

WHISPERING BROOK COMMERCIAL 2ND ADDITION

(A REPLAT OF WHISPERING BROOK COMMERCIAL ADDITION)

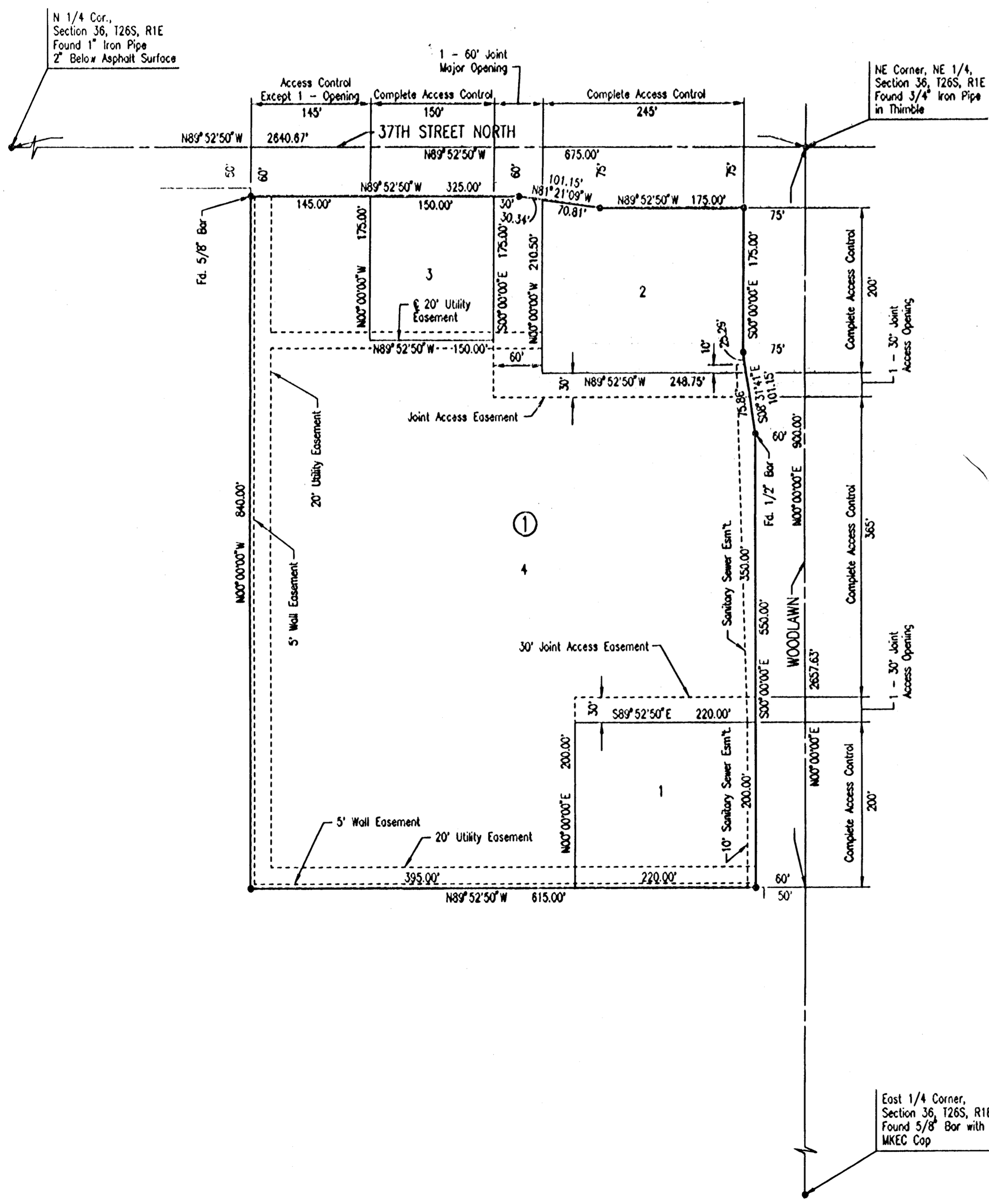
TO WICHITA, SEDGWICK COUNTY, KANSAS

find tracing
rec'd
2-8-01

B.M. Railroad Spike in East face Power Pole at SW Corner
Woodlawn and Brookview.
Elev. = 183.42 (City Datum)
Elev. = 1370.82 (M.G.V.D.)

SCALE: 1" = 100'

• = 3/4" IRON PIPE WITH PEC CAP UNLESS NOTED OTHERWISE

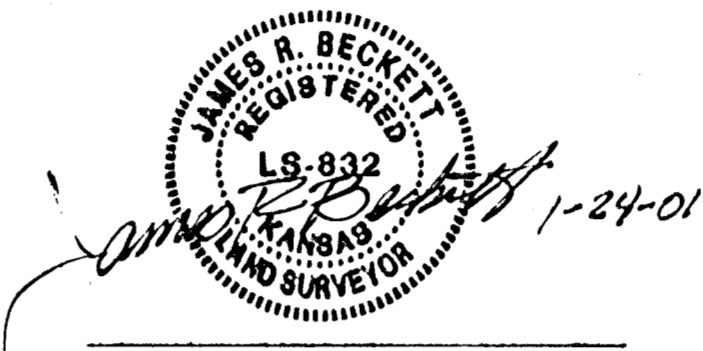


STATE OF KANSAS }
COUNTY OF SEDGWICK } SS

WE, PROFESSIONAL ENGINEERING CONSULTANTS, P.A., ENGINEERS AND SURVEYORS IN AFORESAID STATE AND COUNTY, DO HEREBY CERTIFY THAT OF THIS 24TH DAY OF JANUARY, 2001, WE HAVE SURVEYED AND PLATTED WHISPERING BROOK COMMERCIAL 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, INTO LOTS AND A BLOCK, THE SAME BEING DESCRIBED AS FOLLOWS:

ALL OF WHISPERING BROOK COMMERCIAL ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

ALL PORTIONS OF WHISPERING BROOK COMMERCIAL ADDITION AND AN EASEMENT FOR JOINT ACCESS AS PER FILM 1264, PAGE 471 AND FILM 1264, PAGE 473, LYING WITHIN THE ABOVE DESCRIBED TRACT ARE HEREBY VACATED AND REPLATED BY VIRTUE OF KSA 12-512(b) AMENDED.



JAMES R. BECKETT, R.L.S. NO. 832
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED PROPERTY OWNERS OF THE LAND AS ABOVE SET FORTH IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE LAND TO BE SURVEYED AND PLATTED INTO LOTS AND A BLOCK, THE SAME TO BE KNOWN AS WHISPERING BROOK COMMERCIAL 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

EASEMENTS AS INDICATED FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES ARE HEREBY GRANTED.

THE 5' WALL EASEMENT ALONG THE WEST AND SOUTH LINE OF BLOCK 1 IS HEREBY PLATTED FOR THE CONSTRUCTION AND MAINTENANCE OF A PRIVATE WALL. UTILITIES MAY CROSS THE WALL EASEMENT.

ALL ADJUTER'S RIGHT OF ACCESS TO AND FROM 37TH STREET NORTH AND WOODLAWN OVER AND ACROSS THE NORTH AND EAST LINES OF BLOCK 1 ARE HEREBY GRANTED TO THE CITY OF WICHITA. PROVIDED HOWEVER THAT BLOCK 1 SHALL HAVE ACCESS TO 37TH STREET NORTH AT TWO LOCATIONS AS SHOWN AND BLOCK 1 SHALL HAVE ACCESS TO WOODLAWN AT TWO LOCATIONS AS SHOWN. LOT 1 AND LOT 2 SHALL HAVE ACCESS TO WOODLAWN VIA THE JOINT ACCESS EASEMENTS. LOT 2 AND LOT 3 SHALL HAVE ACCESS TO 37TH STREET NORTH VIA THE JOINT ACCESS EASEMENT.

A DRAINAGE PLAN HAS BEEN APPROVED FOR THIS PLAT. ALL DRAINAGE EASEMENTS AND RIGHTS-OF-WAY SHALL REMAIN AT ESTABLISHED GRADES AND UNOBSTRUCTED TO ALLOW FOR THE CONVEYANCE OF STORM WATER, UNLESS MODIFIED WITH THE APPROVAL OF THE CITY ENGINEER.

FOR ADDITIONAL INFORMATION AND BUILDING SETBACK LINES SEE CUP 2000-00030, DP-203 AMENDMENT #1 ON FILE AT THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT, WICHITA, KANSAS.

OWNERS:
Ross G. Tidemann
ROSS G. TIDEMANN

Karla G. Tidemann
KARLA G. TIDEMANN

LAHAM HOLDING COMPANY, L.P.A.
George E. Laham II
GEORGE E. LAHAM II, MANAGING PARTNER

THE KROGER CO.
Thomas P. O'Brien, Jr.
THOMAS P. O'BRIEN, JR.

STATE OF KANSAS }
COUNTY OF SEDGWICK } SS

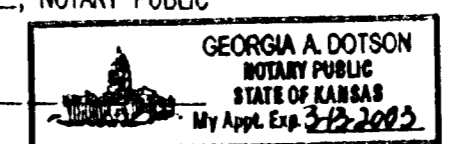
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 24TH DAY OF JANUARY, 2001, BY ROSS G. TIDEMANN AND KARLA G. TIDEMANN, HUSBAND AND WIFE.

Cynthia A. Diffenbaugh
CYNTHIA A. DIFFENBAUGH, NOTARY PUBLIC
MY APPOINTMENT EXPIRES: 6-12-2001

STATE OF KANSAS }
COUNTY OF SEDGWICK } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 24TH DAY OF JANUARY, 2001, BY GEORGE E. LAHAM II, MANAGING PARTNER OF LAHAM HOLDING COMPANY, L.P.A.

Georgia A. Dotson
GEORGIA A. DOTSON, NOTARY PUBLIC
MY APPOINTMENT EXPIRES: 3-13-2003



THIS PLAT OF WHISPERING BROOK COMMERCIAL 2ND ADDITION HAS BEEN SUBMITTED TO AND APPROVED BY THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, WICHITA, KANSAS.

DATED THIS 30TH DAY OF NOVEMBER, 2000.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

CHRISTOPHER S. CARRAHER, CHAIRMAN

MARVIN S. KROUT, SECRETARY

REVIEWED IN ACCORDANCE WITH K.S.A. 58-2005 ON THIS _____ DAY OF _____, 2001.

TRICIA L. ROBELLO, LS #1216
DEPUTY COUNTY SURVEYOR
SEDGWICK COUNTY KANSAS

THIS PLAT IS APPROVED AND ALL DEDICATIONS SHOWN HEREON, IF ANY ARE ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WICHITA, KANSAS, THIS _____ DAY OF _____, 2001.

BOB KNIGHT, MAYOR

PAT BURNETT, CITY CLERK

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 2001.

DON BRACE, COUNTY CLERK

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE AT _____, M., ON THE _____ DAY OF _____, 2001.

BILL MEEK, REGISTER OF DEEDS

LINDA KIZZIRE, DEPUTY

STATE OF OHIO }
COUNTY OF HAMILTON } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 30TH DAY OF JANUARY, 2001, BY THOMAS P. O'BRIEN, JR., THE KROGER CO.

Deborah J. Bruns (Campbell)
DEBORAH J. BRUNS (CAMPBELL), NOTARY PUBLIC
MY APPOINTMENT EXPIRES: _____



Wichita-Sedgwick County Metropolitan Area Planning Department

December 7, 2000

Rob Hartman
PEC, P.A.
303 S. Topeka
Wichita, KS 67202

RE: SUB 2000-108 -- One-Step Final Plat of WHISPERING BROOK COMMERCIAL SECOND ADDITION

At the regular meeting of the Metropolitan Area Planning Commission on December 7, 2000, the above captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of December 1, 2000.

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.

A handwritten signature in black ink, appearing to read 'Neil Evan Strahl'.

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

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

T 316.268.4421 F 316.268.4390

www.wichitagov.org



Wichita-Sedgwick County Metropolitan Area Planning Department

December 1, 2000

Rob Hartman
PEC, P.A.
303 S. Topeka
Wichita, KS 67202

RE: SUB 2000-108 -- One-Step Final Plat of WHISPERING BROOK COMMERCIAL SECOND ADDITION

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, November 30, 2000, the above captioned plat was considered. The action of the Committee was to approve the final plat, subject to the following:

STAFF COMMENTS:

- A. Municipal water services are available to serve the site. City Engineering needs to comment on the need for any guarantees or easements. A guarantee for the extension of sanitary sewer is 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. Off-site drainage improvements are required as part of site development.
- D. Traffic Engineering needs to comment on the access controls. In accordance with the C.U.P. Amendment approval, the plat proposes two access openings along 37th St. North and two access openings along Woodlawn. The final plat tracing shall revise the platting text to reflect these platted access openings. The access controls are approved.
- E. The joint access openings shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- F. In order to assure internal access among the lots, a cross-lot circulation agreement should be provided.
- G. In accordance with the C.U.P. Amendment approval, the following traffic improvements were required: extension of the center left-turn storage lane on Woodlawn to Brookview, extension of the center left-turn storage lane on 37th St. to the west property line, and provision of continuous accel/decel lanes with appropriate engineering standards to serve openings to all lots.

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

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RE: SUB 2000-108 -- One-Step Final Plat of WHISPERING BROOK COMMERCIAL SECOND
ADDITION

December 1, 2000

Page 2

- H. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP Amendment (referenced as CUP 2000-30, DP-203 Amendment #1) and its special conditions for development on this property.
- I. On the final plat tracing, a note shall be placed on the face of the plat indicating that this Addition is subject to the conditions of CUP 2000-30, DP-203 Amendment #1.
- J. The signature line for the County Clerk needs to be revised to reference "Don Brace".
- K. 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.
- L. 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.
- M. 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.)
- N. 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.
- O. 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.
- P. 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.
- Q. 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.
- R. Perimeter closure computations shall be submitted with the final plat tracing.
- S. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- T. 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.

RE: SUB 2000-108 -- One-Step Final Plat of WHISPERING BROOK COMMERCIAL SECOND
ADDITION

December 1, 2000

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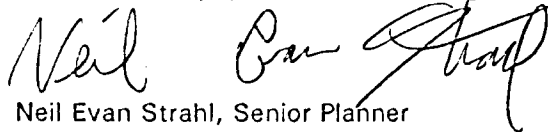
U. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

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.

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday, December 7, 2000, at 1:00 p.m.

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: Laham Development, C/O Ross Tidemann, 150 N. Market, Wichita, KS 67202
Scott Mathews, 3745 Whispering Brook, Wichita, KS 67208
Tom Stybr, 6119 E. Brookview, Wichita, KS 67220
Mike Lindebak, City Engineering, Mail Stop (1-71)
Jim Weber, PE-Director, Sewer Operations & Maintenance Department, Bureau of
Public Services, 1144 S. Seneca, Wichita, KS 67213

STAFF REPORT

(One-Step Final Plat Approved 11/30/00)

CASE NUMBER: SUB 2000-108 -- WHISPERING BROOK COMMERCIAL 2ND ADDITION

OWNER/APPLICANT: Laham Development, Attn: Ross Tidemann, 150 N. Market, Wichita, KS 67202

SURVEYOR/ENGINEER: PEC, P.A., Attn: Rob Hartman, 303 S. Topeka, Wichita, KS 67202

LOCATION: Southwest corner of 37th St. North and Woodlawn

SITE SIZE: 11.7 Acres

NUMBER OF LOTS

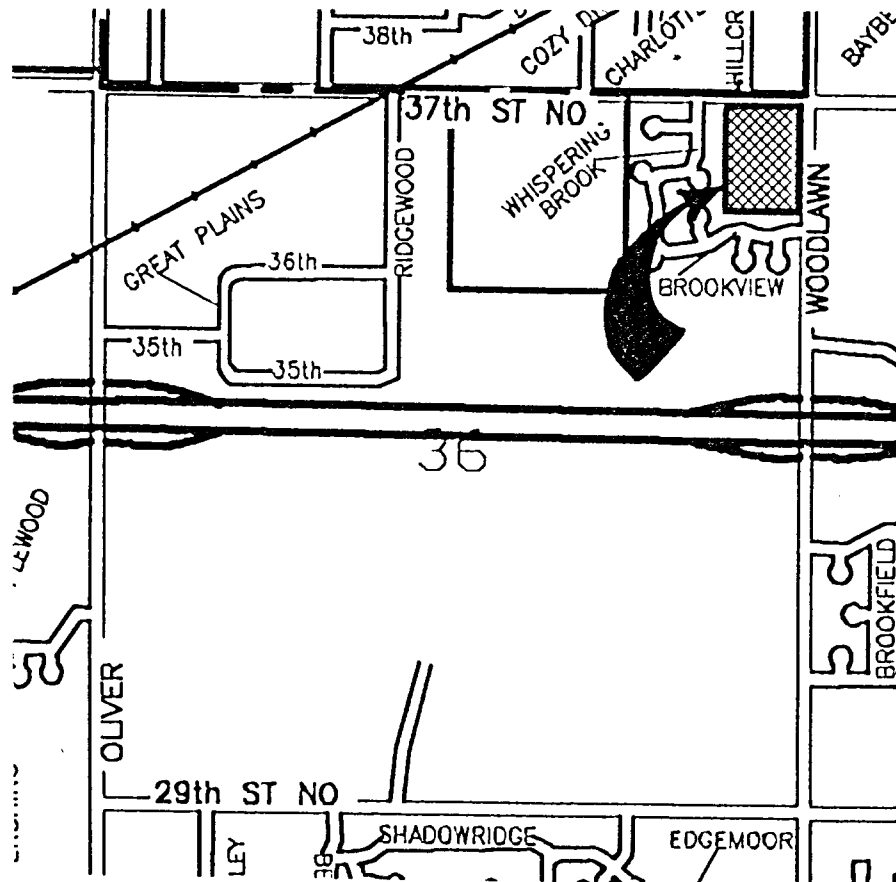
Residential:	
Office:	
Commercial:	4
Industrial:	
Total:	4

MINIMUM LOT AREA: 26,250 Sq. Ft.

CURRENT ZONING: LC, Limited Commercial

PROPOSED ZONING: Same

VICINITY MAP



Note: This is a replat of Whispering Brook Commercial Addition. This site has been approved for an Amendment to the Whispering Brook C.U.P. (CUP 2000-30, DP-203 Amendment #1).

STAFF COMMENTS:

- A. Municipal water services are available to serve the site. **City Engineering** needs to comment on the need for any guarantees or easements. *A guarantee for the extension of sanitary sewer is 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. *Off-site drainage improvements are required as part of site development.*
- D. **Traffic Engineering** needs to comment on the access controls. In accordance with the C.U.P. Amendment approval, the plat proposes two access openings along 37th St. North and two access openings along Woodlawn. The final plat tracing shall revise the plat's text to reflect these platted access openings. *The access controls are approved.*
- E. The joint access openings shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- F. In order to assure internal access among the lots, a cross-lot circulation agreement should be provided.
- G. In accordance with the C.U.P. Amendment approval, the following traffic improvements were required: extension of the center left-turn storage lane on Woodlawn to Brookview, extension of the center left-turn storage lane on 37th St. to the west property line, and provision of continuous accel/decel lanes with appropriate engineering standards to serve openings to all lots.
- H. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP Amendment (referenced as CUP 2000-30, DP-203 Amendment #1) and its special conditions for development on this property.
- I. On the final plat tracing, a note shall be placed on the face of the plat indicating that this Addition is subject to the conditions of CUP 2000-30, DP-203 Amendment #1.
- J. The signature line for the County Clerk needs to be revised to reference "Don Brace".
- K. 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.
- L. 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.
- M. 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.)
- N. 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.
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- P. 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.
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- S. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- T. 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.
- U. 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.

(Neil: homeowners
south of this plat
who had expressed
concerns w/ drainage
@ zoning hearings are
OK w/ this, yes? MK)