

STAFF REPORT
(One-Step Final Plat)

CASE NUMBER: S/D 99-53 - UNIVERSAL 4TH ADDITION

OWNER/APPLICANT: Universal Motor Fuels, Inc., Attn: Dennis Maloney, P.O. Box 2920, Wichita, KS 67201

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

LOCATION: West side of Greenwich Road, North of Kellogg

SITE SIZE: 1.32 acres

NUMBER OF LOTS

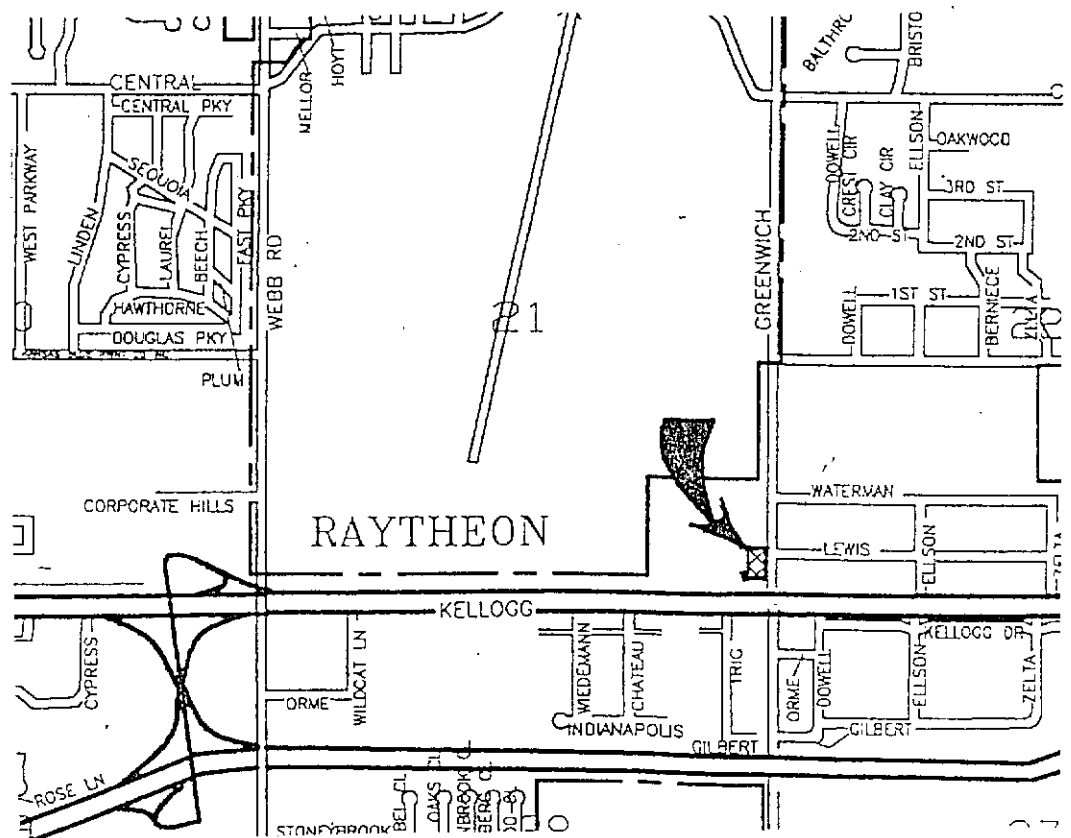
Residential:	
Office:	
Commercial:	1
Industrial:	
Total:	1

MINIMUM LOT AREA: 1.32 acres

CURRENT ZONING: GC, General Commercial

PROPOSED ZONING: Same

VICINITY MAP



Note: This site is a replat of a portion of Lot 1 in the Universal 2nd Addition along with unplatted property to the north.

STAFF COMMENTS:

- A. Municipal services appear to be available to serve this site. City Engineering needs to comment on the need for 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 plan and if the minimum building elevation is sufficient.
- D. City Engineering needs to comment on the proposed access controls. The plat denotes two openings along Greenwich Road including complete access control along the north 22.5 feet of the plat. Distances should be shown for all access controls.
- E. The final plat tracing shall reference a tie point to a section corner.
- F. The Applicant is advised that the 35-ft platted setback may be reduced to 20 feet.
- G. 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.
- H. The platting 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.
- I. 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.)
- J. 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.
- K. 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.

- L. 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.
- M. 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.
- N. Perimeter closure computations shall be submitted with the final plat tracing.
- O. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- P. 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.
- Q. 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 Release 13 version of AutoCAD. This will be used by the City and County GIS Department.

STAFF REPORT

(Revised Final Plat, Final Plat Approved 8/5/99).

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

LOCATION: Northwest corner of Greenwich Road and Kellogg

SITE SIZE: 1.98 Acres *✓ Kellogg R/W*

NUMBER OF LOTS

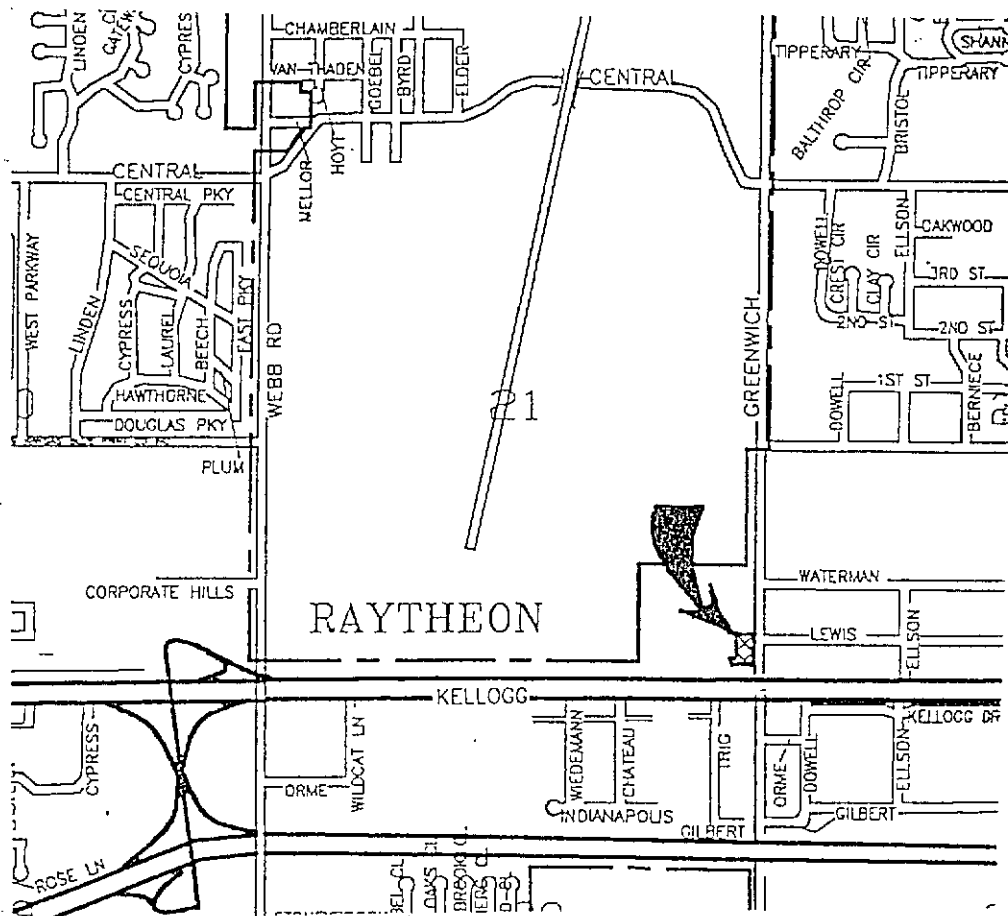
Residential:	
Office:	
Commercial:	2
Industrial:	
Total:	2

MINIMUM LOT AREA: 33,413 Sq. Ft.

CURRENT ZONING: LC, Limited Commercial

PROPOSED ZONING: Same

VICINITY MAP

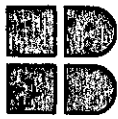


Note: This site is a replat of Lot 1 in the Universal 2nd Addition along with unplatted property to the north. This revised final plat includes additional land to the south to include an additional commercial lot.

STAFF COMMENTS:

- A. Municipal services appear to be available to serve this site. City Engineering needs to comment on the need for 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 plan and if the minimum building elevation is sufficient.
- D. Traffic Engineering needs to comment on the proposed access controls. The plat denotes two openings along Greenwich Road including a joint access between the two lots. The Applicant shall guarantee the closure of any driveway openings located in areas of complete access control. Distances should be shown for all access controls.
- E. Traffic Engineering needs to comment on the need for additional right-of-way. *Traffic Engineering has requested the dedication of an additional ten feet of right-of-way along Greenwich.*
- F. The platting binder indicates that the site's ownership is in the name of an additional party. This party must be included in the owner's signature block.
- G. The platting binder indicates a mortgagor on the site. The final plat tracing needs to be signed by any party holding a mortgage on the site.
- H. The scale needs to be corrected.
- I. The platting 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.
- J. 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.)
- K. 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.
- L. 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.

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- N. 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.
- O. Perimeter closure computations shall be submitted with the final plat tracing.
- P. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- Q. 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.
- R. 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 Release 13 version of AutoCAD. This will be used by the City and County GIS Department.



BAUGHMAN COMPANY, P.A.
ENGINEERING, SURVEYING & PLANNING
316/262-7271 • FAX 316/262-0149 • 315 ELLIS • WICHITA, KANSAS 67211

February 14, 2000

John Philbrick
Property Management
13th Floor - City Hall
455 North Main
Wichita, Kansas 67201

**RE: Universal Motor Fuels Property located at the
N.W. Corner of Kellogg and Greenwich**

Dear Mr. Philbrick:

Our office is acting as agent for Dennis Maloney, President of Universal Motor Fuels on the above referenced property. Enclosed is an exhibit that shows the proposed development options for a two-lot plat. The north lot "Lot 1" will be developed as a convenience store with gas pumps and a carwash facility. The south lot "Lot 2" is available on the real estate market and will probably develop as a fast food restaurant. Presently, our office has obtained Planning Commission approval for this two-lot plat. During our discussions with the property owner and the City, we have come up with a list of issues that should be addressed in your final purchase agreement with Mr. Maloney.

1. Mr. Maloney agrees to dedicate to the City the future right-of-way along the south line of Lot 2 for Kellogg Avenue at the time of platting. This comprises approximately 4,370 square feet.
2. Mr. Maloney agrees to supply the City construction plans to convert the existing drainage channel along the north line of Lot 1 into a piped storm sewer system.
3. The City agrees to bid and construct this storm sewer system along the north line of Lot 1, by June 1, 2000.
4. The City agrees to allow two forty foot (40') access openings along Greenwich, as shown on the attached exhibit, to ensure a proper turning radius for the truck traffic that will visit this site.
5. The City agrees to waive the required landscape street yard and will allow the required landscape street yard trees and parking lot screening plant material to occur in the Kellogg right-of-way along the south line of Lot 2.
6. The City agrees to allow a sign for both Lot 1 and 2 to be placed in the Kellogg Avenue right-of-way until such time as Kellogg is improved to a Freeway standard.
7. The City agrees that the vacuum bays shown on the attached exhibit can be placed in the drainage easement, and are not considered a permanent structure.

John Philbrick
Page 2 of 2

8. Mr. Maloney agrees to temporary complete access control along the south property line of Lot 2, until such time as Kellogg is improved to a freeway standard and Kellogg Drive is designated one way west. At that time, Lot 2 will be allowed one drive opening at its furthest west location.

This list of issues is only a suggested list of conditions that have come up during Baughman Company's involvement with this project. The final list of items will need to be agreed upon between the City and Mr. Maloney. If our office can be of any further help on this project, please feel free to give us a call.

Sincerely,
Baughman Company, P.A.



Philip J. Meyer, L.A.

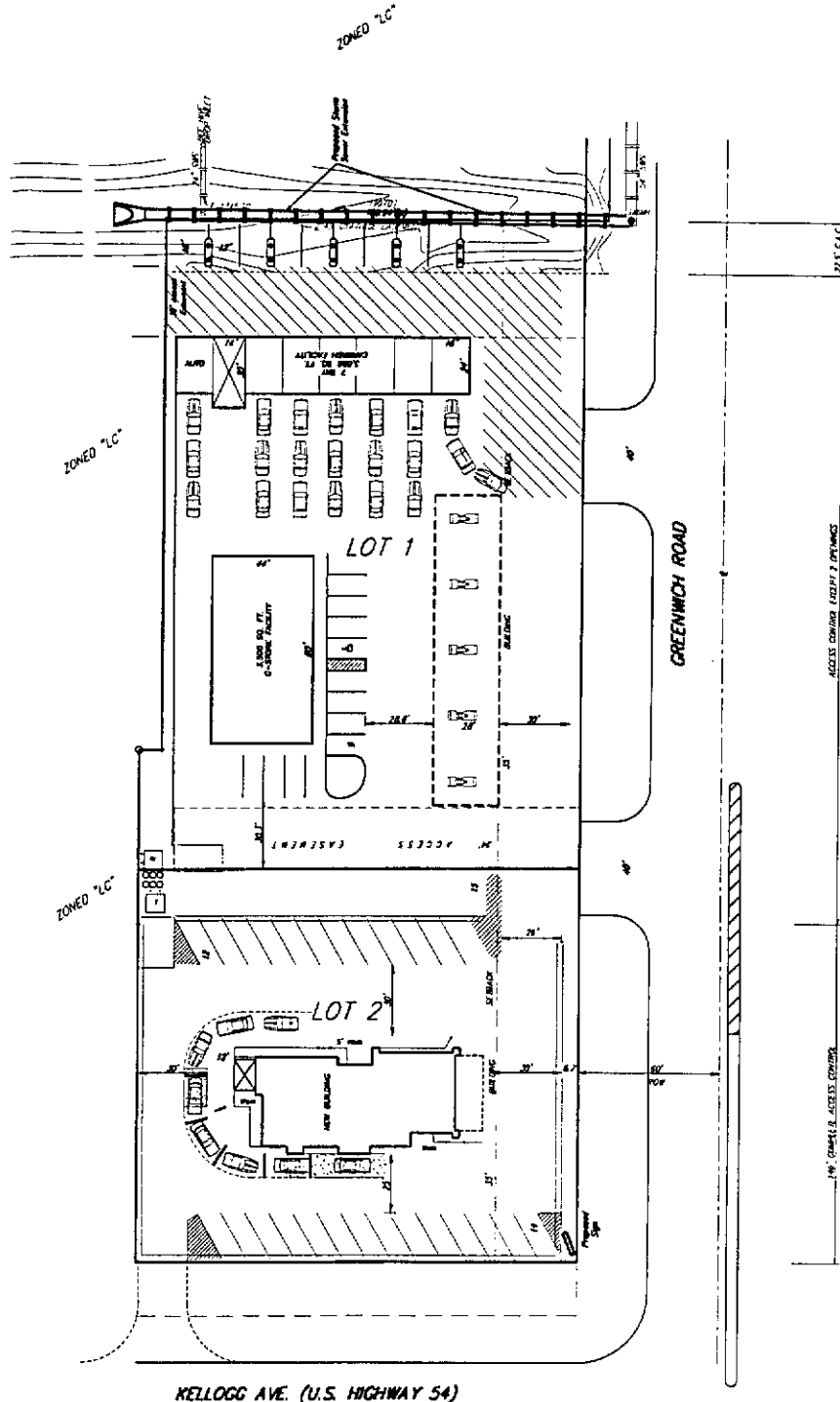
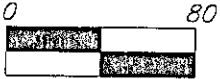
cc: Dennis Maloney, Universal Motor Fuels
file



BAUGHMAN COMPANY P.A.
ENGINEERING, SURVEYING, & PLANNING

316-262-7271 * 315 ELLIS * WICHITA, KANSAS 67211

**EXHIBIT
FOR PROPOSED
UNIVERSAL 4TH ADDITION**



KELLOGG AVE. (U.S. HIGHWAY 54)

TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT made this _____ day of _____, 20_____,
by and between Universal Motor Fuels, Inc. party of the first part hereinafter referred to as
Owner and the City of Wichita, Kansas hereinafter referred to as City.

WITNESSETH: That said Owners, in consideration of the sum of One Dollars (\$1.00) and
other valuable consideration the receipt whereof is hereby acknowledged, do hereby grant and
convey unto the said City a temporary construction easement for the purpose of constructing a
sewer pumpstation, for the storage of dirt, machinery, equipment, and materials over, along,
above and under the following described real estate situated in Sedgwick, county, Kansas, to wit:

A tract of land lying in the Southeast Quarter of Section 21, Township 27 South, Range 2 East of
the 6th P.M., Sedgwick County, Kansas, being more particularly described as follows:

Commencing at the Northwest corner of Universal 2nd Addition, an Addition to Wichita, Sedgwick
County, Kansas; thence East along the North line of said Addition, 10.00 feet; thence North,
parallel with the East line of said Quarter, 14.52 feet to the point of beginning; thence continuing
North, parallel with said East line 140.00 feet; thence East parallel with said North Line, 190.00
feet to a point 50.00 feet West of said East line; thence South, parallel with said East line, thence
South, parallel with said East line, 20.00 feet; thence West, parallel with said North line, 90.00
feet; thence South, parallel with said east line, 120.00 feet; thence West, parallel with said North
line, 100.00 feet to the point of beginning.

The easement does not include a right-of-way over land occupied by a permanent structure.
Said easement shall expire 30 days after completion of the Northeast Sewer Pumpstation
Construction Project for which this easement is needed.

It is recognized by both parties that Owner may initiate development of some of the above
described easement area during the term of this Temporary Construction Easement. Should this
occur, the parties agree that the easement area will be modified as necessary to allow Owner's
development concurrent with the City's construction of the sewer pumpstation.

IN WITNESS WHEREOF: The said first part _____ has signed these presents the day
and year first written.

By: _____

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

Personally appeared before me a notary public in and for the County and State aforesaid came
_____ to me personally known to be the same person(s) who executed the
foregoing instrument of writing and said duly acknowledged the execution thereof.

Dated at Wichita, Kansas, this ____ day of _____, 1999.

Notary Public

My Appointment Expires: _____

**EXHIBIT B
DEDICATION OF UTILITY EASEMENT**

THIS EASEMENT made this _____ day of _____, 2000, by and between Universal Motor Fuels, Inc. of the first part and City of Wichita, Sedgwick County, Kansas, of the second part.

WITNESSED: that the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby dedicate and convey unto the public and said second party a perpetual right of way and easement for the purpose of construction, maintaining and repairing utilities, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A tract of land lying in the Southeast Quarter of Section 21, Township 27 South, Range 2 East of the 6th PM, Sedgwick County, Kansas, being more particularly described as follows:

Commencing at the Southeast corner of said Quarter: thence North 00 degrees 50' 13" West along the East line of said Quarter, 460.82 feet; thence South 88 degrees 58' 47" West, 50.00 feet to the point of beginning; thence continuing South 88 degrees 58' 47" West, 190.00 feet; thence North 00 degrees 50' 13" West, 30.00 feet thence North 88 degrees 58' 47" East, 190.00 feet to a point lying 50.00 feet West of said East line; thence South 00 degrees 50' 13" East, parallel with said East line, 30.00 feet to the point of beginning.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, maintaining and repairing utilities.

IN WITNESS WHEREOF: The said first and second parties have signed these presents the day and year first written.

By: _____

STATE OF KANSAS)
) SS.
SEDGWICK COUNTY)

Personally appeared before me, a notary public in and for the County and State aforesaid, came _____ to me personally known to be the same person(s) who executed the foregoing instrument of writing and said person duly acknowledge the execution thereof.

Dated at Wichita, Kansas this _____ day of _____, 1999.

Notary Public

SEAL

My Appointment Expires _____

EXHIBIT C
ACCESS AGREEMENT

This Access Agreement is made and entered into as of the ____ day of _____, 2000, by and between Universal Motor Fuels, Inc. (Owner), and the City of Wichita, a municipal corporation of the State of Kansas (City).

Whereas City has contracted to acquire a tract of real property legally described as a tract of land lying in the Southeast Quarter of section 21, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas being more particularly described as follow: commencing at the Northwest corner of Universal 2nd Addition thence N 88 degrees 58'47" E, along the North line of said Addition, 10.00 feet; thence N 00 degrees 50'13" W , parallel with the East line of said Quarter, 82.52 feet to the point of beginning; thence S 88 degrees 58'47" W, parallel with the said North line, 98.16 feet to the East line of an existing drainage easement, as recorded on Film 325, Page 284 in the Register of Deeds office; thence N 00 degrees 50'13" W, along said easement line, 92.41 feet to a point on a curve to the right; thence along said curve and said easement, 43.29 feet; said curve having a radius of 27.50 feet, a central angle of 90 degrees 11'20", and a long chord of 38.96 feet, bearing N 43 degrees 53'07" E; thence N 88 degrees 58'47" E, along the south line of said easement, 70.75 feet; thence S 00 degrees 50'13" E, parallel with said East line of said Quarter, 120.00 feet to the point of beginning for construction of a sewer pumpstation (Pumpstation) and related uses, and

Whereas access to Pumpstation must be across Owners property, legally described as Universal 2nd Addition to Wichita, Sedgwick County, Kansas and,

Whereas Owner is in the process of planning the redevelopment of its property,

Now, therefore, City and Owner do hereby covenant and agree as follows:

City is granted access to Pumpstation from Greenwich Road by a drive to be developed and located by Owner pursuant to its development plans. City is also granted the right to traverse Owner's above described property along drives and access ways to be developed by Owner.

City will have the right to construct, at City's sole expense, a thirty (30) foot wide access drive along the west line of Owner's property to allow access to the City's pumpstation.

CLOSURE - UNIVERSAL 4TH ADDITION

 L001

1			N	5000.000	E	5000.000	S	0+00
	NORTH	465.150						
2			N	5465.150	E	5000.000	S	4+65.150
	WEST	180.000						
3			N	5465.150	E	4820.000	S	6+45.150
	SOUTH	225.760						
4			N	5239.390	E	4820.000	S	8+70.910
S	89-48'42.0"W	9.940						
5			N	5239.357	E	4810.060	S	8+80.850
S	00-00'07.0"W	239.910						
6			N	4999.447	E	4810.052	S	11+20.760
N	89-49'59.9"E	189.949						
1			N	5000.000	E	5000.000	S	13+10.709
LENGTH=	1310.709	AREA=		86159.823 SF			1.978 ACRES	



BAUGHMAN COMPANY, P. A.
 ENGINEERING & SURVEYING
 315 ELLIS WICHITA, KANSAS 67211
 (316) 262-7271 FAX (316) 262-0149

LETTER OF TRANSMITTAL

DATE: 8/4/99
 JOB NO.
 ATTENTION:
 RE: Universal
 4th Addition

TO: Vicky Huang, P.E.
 Subdivision Engineer
 City Engineer's Office
 City of Wichita

WE ARE SENDING YOU Attached Under separate cover via the following items:

- Plans Prints Shop drawings Samples Copy of letter
 Specifications Change order Computer disk Other

COPIES	DATE	DESCRIPTION
2	8/4/99	Universal 4th Addition Drainage Plan

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted For review and comment
 For your use & information Approved as noted FOR BIDS DUE
 As requested Return for corrections For Signatures

REMARKS: I spoke with PEC and it is my understanding that there will be some changes to the detention pond at the Palace East Location, but the details are not worked out.

COPY TO: file

SIGNED: 