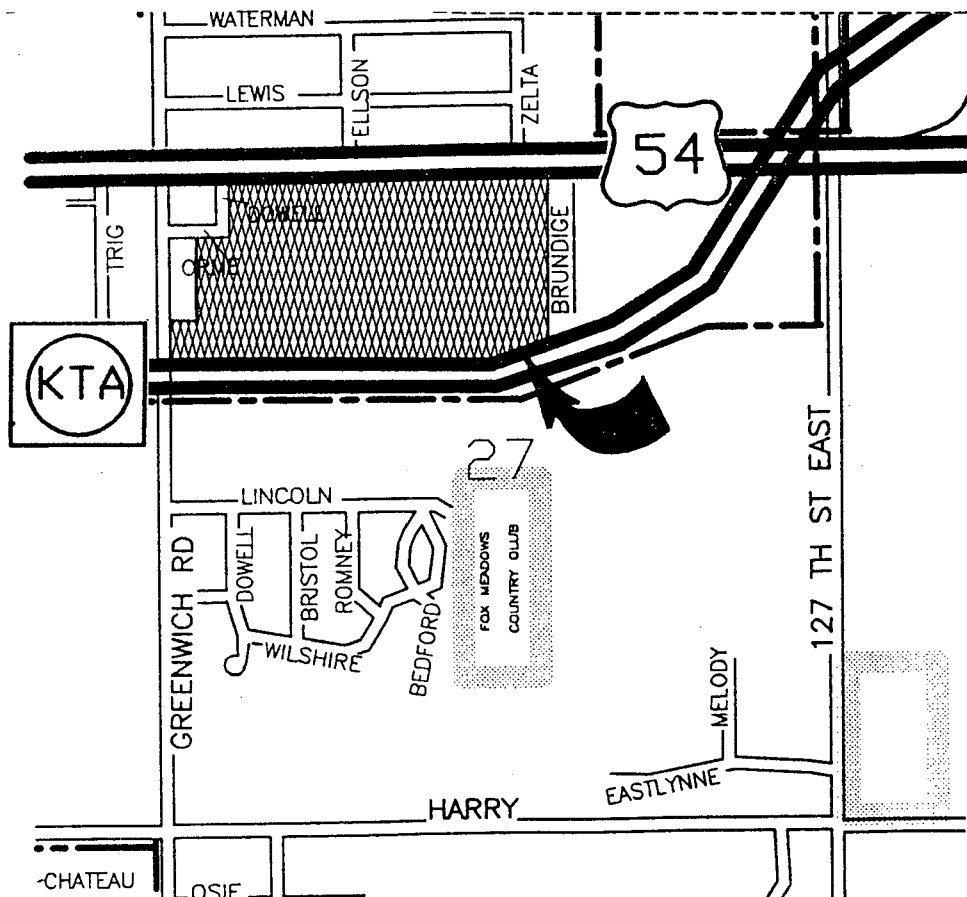
| | |
|--------------|----|
| Residential: | |
| Office: | |
| Commercial: | 9 |
| Industrial: | 12 |
| Other: | 2 |
| Total: | 23 |

MINIMUM LOT AREA: 22,820 sq. ft.

CURRENT ZONING: "AA" and "LC"

PROPOSED ZONING: "OC", "C" & "E" (Z-2944)

VICINITY MAP:



NOTE: The entirety of this site is involved in a zone change request from "AA" One-Family zoning to "E" Light Industrial, "C" Commercial and "OC" Office Commercial zoning. The zone change has been approved, subject to the site being platted by April 18, 1993. A portion of this plat, the lots north of Orme, is also within the One Kellogg Place C.U.P., DP-196. These lots correspond to Parcel 1 of that C.U.P.

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 any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall be to the commercial/industrial street standard, which also requires sidewalks on all adjacent lots. Further, this guarantee shall include the paving of the adjacent streets, i.e., Kellogg Drive and Brundige, to an appropriate width. A final determination on the need for sidewalks will be made at the time of final plat review.
- F. As indicated by the C.U.P., DP-196, the following traffic improvements shall be guaranteed:
 1. Construction of acceleration and deceleration lanes along the south side of Kellogg at Ellson and Zelta Streets.
 2. Construction of a left-turn bay for westbound traffic on Kellogg to turn south on Zelta and a left-turn bay on Zelta for northbound traffic to turn west on Kellogg.
 3. Traffic signalization at the Zelta/Kellogg intersection, when warranted by the conditions set out in Section 4C of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration and on file in the office of the City Traffic Engineer.
 4. Construction of a left-turn bay for westbound traffic on Kellogg to turn south on Ellson, and a medial structure that prohibits left turns from Ellson onto Kellogg and Ellson traffic across Kellogg.

- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. As was volunteered during the zone change request, the applicant is to establish restrictive covenants concerning the use of signs on this property. The applicant shall submit these covenants for recording with the plat.
- I. Prior to this plat being scheduled for City Council review, the buildings in Blocks 2 and 3 shown as encroaching street right-of-way shall be removed. The applicant shall submit a letter indicating these structures have been removed.
- J. 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.
- K. 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.
- L. On the final plat tracing, the plattor's text shall note the dedication of streets to and for public use.
- M. Prior to this plat being released for recording, the applicant shall provide proof that the delinquent taxes (property and specials) noted in the title binder have been paid.
- N. The title binder indicates a KG&E easement at Film 527 and Page 595. If this easement is on this site, it shall be shown on the final plat tracing, or proof will need to be provided that the easement has been released.
- O. 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.
- P. 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.

- Q. The applicant is advised that access to U.S. 54 is limited to the size openings presently indicated north of Ellson and Zelta. Any changes in these opening widths must be approved through the Federal Highway Administration.
- R. Perimeter closure computations shall be submitted with the final plat tracing [Section 5-101(C)].
- S. Recording of the plat within 30 days after approval by the City Council.
- T. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 13

December 10, 1992

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 89-69 - ONE GREENWICH PLACE ADDITION

OWNER/APPLICANT: Kellogg-Greenwich Road Associates, c/o Robert W. Kaplan, 430 N. Market, Wichita, Ks 67202

SURVEYOR/ENGINEER: Professional Engineering Consultants, P.A., c/o Gary Wiley, 303 South Topeka, Wichita, KS 67202

LOCATION: South of Kellogg and east of Greenwich Road

SITE SIZE: 74.8 Acres

NUMBER OF LOTS

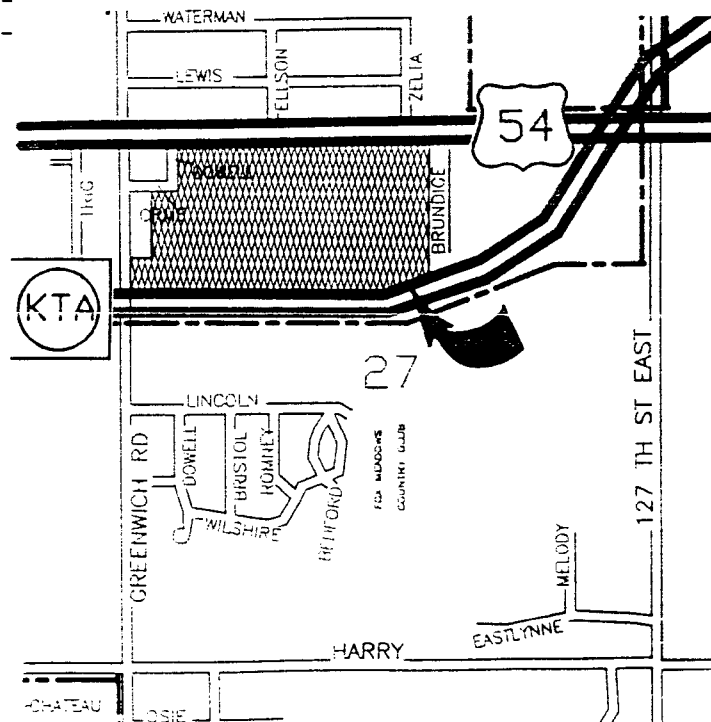
| | |
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| Residential: | |
| Office: | |
| Commercial: | 9 |
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| Total: | 23 |

MINIMUM LOT AREA: 22,820 sq. ft.

CURRENT ZONING: "AA" and "LC"

PROPOSED ZONING: "C", "E", and "OC"

VICINITY MAP:



NOTE: The entirety of this site is involved in a zone change request to "E" Light Industrial zoning. The zone change has been approved, subject to the site being platted by April 18, 1993. A portion of this plat, the lots north of Orme, is also within the One Kellogg Place CUP, DP-196. These lots correspond to Parcel 1 of that CUP.

STAFF COMMENTS:

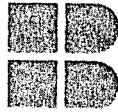
- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall be to the commercial/industrial street standard, which also requires sidewalks on all adjacent lots. Further, this guarantee shall include the adjacent streets, i.e., Kellogg Drive and Brundige.
- F. Based on the zone change involved for this site and the zoning east of Brundige, this street's right-of-way shall be to the 70-foot commercial/industrial standard. This plat shall dedicate sufficient right-of-way to provide 70-feet of right-of-way for Brundige.
- G. As indicated by the CUP, DP-196 the following traffic improvements shall be guaranteed:
 1. Construction of acceleration and deceleration lanes along the south side of Kellogg at Ellson and Zelta Streets.
 2. Construction of a left-turn bay for westbound traffic on Kellogg to turn south on Zelta and a left-turn bay on Zelta for northbound traffic to turn west on Kellogg.
 3. Traffic signalization at the Zelta/Kellogg intersection when warranted by the conditions set out in Section 4C of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration and on file in the office of the City Traffic Engineer.
 4. Construction of a left-turn bay for westbound traffic on Kellogg to turn south on Ellson, and a medial structure that prohibits left turns from Ellson onto Kellogg and Ellson traffic across Kellogg.

- R. Prior to or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- S. 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.
- T. 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.
- U. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- V. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- I. As was volunteered during the zone change request, the applicant is to establish restrictive covenants concerning the use of signs on this property. The applicant shall submit these covenants for recording with the plat.
- J. The final plat shall indicate complete access control to Greenwich Road from any lots adjacent to this street.
- K. Not only shall this plat indicate appropriate 35-foot building setbacks to the adjacent streets, a note shall be placed on the plat indicating that additional building setbacks have been established by CUP, DP-196, on file with the Metropolitan Area Planning Department. Further, to buffer the existing homes on Greenwich from the "E" zoning proposed for this plat, Lots 1, 2 & 3, Block 5 shall plat at least a 25-foot setback along the common lot lines of these existing homes.
- L. Prior to this plat being scheduled for City Council review, the buildings in Blocks 2 and 3 shown as encroaching street right-of-way, shall be removed. The applicant shall submit a letter indicating these structures have been removed.
- M. 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.
- N. 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.
- O. 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.
- P. Except at approved openings, the final plat shall note that complete access control exists between Kellogg and Kellogg Drive.
- Q. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).

WILLIAM L. KORBER, L.S.

N. BRENT WOOTEN, P.E.



BAUGHMAN COMPANY, P.A.

SURVEYING & ENGINEERING

316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

ONE KELLOGG PLACE SITE ACREAGE

06/14/93

REVISED 07/14/93

| | | | | |
|------------------|--------------|---------|-------|-----|
| TOTAL AREA: | 3,200,441.24 | Sq. Ft. | 73.47 | Ac. |
| AREA W/O STREET: | 2,760,752.24 | Sq. Ft. | 63.38 | Ac. |
| LOT 1, BLK. 1 | 89,371.39 | Sq. Ft. | 2.05 | Ac. |
| LOT 2, BLK. 1 | 87,607.40 | Sq. Ft. | 2.01 | Ac. |
| LOT 3, BLK. 1 | 82,596.20 | Sq. Ft. | 1.90 | Ac. |
| LOT 4, BLK. 1 | 133,000.01 | Sq. Ft. | 3.05 | Ac. |
| LOT 5, BLK. 1 | 133,963.78 | Sq. Ft. | 3.08 | Ac. |
| LOT 1, BLK. 2 | 80,108.53 | Sq. Ft. | 1.84 | Ac. |
| LOT 2, BLK. 2 | 86,786.34 | Sq. Ft. | 1.99 | Ac. |
| LOT 3, BLK. 2 | 86,537.54 | Sq. Ft. | 1.99 | Ac. |
| LOT 4, BLK. 2 | 86,288.73 | Sq. Ft. | 1.98 | Ac. |
| LOT 5, BLK. 2 | 80,764.18 | Sq. Ft. | 1.85 | Ac. |
| LOT 6, BLK. 2 | 127,320.91 | Sq. Ft. | 2.92 | Ac. |
| LOT 7, BLK. 2 | 175,000.00 | Sq. Ft. | 4.02 | Ac. |
| LOT 8, BLK. 2 | 133,000.01 | Sq. Ft. | 3.05 | Ac. |
| LOT 1, BLK. 3 | 22,548.39 | Sq. Ft. | 0.52 | Ac. |
| LOT 2, BLK. 3 | 96,632.11 | Sq. Ft. | 2.22 | Ac. |
| LOT 3, BLK. 3 | 160,606.26 | Sq. Ft. | 3.69 | Ac. |
| LOT 4, BLK. 3 | 160,187.94 | Sq. Ft. | 3.68 | Ac. |
| LOT 5, BLK. 3 | 192,441.76 | Sq. Ft. | 4.42 | Ac. |
| LOT 6, BLK. 3 | 224,908.65 | Sq. Ft. | 5.16 | Ac. |
| LOT 7, BLK. 3 | 94,931.84 | Sq. Ft. | 2.18 | Ac. |
| LOT 1, BLK. 4 | 72,850.61 | Sq. Ft. | 1.67 | Ac. |
| LOT 2, BLK. 4 | 53,172.75 | Sq. Ft. | 1.22 | Ac. |
| LOT 3, BLK. 4 | 22,938.67 | Sq. Ft. | 0.53 | Ac. |
| RES. A | 4,334.38 | Sq. Ft. | 0.10 | Ac. |
| RES. B | 4,266.87 | Sq. Ft. | 0.10 | Ac. |
| RES. C | 4,294.61 | Sq. Ft. | 0.10 | Ac. |
| RES. D | 4,328.06 | Sq. Ft. | 0.10 | Ac. |
| RES. E | 102,932.01 | Sq. Ft. | 2.36 | Ac. |
| RES. F | 156,996.63 | Sq. Ft. | 3.60 | Ac. |



Department of Public Works

May 10, 2001


Karen Roberts, Esq.
Wal-Mart Stores, Inc.
Sam M. Walton Development Complex
2001 S.E. 10th Street
Bentonville, AR 72716-0550

RE: Wichita East, L.L.C., Seller
Wal-Mart Real Estate Business, Buyer
One Kellogg Place, Wichita, Kansas

Dear Ms. Roberts:

This is to confirm that the City of Wichita has agreed to allow Wal-Mart to participate in the City's bid process with its contractors for the public improvements to be constructed in connection with the One Kellogg Place development. Wal-Mart may furnish such language as they desire to be included in the contracts so as to impose penalties for delays, etc. Should Wal-Mart not be satisfied with the City's contract, Wal-Mart shall be free to take over the public improvements and construct them themselves.

Very truly yours,


Mike Lindebak, P.E.
City Engineer

MEL:pp

cc: Lynn Russell, The Katz Law Firm

Engineering Division

City Hall • Seventh Floor • 455 North Main • Wichita, Kansas 67202-1606

T 316.268.4501 ⁴ F 316.268.4114

www.wichitagov.org

THE KATZ LAW FIRM

A Limited Liability Company

6700 Antioch Road
Suite 410
Merriam, Kansas 66204
(913) 312-5040
(913) 312-5047

TELEFAX

This fax transmission consist of 2 page(s) including this cover page.

If incorrectly received, please contact: *Lorrie Rusk* at (913) 312-5040

CONFIDENTIALITY NOTICE: The materials enclosed with this facsimile transmission are privileged and are intended only for the use of the parties above. If you are not the intend recipient, be advised that any unauthorized disclosure, copying, distribution or the taking of any action in reliance on the contents of this telefax is strictly prohibited. If you have received this facsimile transmission in error, please immediately notify us to arrange at our cost a return the documents to us.

To: *Mike Liebak*

Fax No: *316-268-4114*

From: *Lynn Russell*

Subject: *One Kellogg Place - Wichita*

Date: *5-9-01*

*Mike -
Call me about this asap!*

May 9, 2001

VIA FAX

Karen Roberts, Esq.
Wal-Mart Stores, Inc.
Sam M. Walton Development Complex
2001 S.E. 10th Street
Bentonville, AR 72716-0550

RE: **Wichita East, L.L.C., Seller**
Wal-Mart Real Estate Business, Buyer
One Kellogg Place, Wichita, Kansas

Dear Ms. Roberts:

bid process

This is to confirm that the City of Wichita has agreed to allow Wal-Mart to participate in the City's ~~contract negotiations~~ with its contractors for the public improvements to be constructed in connection with the One Kellogg Place development. Wal-Mart may furnish such language as they desire to be included in the contracts so as to impose penalties for delays, etc. Should Wal-Mart not be satisfied with the City's contract, Wal-Mart shall be free to take over the public improvements and construct them themselves.

Very truly yours,

City of Wichita



FACSIMILE TRANSMITTAL

TO: Lynn Russell
The Katz Law Firm

FAX #: 913-312-5047

RE: One Kellogg Place, Wichita, Kansas

DATE: May 10, 2001

PAGES: 2, including this coversheet.

From the desk of ...
Pam Plank
Engineering
City of Wichita
455 N. Main
Wichita, KS 67202

Voice:316-268-4499
Fax:316-268-4114



| <u>AREA</u> | <u>AC SIZE AC</u> | <u>C</u> | <u>Q_s</u> | <u>Q_{res}</u> | |
|-------------|---------------------------|----------|----------------------|------------------------|------|
| A | 9.2 | 0.8 | 33.6 | 54.2 | |
| B | 2.6 |) | 11.8 | 15.2 | |
| C | 7.0 | | 31.9 | 41.3 | |
| D | 1.4 | | 6.4 | 8.0 | |
| E | 8.8 | | 40.1 | 50.4 | |
| F | 1.4 | | 0.8 | 6.4 | 8.0 |
| G | 20.0 | | 0.4 | 36.5 | 59.0 |
| H | 7.6 |) | 27.7 | 44.8 | |
| I | 5.0 | | 18.2 | 29.5 | |
| J | 3.7 | | 13.5 | 21.8 | |
| K | 0.9 | | 3.3 | 6.6 | |
| L | 5.0 | | 18.2 | 36.4 | |
| M | 3.2 | | 11.7 | 23.3 | |
| N | 11.5 | | 41.9 | 67.8 | |
| O | 5.2 | | 19.0 | 27.0 | |
| P | 1.6 | | 5.8 | 9.4 | |
| R | 18.0 | | 0.4 | 32.8 | 53.0 |

| NODE | AREAS | LOCAL Q | TOTAL Q ₁₀₀ | PIP SIZE | SLOPE | NOTES |
|------|---------|---------------------|------------------------|----------|-------|--|
| 1 | 4.6 AC | 17.5 cfs | 0 | 24" | 1.2% | BYPASS 100 cfs |
| 2 | A | 54.2/100 | 54.2 | 30" | 1.7% | Q ₁₀₀ SUMP |
| 3 | - | - | - | 15" | 1.0% | - |
| 4 | 5.0 AC. | 18.5 cfs | 18.2 | 30" | 1.2% | BYPASS STATION Q ₁₀₀ |
| 5 | 2.0 AC. | (1 cfs) (15 cfs) | 94.2 | 42" | 0.9% | SUMP AREA B + BYPASS ST. Q ₁₀₀ |
| 6 | B | 15.2/100 | 15.2 | 21" | 0.9% | SUMP Q ₁₀₀ |
| 7 | A/B/C/D | - | 118.7 | 42" | 1.4% | SUMP Q ₁₀₀ |
| B | 1.2 AC | 7.0/100 | 7.0 | 15" | 1.2% | SUMP Q ₁₀₀ |
| A | | | | | | EROSION CONTROL - OUTFALL SECTION |

Wkst
Noos

ARJA

Local
Q

Total
Q₁₀₀

Req
Pipe
Size

S
Slope

Notes -

10

G.

-

59 cfs

30"

2.0%

MAINT HWY. STRUCTURE

11

53 AC.

19 cfs

78 cfs

36"

1.3%

12

G.H

104 cfs

42"

1.0%

Q₁₀₀ SUMP

13

G.H

-

104 cfs

42"

1.0%

Judgment carry

14

G.H.I

-

133 cfs

48"

0.9%

Q₁₀₀ SUMP

15

G.H. B. K

215 cfs

54"

1.2%

Q₁₀₀ SUMP
EROSION CONTROL
OUTFALL SITE

16

17

R

53 cfs

30"

2.0%

MAINT EFFIC. FLOW

18

CARRY R

53 cfs

30"

2.00

SAMS.

19

CARRY R + WIND

53 cfs

30"

2.00%

SAMS

20

R. J. 15

67 cfs

36"

1.00%

CARRY SUMP + S.Y.R.

21

R. J. 15 ST

67 cfs

36"

1.00%

CARRY BYPASS

22

R. J. 15 ST

70 cfs

36"

1.00%

CARRY BYPASS

23

R. J. 15 K

76 cfs

36"

1.30%

CARRY ✓

24

P

9.4 cfs

15"

2.0%

Q₁₀₀

25

EROSION OUTFALL.