

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: SUB 2000-38 -- LARNARD SMITH ADDITION

OWNER/APPLICANT: Larnard E. Smith, 2802 E. Douglas, Wichita, KS 67214

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

LOCATION: North side of Kellogg, East of Greenwich Road

SITE SIZE: 1.02 Acres

NUMBER OF LOTS

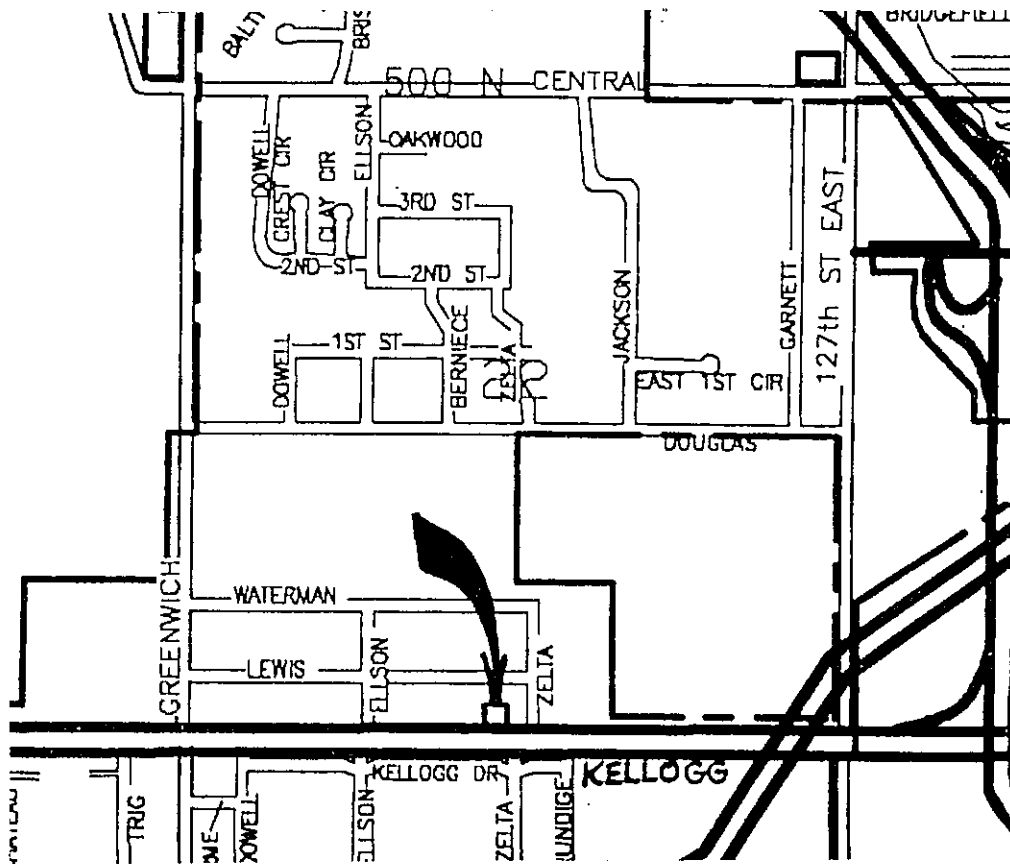
Residential:	
Office:	
Commercial:	1
Industrial:	
Total:	1

MINIMUM LOT AREA: 44,747 Sq. Ft.

CURRENT ZONING: LC, Limited Commercial

PROPOSED ZONING: GC, General Commercial

VICINITY MAP



Note: This is a replat of Lots 77 and 78 Linwood Acres. A zone change was approved from LC, Limited Commercial to GC, General Commercial subject to replatting.

STAFF COMMENTS:

- A. Municipal services appear to be available to serve the site. City Engineering needs to comment on the need for any guarantees or easements.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage concept.
- D. Traffic Engineering needs to comment on the access controls. The plat denotes complete access control to U.S. Highway 54 across Kellogg Drive. The final plat shall reference the access controls in the plat's text.
- E. The dedication of right-of-way shall be referenced in the plat's text.
- F. The applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- G. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- I. 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.
- J. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- K. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- L. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.

SUB 2000-38 -- Preliminary Plat of LARNARD SMITH ADDITION
June 8, 2000 - Page 3

- M. Perimeter closure computations shall be submitted with the final plat tracing.
- N. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- O. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- P. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

STAFF REPORT

(Final Plat, Preliminary Plat Approved 6/8/00)

CASE NUMBER: SUB 2000-38 -- C.J.J. 2nd ADDITION (Formerly Larnard Smith Addition)

OWNER/APPLICANT: Larnard E. Smith, 2802 E. Douglas, Wichita, KS 67214

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

LOCATION: North side of Kellogg, East of Greenwich Road

SITE SIZE: 1.02 Acres

NUMBER OF LOTS

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

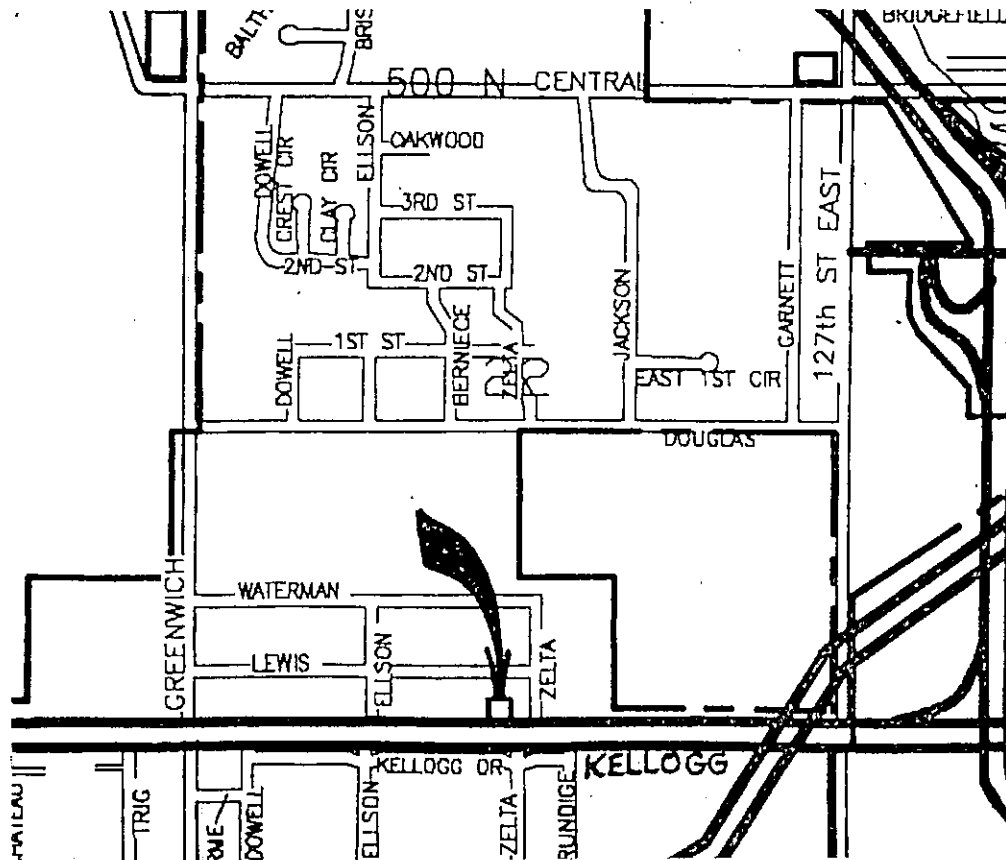
MINIMUM LOT AREA: 44,747 Sq. Ft.

CURRENT ZONING: LC, Limited Commercial

PROPOSED ZONING: GC, General Commercial

✓ Whether KDOT approval on drainage

VICINITY MAP



Note: This is a replat of Lots 77 and 78 Linwood Acres. A zone change was approved from LC, Limited Commercial to GC, General Commercial subject to replatting.

STAFF COMMENTS:

- A. Municipal services are available to serve the site. City Engineering needs to comment on the need for any guarantees or easements. No guarantees are required.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan.
- D. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- E. 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- F. 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.
- G. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- H. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- I. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- J. Perimeter closure computations shall be submitted with the final plat tracing.
- K. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- L. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.

- M. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

ALTA Commitment
(1966)

First American Title Insurance Company of Kansas

COMMITMENT FOR TITLE INSURANCE

FIRST AMERICAN TITLE INSURANCE COMPANY OF KANSAS, a Kansas corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

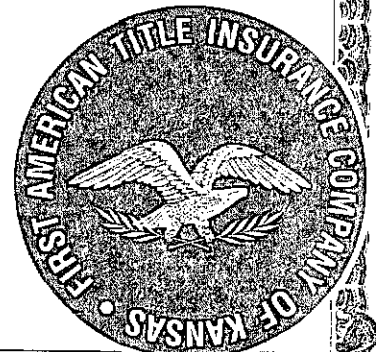
IN WITNESS WHEREOF, First American Title Insurance Company of Kansas has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

First American Title Insurance Company of Kansas

Issued by:
SECURITY ABSTRACT
AND TITLE CO. INC.
434 N. Main
Wichita, KS
(316) 267-8371

BY: *Robert A. Madsen* PRESIDENT
ATTEST: *Rebecca J. Carpenter* SECRETARY

Glenn B. Edwards
Authorized Signatory



A.L.T.A. COMMITMENT

SCHEDULE A

Commitment No.:
00561453

Effective Date:
June 5, 2000
at **7:00 a.m.**

1. Owner's Policy to be issued:
None

Amount \$ -0-

Proposed Insured:

For Informational Purposes Only

Loan Policy to be issued
None

Amount \$

Proposed Insured:

2. The estate or interest in the land described or referred to in this Commitment and covered herein is a fee simple and title thereto is at the effective date hereof vested in:

Larned E. Smith and Eva Ilean Smith, husband and wife

3. The land referred to in this Commitment is described as follows:

Lot 77 and the west half of Lot 78, Linwood Acres, Sedgwick County, Kansas, except that part condemned for highway in District Court Case A-17549.

A.L.T.A. COMMITMENT

SCHEDULE B

Commitment No. 00561453

Upon payment of the full consideration to, or for the account of, the grantors or mortgagors, and recording of the deeds and/or mortgages, the form and execution of which is satisfactory to the Company, the policy or policies will be issued containing exceptions in Schedule B thereof to the following matters (unless the same are disposed of to the satisfaction of the Company):

1. If an owner's policy is to be issued, the mortgage encumbrance, if any, created as part of the purchase transaction.
2. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
3. Rights or claims of parties in possession not shown by the public records.
4. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
5. Easements or claims of easements not shown by the public records.
6. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records.
8. General and special taxes and assessments as hereafter listed, if any (all amounts shown being exclusive of interest, penalties and costs):
 - a. year 1999 - \$370.48 Paid. (Key #C-34781, covers Lot 77)
 - year 1999 - \$36.31 Paid. (Key #C-34782, covers Lot 78)
9. Utility easement established by the recorded plat of said subdivision over the rear 5 feet of subject property.
10. Tenancy rights, either as month to month, or by virtue of written leases of persons now in possession of any part of the subject property.
11. Access controls as established in District Court Condemnation Case #A-54437.
12. The actual value of the estate or interest to be insured must be disclosed to the Company, and subject to approval by the Company, entered as the amount of the policy to be issued. It is agreed that, as between the Company, the applicant for this commitment, and every person relying on this commitment, the amount of the requested policy will be assumed to be \$2,500.00, and the total liability of the Company on account of this commitment shall not exceed that amount, until such time as the actual amount of the policy to be issued shall have been agreed upon and entered as aforesaid, and the Company's applicable insurance premium charge for same shall have been paid.

If you have any questions

SCHEDULE B - continued

Commitment No. **00561453**

concerning this Commitment,
please call or email:

Glenn Edwards
(316) 267-8371
gbedwards@firstam.com

mw

CLOSURE - CJS 2ND ADDITION

L001

1			N	5000.000	E	5000.000	S	0+00
S	89-47'57.0"W	190.510						
2			N	4999.332	E	4809.491	S	1+90.510
	NORTH	234.790						
3			N	5234.122	E	4809.491	S	4+25.300
N	89-58'04.0"E	190.590						
4			N	5234.229	E	5000.081	S	6+15.890
S	00-01'11.5"W	234.229						
1			N	5000.000	E	5000.000	S	8+50.119
LENGTH=	850.119	AREA=		44685.668	SF		1.026	ACRES