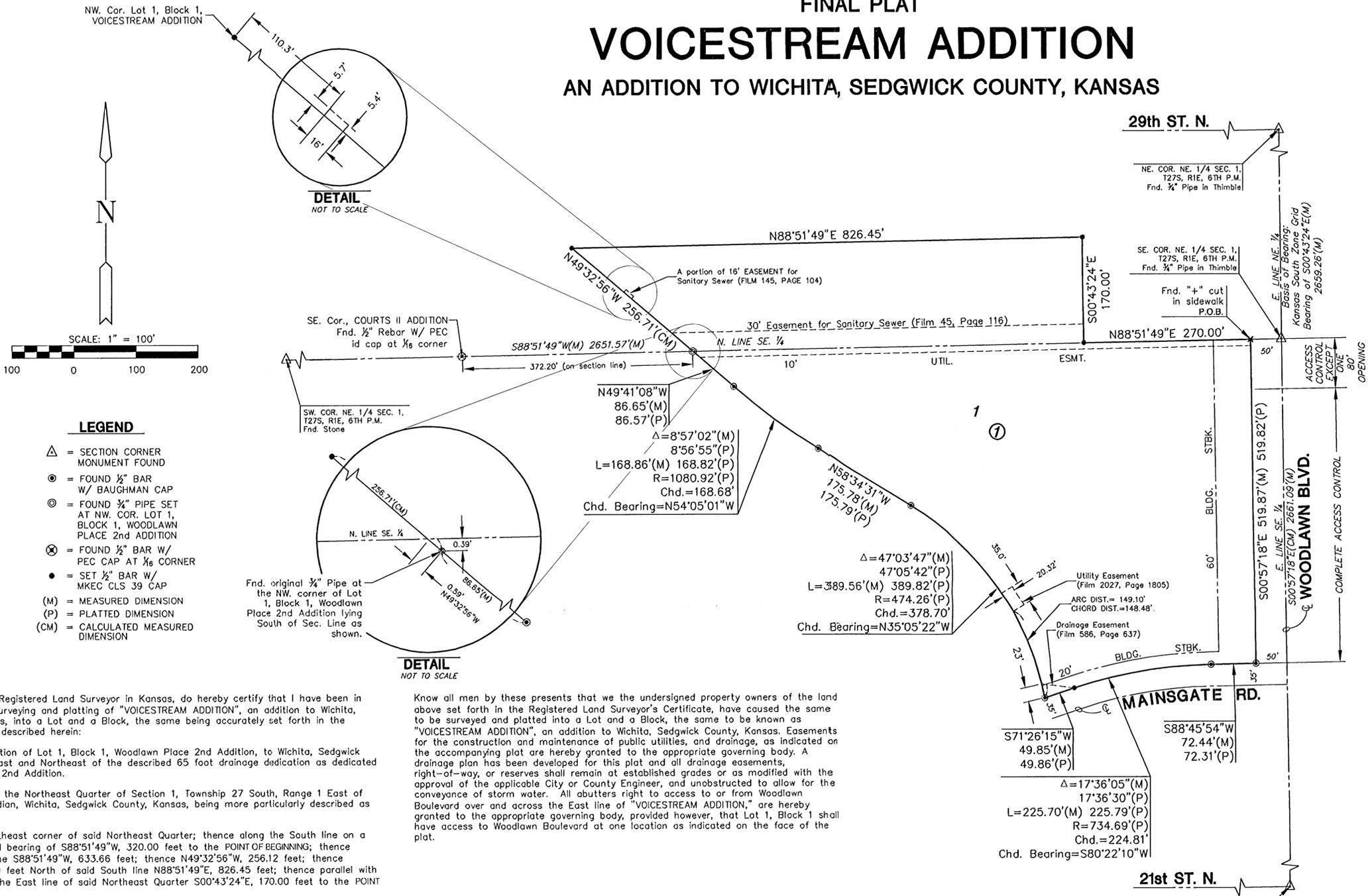


FINAL PLAT

VOICESTREAM ADDITION

AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

Final tracing received
11-6-02



I, Gregory J. Allison, a Registered Land Surveyor in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "VOICESTREAM ADDITION", an addition to Wichita, Sedgwick County, Kansas, into a Lot and a Block, the same being accurately set forth in the accompanying plat and described herein:

A replat all of that portion of Lot 1, Block 1, Woodlawn Place 2nd Addition, to Wichita, Sedgwick County, Kansas, lying East and Northeast of the described 65 foot drainage dedication as dedicated in said Woodlawn Place 2nd Addition.

AND ALSO:

A tract of land lying in the Northeast Quarter of Section 1, Township 27 South, Range 1 East of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, being more particularly described as follows:

COMMENCING at the Southeast corner of said Northeast Quarter; thence along the South line on a Kansas South Zone Grid bearing of S88°51'49"W, 320.00 feet to the POINT OF BEGINNING; thence along the said South line S88°51'49"W, 633.66 feet; thence N49°32'56"W, 256.12 feet; thence parallel with and 170.00 feet North of said South line N88°51'49"E, 826.45 feet; thence parallel with and 320 feet West of the East line of said Northeast Quarter S00°43'24"E, 170.00 feet to the POINT OF BEGINNING.

All lots, Blocks, streets, utility easements, drainage easements, access control, within the above described property are hereby vacated and replatted by virtue of K.S.A. 12-512(b).

I hereby certify that the details of this plat are correct to the best of my knowledge and belief this _____ day of _____, 2002.

Know all men by these presents that we the undersigned property owners of the land above set forth in the Registered Land Surveyor's Certificate, have caused the same to be surveyed and platted into a Lot and a Block, the same to be known as "VOICESTREAM ADDITION", an addition to Wichita, Sedgwick County, Kansas. Easements for the construction and maintenance of public utilities, and drainage, as indicated on the accompanying plat are hereby granted to the appropriate governing body. A drainage plan has been developed for this plat and all drainage easements, right-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 storm water. All abutters right to access to or from Woodlawn Boulevard over and across the East line of "VOICESTREAM ADDITION," are hereby granted to the appropriate governing body, provided however, that Lot 1, Block 1 shall have access to Woodlawn Boulevard at one location as indicated on the face of the plat.

Gregory J. Allison RLS #1257
MKEC Engineering Consultants, Inc.
411 North Webb Road
Wichita, Kansas 67206

CITY OF WICHITA
At the direction of the City Council.

_____, City Manager
Chris Cherches, City Manager

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 2002, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Chris Cherches, City Manager, City of Wichita, Kansas, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

_____, Notary Public
Notary Public
My appointment expires: _____

Netfund I, LTD., a Colorado Limited Partnership

_____,
_____,
_____,

STATE OF _____)
) ss:
 COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 2002, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Netfund I, LTD., a Colorado Limited Partnership, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

_____, Notary Public
Notary Public
My appointment expires: _____

This plat of "VOICESTREAM ADDITION", has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.
Dated this _____ day of _____, 2002.

WICHITA-SEDGWICK COUNTY METROPOLITAN PLANNING COMMISSION

_____, Chair
J.D. Michaelis, Chair

_____, Acting Secretary
Michael E. Lindebak, Acting Secretary

This plat approved and all dedications shown thereon, if any, accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 2002.

At the direction of the City Council.

_____, City Manager
Chris Cherches, City Manager

_____, City Clerk
Pat Burnett, City Clerk

Entered on transfer record this _____ day of _____, 2002.

_____, County Clerk
Don Brace, County Clerk

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

This is to certify that this instrument was filed for record in the Register of Deeds office this _____ day of _____, 2002 at _____ o'clock M; and duly recorded.

_____, Register of Deeds
Bill Meek, Register of Deeds

_____, Deputy
Linda Kizzire, Deputy

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2002.

_____, Deputy County Surveyor
Tricia L. Robello, LS #1246
Deputy County Surveyor
Sedgwick County, Kansas



Wichita-Sedgwick County Metropolitan Area Planning Department

May 9, 2002

MKEC Engineering Consultants, Inc.
411 N. Webb Road
Wichita, KS 67206

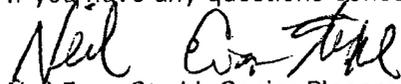
RE: SUB 2002-33-- One-Step Final Plat of VoiceStream Addition

At the regular meeting of the Metropolitan Area Planning Commission on May 9, 2002, the above captioned plat was considered. The action of the Planning Commission was to approve the plat as recommended by the Subdivision Committee, subject to the conditions stated in our letter dated April 26, 2002.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council and/or County Commission for consideration:

1. Submission of the fully completed and signed tracing of the subdivision, along with four (4) copies, to the Metropolitan Area Planning Department.
2. Submission of a check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting.
3. Subdivision regulations now require a detailed Lot Grading Plan be submitted to Engineering prior to the tracing being released. This applies to all multi-lot, residential developments.
4. Submission of a disk to the Planning Department detailing the final plat in digital format in Autocad. This will be used by the City and County GIS Departments.

If you have any questions concerning this matter, please call.


Neil Evan Strahl, Senior Planner
Current Plans Division

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

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Wichita-Sedgwick County Metropolitan Area Planning Department

April 26, 2002

MKEC Engineering Consultants, Inc.
411 N. Webb Road
Wichita, KS 67206

RE: SUB 2002-33-- One-Step Final Plat of VoiceStream Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 25, 2002, the above captioned plat was considered. The action of the Committee was to approve the one-step final plat, subject to the following:

STAFF COMMENTS:

- A. This plat will be subject to approval of the associated Conditional Use and any related conditions of such a Conditional Use. Prior to this plat being considered by MAPC, the Conditional Use will need to be approved.
- B. Municipal services are available to serve the site. **City Engineering** needs to comment on the need for guarantees or easements. No guarantees are needed.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **City Engineering** needs to comment on the status of the applicant's drainage plan. Minimum building pads shall be platted in conformance with the drainage plan. The drainage plan has been approved.
- E. The plat proposes two access openings along Woodlawn. One access opening along Woodlawn is approved by Traffic Engineering along the north property line. Access controls shall specify the location of the opening. A cross-lot access agreement shall be provided for the benefit of the property to the north.
- F. **County Surveying** has advised that measured right-of-way dimensions on Woodlawn need to be added. (Property line and section line are not parallel according to the bearings).

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- 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 platator'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.
- 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 316-946-4556) 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 AutoCAD. This will be used by the City and County GIS Department.

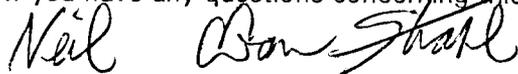
SUB 2002-33 -- One-Step Final Plat of VoiceStream Addition
April 26, 2002
Page 3

If this plat requires the guaranteeing of improvements, a list of the five methods which have been adopted as being acceptable is available through the Planning Department. Certificates, which are required if petitions are submitted, and forms for the bond and Irrevocable Letter of Credit are also available from this office.

This case will be forwarded to the Planning Commission on Thursday, May 9, 2002, at 1:30 p.m.

The enclosed "marked" copy of the plat is for your information and files.

If you have any questions concerning this matter, please call.



Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

Enclosure: Marked Copy of Plat

Copies to: Vantage Point Properties, Inc., 8301 E. 21st Street No., Wichita, KS 67206
Net Fund, Ltd., 8301 E. 21st Street No., Wichita, KS 67206
Mike Lindebak, City Engineer
Walter Rooney, Sedgwick County Fire Department
Jim Weber, PE-Director, Sewer Operations & Maintenance Department, Bureau of Public Services

STAFF REPORT
MAPC May 9, 2002

CASE NUMBER: CON2002-00018

APPLICANT/AGENT: Leewood Homes, Inc. (owner); MKEC Engineering Consultants, Inc., c/o

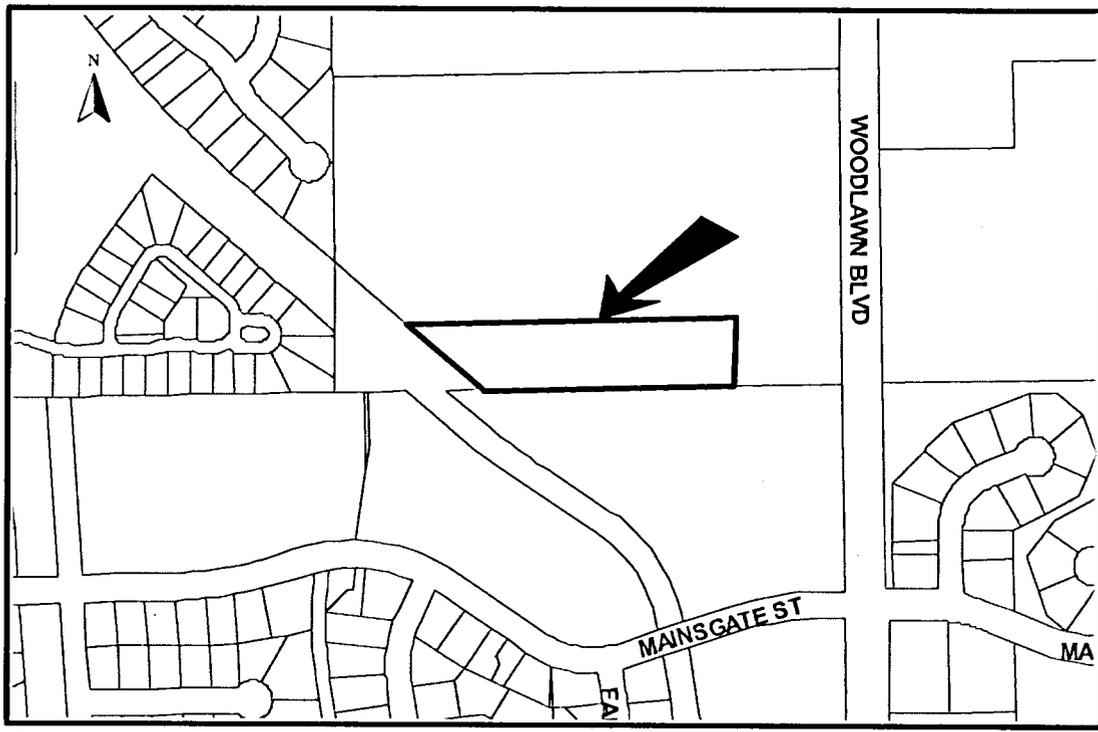
REQUEST: Conditional Use for ancillary parking

CURRENT ZONING: "SF-5" Single-Family Residential

SITE SIZE: 2.85 acres

LOCATION: 270 feet west of Woodlawn approximately 1/10 mile north of Mainsgate Street

PROPOSED USE: Ancillary parking for adjoining office building



BACKGROUND: The applicant is requesting a "Conditional Use" to allow ancillary parking on property zoned "SF-5" Single-Family. The site is located north of the existing parking lot for the VoiceStream Wireless Call Center office on the west side of Woodlawn approximately 1/10 mile north of Mainsgate Street. The proposed ancillary parking lot is situated 270 feet west of Woodlawn and leaves a gap between the street and the lot. The applicant has not indicated the future use for the land in the "gap", but staff would speculate that it would be marketed for office (contingent on rezoning) or similar use. Access to the lot would be from two drives connecting the open field with the existing parking area; with these drives being cut through an existing hedgerow of mature deciduous trees. The amount of parking located on the existing VoiceStream site meets Unified Zoning Code requirements. It is staff's understanding that VoiceStream needs more parking than the Code requires because they intend to add additional employees to the Call Center, and this results in a higher density of employees per square foot of office space than at typical office facilities.

The site plan shows 247 new parking stalls and two circulation drives. The parking lot is planned to preserve the majority of the existing hedgerow. The applicant had requested that a landscape buffer of trees without a screening wall be allowed on the north side of the property adjacent.

Except for the office use to the south (VoiceStream), the surrounding property is zoned "SF-5". The tract to the west is developed with residences and is part of DP-147 Beacon Hill Residential C.U.P. A channelized drainage way (also known as Crooked Creek) is located to the southwest. Apartments in the DP-52 Quail Creek C.U.P. development are located to the south of the drainage way.

CASE HISTORY: The property is unplatted.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-5"	Vacant, new elementary school under construction
SOUTH:	"GO"; MF-29	VoiceStream Wireless Call Center, apartments, drainage way
EAST:	"SF-5"	Vacant
WEST:	"SF-5"	Low density residential

PUBLIC SERVICES: Normal municipal water and sewer services are available. Transportation access is via Woodlawn, a four-lane arterial street designated as a five-lane arterial on the 2030 Transportation Plan. Current traffic on southbound Woodlawn (2000) is between 19,603 ADTs (average daily traffic) at 21st and 16,347 at 29th. This is projected to increase in 2030 to 25,538 ADTs between 21st and 25th and to 23,813 ADTs between 25th and 29th.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the 1999 *Update to the Wichita-Sedgwick County Comprehensive Plan* identifies the subject tract as "low density residential".

RECOMMENDATION: VoiceStream has indicated they need more parking than required by the Unified Zoning Code and has proposed to locate the ancillary parking lot in the vacant field connecting to their existing parking lot. While ancillary parking lot would be constructed to protect the majority of the mature hedgerow on between the main lot and the ancillary parking, it introduces non-residential uses into an area shown for residential use and intended for residential development as a complement to the new school being constructed to the north. However, the UZC allows for ancillary lots within residential zoning districts so long as there are adequate buffers and screening between the residential/non-residential interfaces.

Based on the information available prior to the public hearing, Staff recommends that the request be APPROVED subject to the following conditions:

1. An opaque wall with a height of between six and eight feet shall be required to prevent the passage of debris and light and to mitigate adverse visual impacts shall be installed in a five-foot wall easement to be located along the north and east line of the subject tract. The wall shall be constructed of brick, stone, masonry, architectural tile or other similar material (not including wood or woven wire).
2. A landscape buffer of at least one tree every 40 feet shall be installed along the screening wall.
3. The mature hedgerow along the south line of the subject tract shall be preserved except for at the openings for the two 25-foot circulation drives.
4. Lighting standards in the ancillary parking lot shall be shielded downward and away from the surrounding tracts and otherwise meet lighting requirements of the UZC (Sec. IV-B.4), but with a maximum height of poles and fixtures of 14 feet.
5. The Conditional Use shall be developed in general conformance with a site plan revised to meet these conditions. Any substantial change in the revised site plan shall require an amendment to this Conditional Use.
6. The ancillary parking area shall be developed in conformance with the requirements of Sec. III-D.6.p of the Unified Zoning Code ("UZC"), all applicable screening, lighting and compatibility requirements of Sec. IV-B of the UZC.
7. Development of the Conditional Use shall be commenced within one year from approval or the Conditional Use shall be null and void.
8. If the Zoning Administrator finds that there is a violation of any of the conditions of a Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII hereof, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The ancillary parking lot is zoned "SF-5" Single-Family Residential, which requires a Conditional Use when the adjoining use (office) and zoning ("GO" General Office) is more intensive than that allowed on the "SF-5" property. The surrounding area to the north and east is vacant, but the new northeast elementary school is being constructed nearby to the north. The property to the west, zoned "SF-5" is developed with single-family residences. The property to the south is the existing parking lot for VoiceStream, zoned "GO". The property to the southwest is zoned "MF-29" and developed with apartments.
2. The suitability of the subject property for the uses to which it has been restricted: The property could be developed with residential uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed ancillary parking lot was part of a land swap between the current owner (Leewood Homes, Inc.) and USD #259. USD #259 has indicated that they intended the new school to be surrounded with residential use because they felt it was in character with an elementary school site, and have expressed concerns that the parking lot might deter future residential construction on the balance of the tract. The proposed conditions contained in the "Recommendations" attempt to address these concerns by requiring a screening/buffering wall, maintaining of the existing hedgerow, and reducing light spillage from the site.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The *Comprehensive Plan* designates the parcel as "low density residential". Parking in conjunction with an office use is an increase in land use intensity from that recommended by the *Comprehensive Plan*. Ancillary parking is a potential non-residential use allowed by "Conditional Use" according to the Unified Zoning Code in residential districts.
5. Length of the time property has remained vacant as zoned: The property is unplatted and was held in ownership by USD #259 until recently for possible school expansion; thus it has not been available for development until the past few years.
6. Impact of the proposed development on community facilities: The proposed "Conditional Use" is not anticipated to generate any significant increase in traffic since it is to meet the needs of employees of an existing call center.