



Wichita-Sedgwick County Metropolitan Area Planning Department

April 24, 2003

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

RE: SUB 2003-29 -- One-Step Final Plat of Brighton Courts Addition

At the regular meeting of the Metropolitan Area Planning Commission on April 24, 2003, 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 18, 2003.

The following items must be submitted to the Metropolitan Area Planning Department before the plat is scheduled for the City Council and/or County Commission's consideration:

1. A completed and signed tracing of the subdivision, along with five (5) copies. Also, if a change is required on the tracing after submittal, five (5) revised copies must be submitted;
2. A check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting (\$8.00 for the first page; \$4.00 for each additional page), **if the site is located within the City of Wichita's city limits, OR, in the County within three miles of Wichita's city limits; and**
3. A disk, which will be used by the City and County GIS Departments, detailing the final plat in digital format in Autocad.

If you have any questions regarding this plat, please call.

A handwritten signature in black ink that reads 'Neil Evan Strahl'.

Neil Evan Strahl, Senior Planner
Current Plans Division

NES:ch

Copies to: Ron Samples, Brighton Courts, LLC, Innco, 7300 W. 110th Street, No. 990, Overland Park, KS 66210
Kevin Holman, Sedgwick County Fire Department
Neil Cable, City Engineer, Department of Engineering
Jim Weber, PE-Director, Sewer Operations & Maintenance Department, Bureau of Public Services
City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

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Wichita, KS 67206

RE: SUB 2003-29 -- One-Step Final Plat of Brighton Courts Addition

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 17, 2003, 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. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- 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. **The drainage plan is approved. A guarantee is required.**
- D. **Traffic Engineering** needs to comment on the 32-ft right-of-way width platted for the internal street. **The right-of-way width is approved.**
- E. The Applicant shall guarantee the paving of the proposed streets.
- F. The applicant has indicated that the parking areas adjoining the internal street will be included as "parking easements" within individual lots. The parking easements shall be referenced in the plat's text specifying that the easements are granted for residential parking only and that no obstructions shall be constructed or placed within the easements.
- G. The final plat tracing shall state in the plat's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- H. **County Surveying** has noted that several centerline dimensions need added.
- I. **County Surveying** has noted that dimensions on Reserve "A", Lot 32 and Lot 18 need added.

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- J. Since this is a replat of a previous Addition involved with the ownership and maintenance of reserves which are not being replatted by this Addition, a restrictive covenant shall be submitted which provides for this Addition to continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.
- K. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- L. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- M. **City Fire Department** needs to comment on the street length of the internal street (1100 feet). The Subdivision Regulations limit urban cul-de-sacs to 800 feet in length unless an emergency access easement is proposed. **City Fire Department has requested that the width of both entry drives be increased to 32 feet. The right-of-way width at the turnaround needs to be increased to 32 feet.**
- N. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- O. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- P. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- Q. **GIS** has requested that the new street be named Paddock Green. The loop street at the north should be named Paddock Green Cir and the other cul-de-sacs emanating from Paddock Green should be named Paddock Green Ct.
- R. 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.
- S. The plattor'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.

- T. 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.)
- U. 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.
- V. 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.
- W. 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.
- X. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- Y. Perimeter closure computations shall be submitted with the final plat tracing.
- Z. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- AA. 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. **Westar Energy requests additional easements.**
- BB. 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 (5) methods that have been adopted as being acceptable is available in the Planning Department. Also available, are Certificates that are required if petitions are submitted, bond forms and Irrevocable Letter of Credit forms.

This case will be forwarded to the Planning Commission for consideration on Thursday, April 24, 2003, at 1:30 p.m. The enclosed "marked" copy of the plat is for your information and files.

STAFF REPORT
(One-Step Final Plat Approved 4/17/03)

CASE NUMBER: SUB 2003-29 -- BRIGHTON COURTS ADDITION

OWNER/APPLICANT: Brighton Courts LLC, Attn: Ron Samples, Innco, 7300 W. 110th St. No. 990, Overland Park, KS 66210

SURVEYOR/ENGINEER: MKEC Engineering Consultants, 411 N. Webb Rd., Wichita, KS 67206

LOCATION: South of 21st St. North, West of Webb Road

SITE SIZE: 13.07 acres

NUMBER OF LOTS

Residential:	38
Office:	
Commercial:	
Industrial:	
Total:	<u>38</u>

MINIMUM LOT AREA: 8,177 sq. ft.

CURRENT ZONING: Single-Family and duplex uses per Wilson Estates Residential CUP DP-201

PROPOSED ZONING: Same

VICINITY MAP



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NOTE: This is a replat of Lot 1, Block 1, and Lot 6, Block 1 of the Legacy Park Wilson Estates Addition. The plat is also subject to the provisions of the Wilson Estates Residential CUP (DP-201).

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- 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. **The drainage plan is approved. A guarantee is required.**
- D. **Traffic Engineering** needs to comment on the 32-ft right-of-way width platted for the internal street. **The right-of-way width is approved.**
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- G. The final plat tracing shall state in the plat's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- H. **County Surveying** has noted that several centerline dimensions need added.
- I. **County Surveying** has noted that dimensions on Reserve "A", Lot 32 and Lot 18 need added.
- J. Since this is a replat of a previous Addition involved with the ownership and maintenance of reserves which are not being replatted by this Addition, a restrictive covenant shall be submitted which provides for this Addition to continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.
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- L. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.

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SUB 2003-29 -- One-Step Final Plat of BRIGHTON COURTS ADDITION
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this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

- X. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
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