

SUBDIVISION REPORT

Final Plat S/D 87-43 - SPENCER GARDENS 2ND ADDITION

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- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. Access to proposed Lot 4 is proposed to be by way of a 30-foot wide egress/ingress easement recorded of record on misc. book 579, page 696. A copy of this easement shall be submitted for the plat file. Unless the location of this access easement is changed, Lot 1 has no other access.
- F. Since easements are proposed for vacation by this replat, reference to K.S.A. 12-512(b) shall be made in the engineer's text.
- G. The applicant has filed an associated vacation case (V-1468) which requests the vacation of that portion of a drainage easement, to the west of this replat, which is not included within this plat's perimeter. It should be noted that a 2-foot wide unencumbered strip of land, along the plat's west line, is being established for construction of a masonry wall.
- H. The applicant shall submit for recording with the plat, the cross lot drainage agreement required by the drainage plan for this property. This drainage agreement shall specify which lots will drain across other lots and shall state that the agreement runs with the land and is binding on future owners and assigns.
- I. The applicant shall make satisfactory arrangements with K.G.&E. for relocation of these company's facilities that are required by this replat. Once arrangements have been made, a letter so stating shall be obtained from K.G.&E. for the plat file.
- J. On the final plat tracing, the access controls being dedicated to Pawnee and Oliver shall be divided up according to how many openings each lot will receive. For Pawnee, the following wording is suggested, "access control except for 1 opening per lot", accompanied by a 30-foot wide break in access control centered on the lot line common to Lots 2 and 3. For Oliver, the following wording is suggested, "access control except for 1 opening per lot" instead of "access control except for 2 openings" from Lots 2 and 3.
- 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. 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.
- M. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- N. Recording of the plat within 30 days after approval by the City Council.
- O. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.
- P. The representative from K.G.&E. should be prepared to state if the K.G.&E. easement on this property is correctly depicted. Is the platting of a building setback required?
- Q. The representative from City Engineering should be prepared to comment on the amount of street rights-of-way needed for Oliver and Pawnee, to construct the numerous arterial street improvements required in Item "C" of these comments.
- R. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, are any drainage guarantees required?

SEPTEMBER 3, 1987

STAFF REPORT

CASE NUMBER: S/D 87-43 - SPENCER GARDENS 2ND ADDITION

OWNER/APPLICANT: Karl Solomon, 625 N. Carriage Parkway,
Wichita, KS 67208

SURVEYOR/ENGINEER: Poe & Associates of Kansas, Inc.

LOCATION: Southwest corner of Oliver and Pawnee.

SITE SIZE: 9.6 Acres

NUMBER OF LOTS:

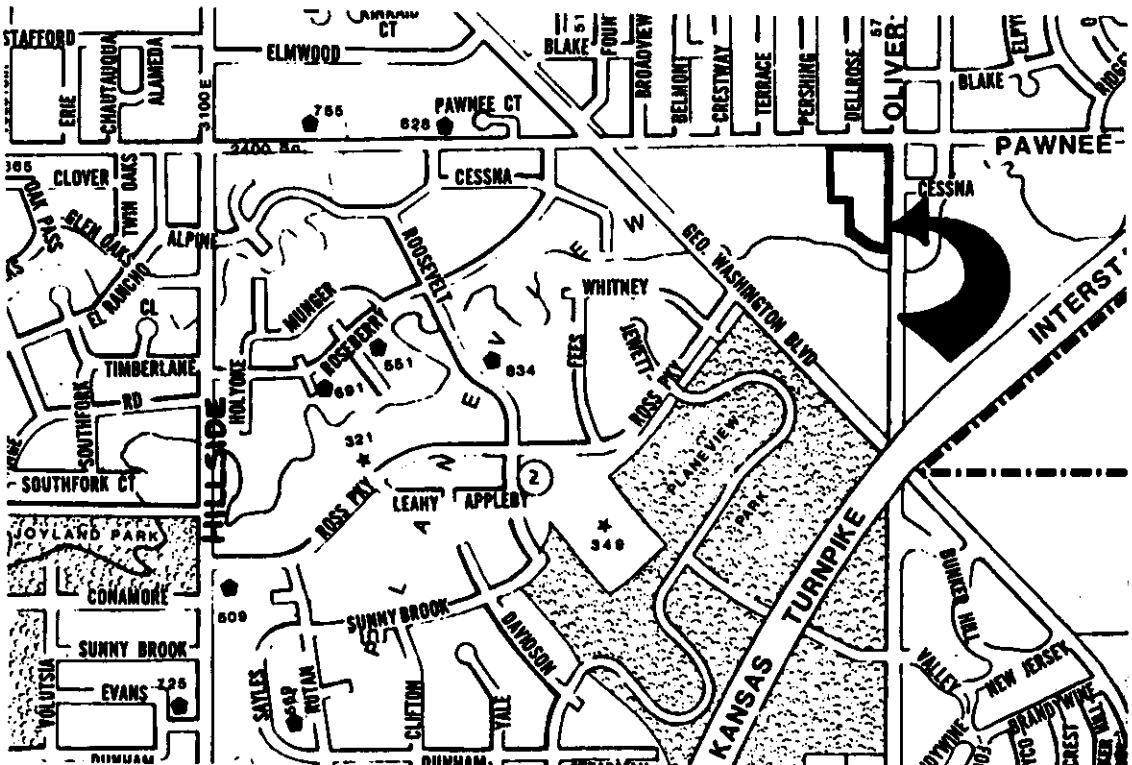
Residential:
Office:
Commercial: 5
Industrial:
Total: 5

MINIMUM LOT AREA: 37,500 Sq. Ft.

CURRENT ZONING: "LC" and "R-6" with DP-169

PROPOSED ZONING: "LC" (Z-2842) with DP-169

VICINITY MAP:



S/D No.: 87-43 Name: SPENCER GARDENS 2ND ADDITION

Preliminary Approved: 7/30/87
Scheduled S/D Meeting: 8/27/87

DESCRIPTION

General Location: Southwest corner of Oliver and Pawnee.
Owner: Karl Solomon, 625 N. Carriage Parkway, Wichita, KS 67208
Surveyor/Engineer: Poe & Associates of Kansas, Inc., 434 N. Oliver,
Wichita, KS 67208

1. Gross Acreage of Plat: 9.6
2. Number of Lots:
 - Residential:
 - Office:
 - Commercial: 5
 - Industrial:
 - Total: 5
3. Minimum Lot Area: 37,500 Sq. Ft.
4. Existing Zoning: "LC" and "R-6" with DP-169
5. Proposed Zoning: "LC" (Z-2842) with DP-169

STAFF COMMENTS:

NOTE: The applicant's associated zone case (Z-2842) requesting "R-6" (general residence) to "LC" (light commercial) zoning has been approved subject to platting. This property is subject to the provisions of the Spencer Gardens Commercial Community Unit Plan (DP-169).

- A. The applicant shall guarantee any drainage improvements required by the platting of this property.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. As required by the associated Community Unit Plan, the applicant shall guarantee the following improvements:
 1. "The applicant shall guarantee one-half the cost of construction of a left turn lane in Oliver, to be installed with the first phase of development to serve this major entrance off that street."
 2. "The applicant shall guarantee the construction of a decel lane - free right turn from eastbound Pawnee to southbound Oliver, to be installed at the time that the City is prepared to install left turn lanes on Oliver at the intersection with Pawnee, or at the time that there is preparation to develop Parcel 5 with land uses and floor area that would exceed 3,000 average daily trip ends on that parcel, based on standard ITE trip generation rates as determined by the city's traffic engineer." Those portions of the required major entrances to Oliver and Pawnee, that are located within dedicated right-of-way, shall be provided for in this guarantee.
 3. "The applicant shall guarantee the cost of reconstruction of the medial in Pawnee, to be installed with the first phase of development, providing for a minimum of 180 feet of storage in the eastbound left turn lane of Pawnee, and a raised medial providing protected left turn storage from westbound Pawnee into an entrance and left turns from the site into westbound Pawnee. The centerline of this entrance shall be approximately 45 feet east of the centerline of Dellrose."
 4. A solid, or semi-solid, wall at least five (5) feet, but not more than eight (8) feet high constructed of brick, stone, masonry, architectural tile, or other similar material (excluding wood or woven wire) shall be installed along the west property line of Parcels 1, 4 and 5. The wall will be constructed when residential development begins to develop to the west adjacent to the proposed wall. A letter of credit shall be posted with the Metropolitan Area Planning Department at the time of platting guaranteeing the present cost of wall construction and including an escalator clause. Said guarantee shall be released should the property to the west be approved for a nonresidential zoning classification. The Wichita City Council may order the construction of the wall prior to the development of the property adjacent to the C.U.P. on the west if, in their estimation, a litter problem is occurring as a result of commercial development on this C.U.P." The dollar amount of the letter of credit for the private wall shall be worked out with City Engineering prior to submitting this plat for scheduling before the City Council.

STATE OF KANSAS }
COUNTY OF SEDGWICK } SS.

We, Kenny E. Hill, and William P. Fox, being duly licensed respectively as a Professional Engineer and Land Surveyor in said County and State, do hereby certify that we have platted and surveyed SPENCER GARDENS 2nd ADDITION to Wichita, Sedgwick County, Kansas, being a replat of Lot 3, Lot 5 and part of Lots 2 and 4, Block A, SPENCER GARDENS ADDITION to Wichita, Sedgwick County, Kansas, being described as follows:

Beginning at the Northeast Corner of Lot 5, Block A, SPENCER GARDENS ADDITION to Wichita, Sedgwick County, Kansas; thence S 89°38'37" W for a distance of 175 feet; thence N 76°19'12" W for a distance of 103.08 feet; thence S 89°38'37" W for a distance of 201.72 feet; thence S 00°16'20" W for a distance of 530.00 feet; thence N 89°38'37" E for a distance of 107.00 feet; S 00°16'20" W for a distance of 368.15 feet; thence S 69°17'40" E for a distance of 37.92 feet; thence on a circular curve to the left having a radius of 786.73 feet and a central angle of 20°26'00" for an arc distance of 280.57 feet; thence S 89°43'40" E for a distance of 84.78 feet; thence N 00°16'20" E for a distance of 664.94 feet; thence N 13°45'50" W for a distance of 103.08 feet; thence N 00°16'20" E for a distance of 175.00 feet to the point of beginning, containing 9.61 acres more or less. The accompanying plat is a true and correct exhibit of property surveyed. The bearing of the centerline of Oliver is assumed to be S 00°16'20" W.

Dated this _____ day of _____, 1987.

Kenny E. Hill, P.E.

William P. Fox, L.S.

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned property owners of the land described in the Engineer's Certificate, have caused this land to be replatted into lots and a block. Easements are hereby granted as indicated for the construction and maintenance of drainage and utilities. Development of this property shall be in accordance with SPENCER GARDENS Commercial Community Unit Plan DP-163, a copy of which is on file in the Metropolitan Area Planning Department. Special provisions for building setback lines between Lots 2 and 3 are indicated on the DP-163 C.U.P. All abutters rights of access to and from Pawnee Avenue and Oliver Street over and across the North and East line of Block 1 are hereby granted to the City of Wichita, except that Lots 1, 2 and 3 shall have access to Pawnee at three locations West of the East 150 feet of these lots and except that Lots 2 and 3 shall have access to Oliver at two locations South of the North 150 feet of these lots and except that Lot 5 shall have access to Oliver at two locations, said locations to be approved by the City Engineer of Wichita, Kansas.

JOSEPH L. GUYOT

CHESTER A. HUPP

EDWARD E. WILSON

ROBERT L. WILSON

JAMES E. TAYLOR

RUTH J. LOVE

LILA L. GUYOT

OLIVE M. HUPP

MABEL N. WILSON

MARGARET L. WILSON

MABEL L. TAYLOR

STATE OF KANSAS }
COUNTY OF SEDGWICK } SS.

Be it remembered that on this _____ day of _____, 1987, JOSEPH L. GUYOT and LILA L. GUYOT, his wife; CHESTER A. HUPP and OLIVE M. HUPP, his wife; RUTH J. LOVE; EDWARD E. WILSON and MABEL N. WILSON, his wife; ROBERT L. WILSON and MARGARET L. WILSON, his wife; JAMES E. TAYLOR and MABEL L. TAYLOR, his wife; to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledge the same. In testimony whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year above written.

Notary Public (SEAL)

My Appointment Expires _____

KNOW ALL MEN BY THESE PRESENTS:

That we, Industrial State Bank, holders of a mortgage on the property described in the Engineer's Certificate do hereby consent to the plat of SPENCER GARDENS 2nd ADDITION.

INDUSTRIAL STATE BANK

By
W.R. Hook, President

ATTEST:
Michael L. Cooney, Secretary

STATE OF KANSAS }
COUNTY OF SEDGWICK } SS.

Be it remembered, that on this _____ day of _____, 1987, before me a Notary Public in aforesaid County and State, came Industrial State Bank, by its President, W.R. Hook, to me known to be the same person who executed the foregoing instrument on behalf of the corporation, duly acknowledged by me.

In testimony whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year above written.

Notary Public (SEAL)

My Appointment Expires: _____

This Plat of SPENCER GARDENS 2nd ADDITION to Wichita, Sedgwick County, Kansas has been submitted and approved by this WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, Wichita, Kansas.

Dated this _____ day of _____, 1987

WICHITA SEDGWICK COUNTY METROPOLITAN
AREA PLANNING COMMISSION

John Terry Moore, Chairman

Marvin S. Krout, Secretary (SEAL)

This Plat approved and all dedications shown hereon accepted by the City Council of the City of Wichita, Kansas, this _____ day of _____, 1987.

Robert G. Knight, Mayor

Dale E. Rea, Deputy City Clerk (SEAL)

Entered on transfer record this _____ day of _____, 1987.

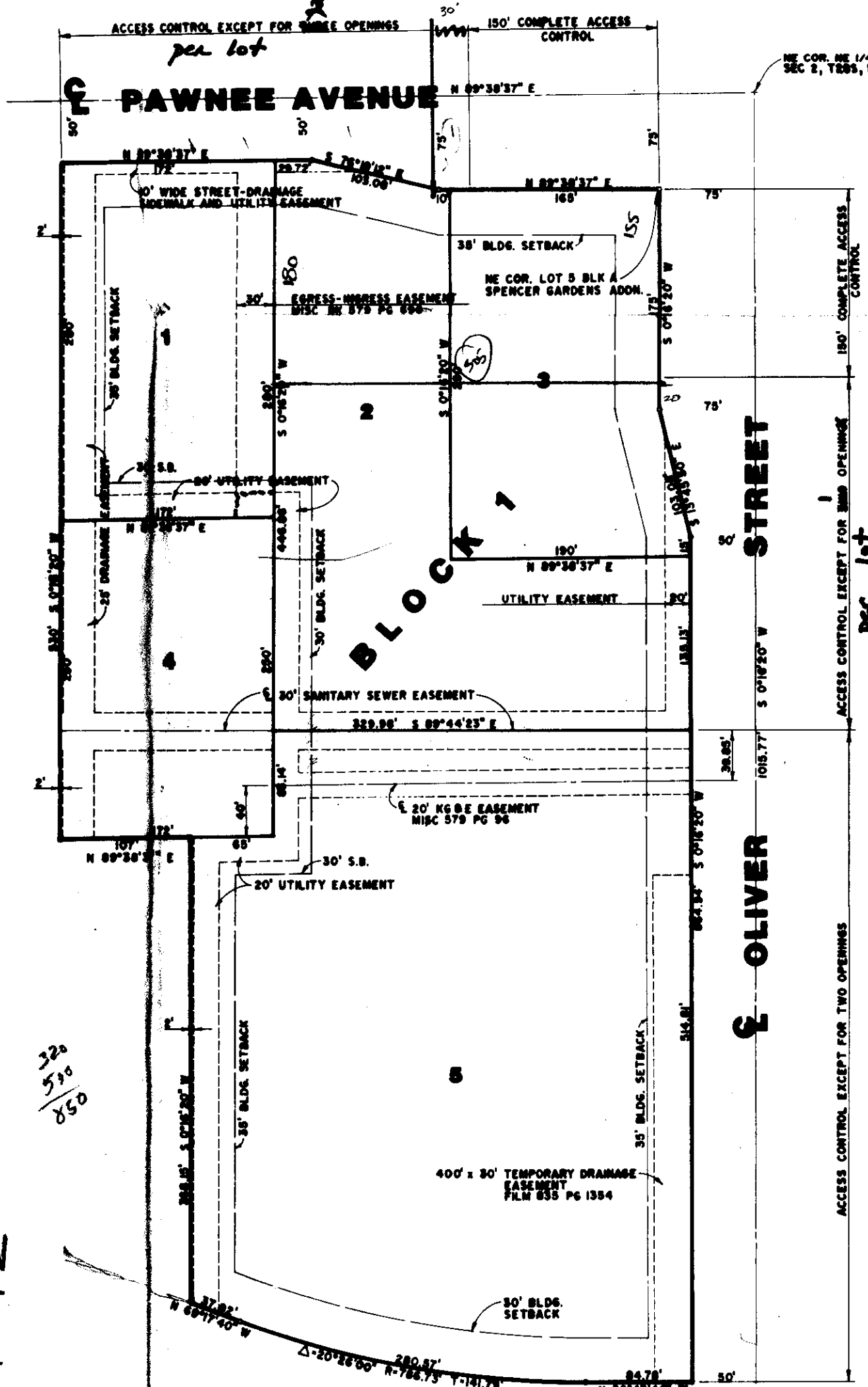
Don Wright, County Clerk

STATE OF KANSAS }
COUNTY OF SEDGWICK } SS.

This is to certify that this instrument was filed for record in the Register of Deeds office at _____ A.M.- P.M. on the _____ day of _____, 1987.

Pat Kettler, Register of Deeds

Ed Resa, Chief Deputy



LEGEND

- FOUND PROPERTY IRONS
- SET PROPERTY IRONS

SPENCER GARDENS 2ND ADDITION
TO WICHITA, SEDGWICK COUNTY, KANSAS

THIS PLAT APPROVED BY THE SUBDIVISION
COMMITTEE ON 8/27/87 SUBJECT
TO THE CONDITIONS OF APPROVAL OUTLIN-
ED IN OUR LETTER DATED 8/28/87

September 3, 1987

Poe & Associates
434 N. Oliver
Wichita, KS 67208

Re: Final Plat S/D 87-43 - SPENCER GARDENS 2ND ADDITION

Dear Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on September 3, 1987, 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 August 28, 1987.

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 title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the platlor.
3. Certification that all real estate taxes for the first half of 1987 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

Donald Losew
Junior Planner

DL:dlk

cc: Karl Solomon, 625 N. Carriage Parkway, Wichita, KS 67208