

structures and that approval of a site plan by the Fire Chief or Department's representative will be required during building permit review.

- L. This plat indicates several locations where a wall easement and possibly a masonry wall will cross sanitary sewer or drainage easements. City Engineering shall approve the type of construction allowed at such locations, and if necessary a Hold Harmless Agreement may be required. The plat's text shall specifically note that any wall construction across such easements shall be approved by City Engineering.
- M. The final plat shall indicate the utility easements requested by K.G. & E. which are indicated on the enclosed "marked" copy of the plat.
- N. 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.
- O. 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.
- P. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- Q. Recording of the plat within 30 days after approval by the City Council.

METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 2-4
June 18, 1992

STAFF REPORT

(Final Plat Approved 6/11/92, Preliminary Plat Approved 3/22/90)

CASE NUMBER: S/D 89-74 - COMOTARA POWER CENTER ADDITION

OWNER/APPLICANT: Northrock Realty Partners, 575 Fourth
Financial Center, Wichita, KS 67202

SURVEYOR/ENGINEER: Bill Yung Design/Kaw Valley Engineering &
Development, Inc.

LOCATION: Northwest corner of K-96 and Rock Road

SITE SIZE: 45.27 Acres

NUMBER OF LOTS

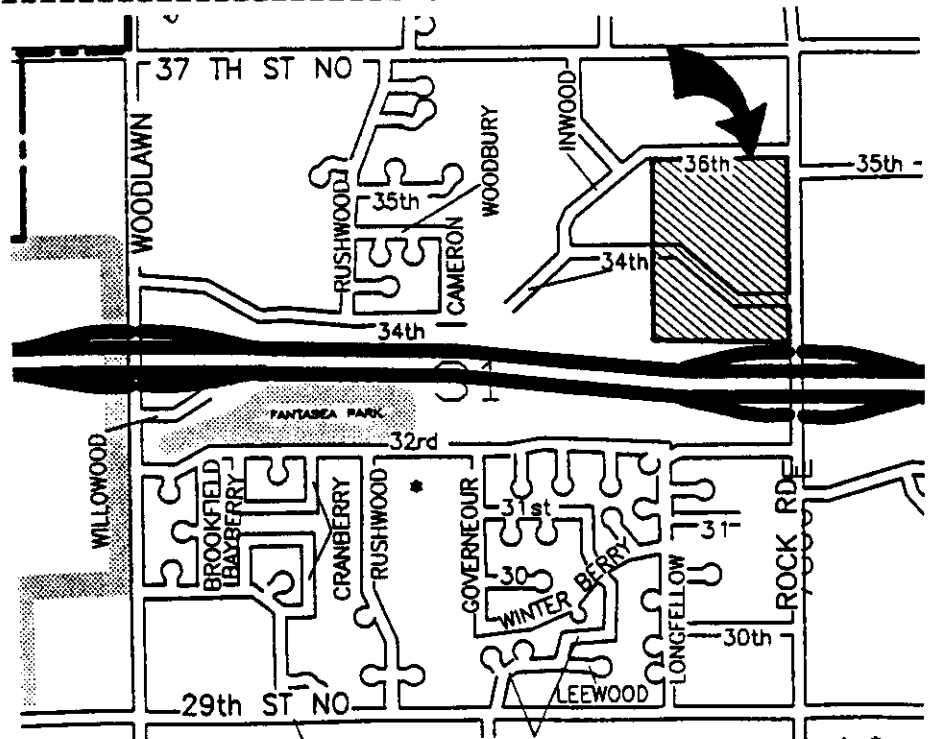
Residential:	
Office:	
Commercial:	5
Industrial:	
Total:	5

MINIMUM LOT AREA: 50,000 sq. ft.

CURRENT ZONING: "BB" Office District & "LC" Light Commercial

PROPOSED ZONING: "LC" Light Commercial (Z-2979 and Z-2996)

VICINITY MAP:



FILE COPY

STAFF COMMENTS:

- A. Existing petitions for this area need to be amended or new petitions should be required for this replat of a portion of the Killarney Plaza Addition. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. New petitions for drainage will be required and costs for the abandonment of 34th Street's improvement will need to be paid off.
- B. As required by the C.U.P., the applicant shall guarantee:
 - 1. A ten (10) foot decel lane, 300' in length with a 175' taper along Rock Road and north of both of the two major entrances.
 - 2. A ten (10) foot decel lane from the south major entrance on Rock Road to the proposed K-96 right-of-way and the installation of traffic signalization at the south major entrance on Rock Road when conditions meet the warrants set out in section 4.C 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.
 - 3. The construction of those portions of the major entrances within public right-of-way.
- C. The applicant shall guarantee the abandonment or relocation of public utilities made necessary by this plat; this including the waterline in 34th Street right-of-way being vacated and relocation of sanitary sewer. Originally, the preliminary plat indicated sewer just south of 36th Street, was to be relocated. This expanded final also indicates sewer in the southwest portion of the site is being abandoned. If these utilities are not going to be abandoned at this time the final plat shall indicate public easements to cover these facilities.
- D. The applicant shall either submit an application for the vacation of 34th Street North from west of this plat to where it intersects Inwood or an area for a cul-de-sac shall be dedicated along the west side of this plat and a guarantee provided for its construction.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. In regard to access controls, the final plat tracing shall indicate the following:
 - 1. Within the legend, the abbreviation C.A.C. shall be defined; i.e., Complete Access Control.

2. The word "complete" shall be deleted for the area along 36th Street North where access control except for 3 openings is being allowed.
 3. For Lot 5, across the north 100 feet, the access control, shall be labeled as, "Access Control Except for One (1) Opening".
 4. Since Lots 3 and 4 have no direct access to a public street, but are dependent upon a cross-lot access agreement, this agreement needs to be submitted to Planning for review and upon approval needs to be recorded by the applicant so that the recording information and existence of this agreement may be noted on the final plat tracing.
- G. On the final plat since the CUP allows setbacks to vary both by the size of building and between lots if under the same ownership, setbacks should not be platted but rather the note on the face of the plat and a reference in the plat's text should indicate that "additional setback requirements are per C.U.P. DP-195 on file with the Metropolitan Area Planning Department."
- H. As was indicated by the preliminary plat, an off site drainage easement is to be provided. This easement shall be reviewed by City Engineering and submitted to Planning for recording with the final plat tracing.
- I. On the final plat tracing, the recording information for the dedication of K-96 Expressway adjacent to this plat shall be indicated.
- J. On the final plat tracing, the recording information for the Coop pipeline easement and setback effecting this site shall be noted. According to the platting binder, a "Farmland Industries" pipeline is shown as effecting the plat. The applicant shall verify if this pipeline is the same as the Coop pipeline or that if it is a different pipeline that it or any associated setbacks do not encumber the plat. If the plat is in any way encumbered by this pipeline, the final plat tracing shall also show this pipeline and the appropriate recording information.
- The applicant shall provide proof by copy of the pipeline easement agreements, that the pipeline easement as shown is sufficient and that utilities may be located adjacent to and within the easement. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City. It is the applicant's responsibility to determine any setback requirement from the pipeline by researching the text of the pipeline easement agreement.
- K. The applicant is advised that general provision 10 of the associated Community Unit Plan requires fire lanes around main

June 19, 1992



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

Kaw Valley Engineering and Development Inc.
2319 North Jackson
P. O. Box 1304
Junction City, KS 66441

Re: S/D 89-74 COMOTARA POWER CENTER ADDITION (Final Plat)

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on June 18, 1992, 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 June 12, 1992.

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 for consideration:

1. Submission of the fully completed and signed tracing of the subdivision 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 and residential developers.

Please call if you have any questions.

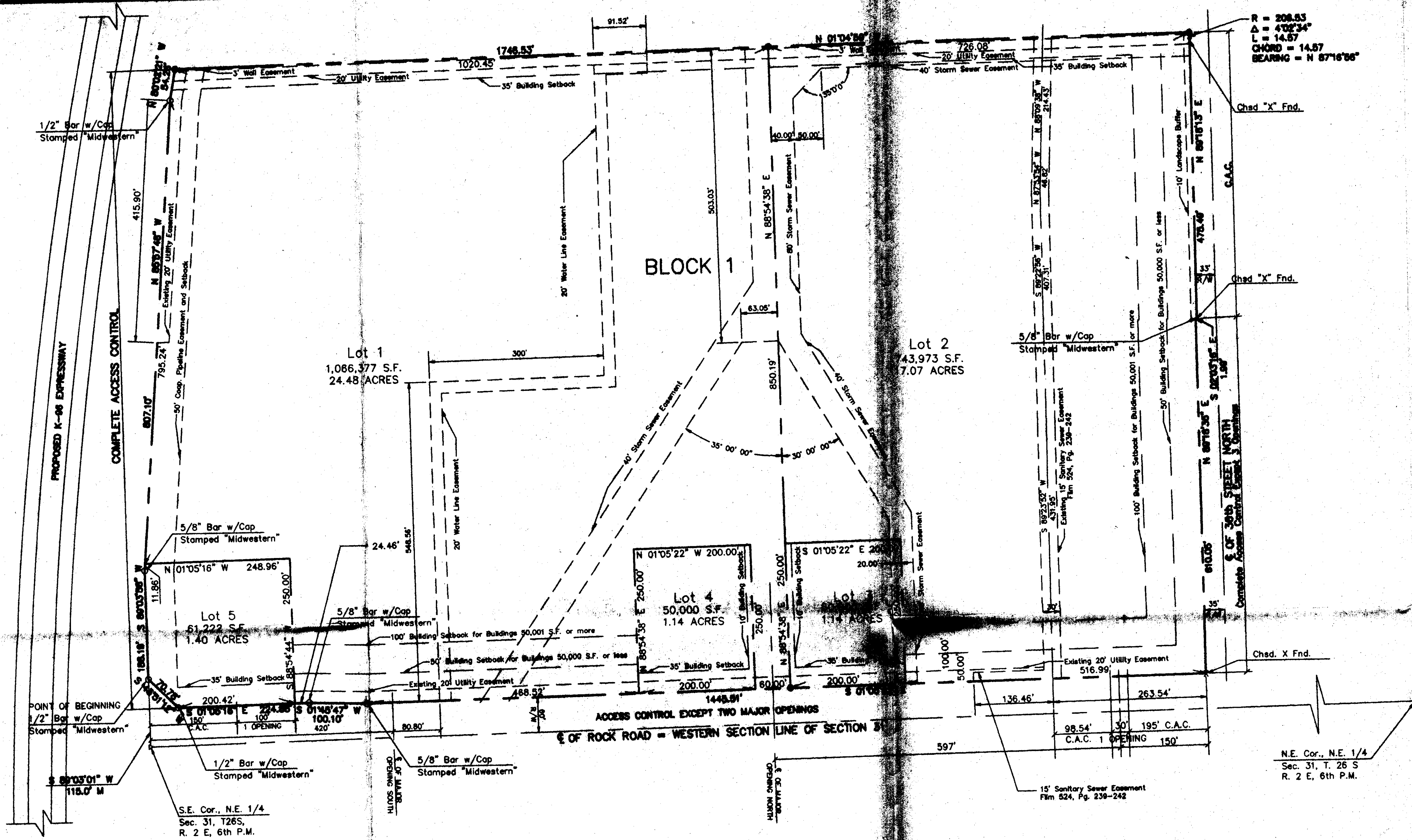
Sincerely,

Don Losew
Senior Planner

DL:rh

cc: Northrock Realty Partners, 575 Fourth Financial Center,
Wichita, KS 67202
Bill Yung Design, 4912 E. 29th St. North, Suite 1, Wichita,
KS 67220
Mike Lindebak, City Engineer

TRUE COPY



I, Leon D. Osborn, a Civil Engineer and Licensed Land Surveyor in Kansas, do hereby certify that I have been in responsible charge of surveying and platting of "COMOTARA POWER CENTER" an addition to Wichita, Sedgwick County, Kansas, into Lots and Blocks, the same being accurately set forth in the accompanying plat and described herein:

A tract of platted land consisting of a portion of "KILLARNEY PLAZA SECOND ADDITION", an addition to Wichita, Sedgwick County, Kansas, all within the Northeast Quarter, Section 31, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter; thence S 89° 03' 01" W, 115.00 feet to the South line of said Northeast Quarter to the POINT OF BEGINNING of the tract to be described; said point being on the North Right-of-Way of K-96 Expressway; thence continuing on said North Right-of-Way line of Northeast Expressway S 89° 03' 58" W, 188.19 feet; thence continuing on said North Right-of-Way line N 85° 57' 48" W, 807.10 feet; thence N 80° 02' 21" W, 54.26 feet; thence N 01° 04' 59" W, 1748.53 feet to a point on the South Right-of-Way line of 36th Street North; thence on a curve to the right having a radius of 208.53 feet, a long chord bearing of N 87° 16' 58" E and a long chord distance of 14.57 feet; an arc distance of 14.57 feet; thence continuing on said South Right-of-Way line, N 89° 18' 13" E, 475.49 feet; thence S 02° 03' 16" E, 1.99 feet; thence continuing on said South Right-of-Way line N 89° 18' 35" E, 610.05 feet to the Point of Intersection of said South Right-of-Way line with the West Right-of-Way line of Rock Road; thence S 01° 05' 22" E on said West Right-of-Way line, 1445.51 feet; thence continuing on said West Right-of-Way line S 01° 05' 18" W, 100.10 feet; thence continuing on said West Right-of-Way line S 01° 05' 18" W, 224.88 feet; thence S 43° 51' 12" W, 70.78 feet to the POINT OF BEGINNING. Contains 45.27 acres more or less subject to easements, reservations and restrictions of record.

All lots, blocks, streets, access control, easements and building setbacks 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 21 day of May 1992.

Leon D. Osborn
Leon D. Osborn, P.E., R.L.S. #800
Kaw Valley Engineering, Inc.
2319 North Jackson
P.O. Box 1304
Junction City, Kansas 66441



Know all men by these presents that we the undersigned property owners of the land as above set forth in the Land Surveyor's Certificate, have caused the same to be surveyed and platted into lots and blocks the same to be known as "COMOTARA POWER CENTER" an addition to Wichita, Sedgwick County, Kansas. The streets are hereby dedicated to and for the use of the public. Easements for the construction and maintenance of drainage and public utilities as indicated on the accompanying plat are hereby granted. The 3' wall easement is dedicated for the construction and maintenance of a wall. Utilities may cross the wall easement. All abutting rights of access to or from the South line of "COMOTARA POWER CENTER" are hereby dedicated to the City of Wichita. All access locations are as indicated on the accompanying plat or as determined by the City Engineer.

Jud W. Hefflin
Assistant Vice President, Wal-Mart Stores Inc.

David C. Nesbitt
Partner, Northrock Realty Partners

State of Arkansas } ss
Benton County }

Be it remembered that on this _____ day of _____, 1992, before me, a Notary Public in and for said State and County, came Jud W. Hefflin, Assistant Vice President, Wal-Mart Stores Inc., to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notary seal the day and year above.

Notary Public

My Appointment Expires _____

State of Kansas } ss
Sedgwick County }

Be it remembered that on this _____ day of _____, 1992, before me, a Notary Public in and for said State and County, came David C. Nesbitt, a managing partner in Northrock Realty Partners, to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and affixed my notary seal the day and year above.

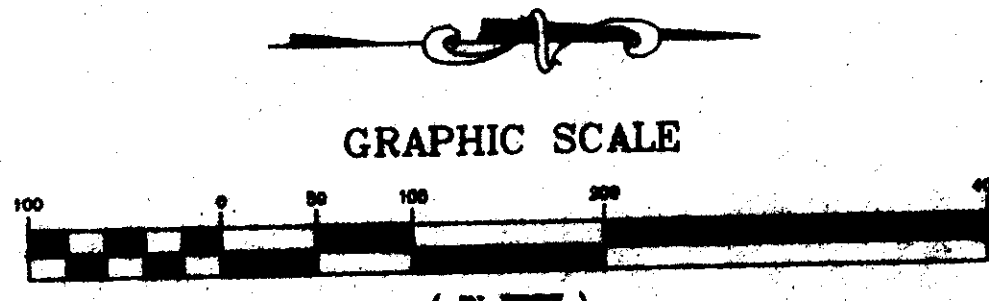
Notary Public

My Appointment Expires _____

- LEGEND**
- Δ U.S. SURVEY SYMBOLS
 - X CHSD. "X" FOUND IN CONCRETE
 - MONUMENT SET, 2" I.D. PIPE FILLED W/CONCRETE W/ALUMINUM SURVEY CAP STAMPED "KAW VALLEY ENGINEERING"
 - MONUMENT FOUND

NOTES:

- All setback requirements are in conformance with Commercial Community Unit Plan DP-195 on file with the Metropolitan Area Planning Department.



MAY 15, 1992

This plat of "COMOTARA POWER CENTER" has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas.

Dated this _____ day of _____, 1992.

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

Christopher J. Goebel, Chairman
Marvin S. Kraut, Secretary

This plat approved and all dedications shown hereon, if any, accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 1992.

Bob Knight, Mayor
Pat Burnett, Deputy City Clerk
Entered on transfer record the _____ day of _____, 1992.
Don Wright, 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 _____, 1992.

Pat Kettler, Register of Deeds
Ed Rice, Deputy

FINAL PLAT
of
COMOTARA POWER CENTER
A REPLAT OF LOTS 3 THRU 11 AND
A PORTION OF LOTS 1 AND 2, BLOCK 1 AND
LOTS 2 AND 3 AND A PORTION OF LOT 1, BLOCK 2
AND A PORTION OF 34th STREET NORTH RIGHT OF WAY
KILLARNEY PLAZA SECOND ADDITION
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

P.O. BOX 1304
2319 NORTH JACKSON
JUNCTION CITY, KANSAS 66441
(913) 725-8540
FAX 913-725-7784

