

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

May 4, 1995

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 95-29 THE DUGAN CENTRE THIRD ADDITION

OWNER/APPLICANT: Kenneth J. Reichenberger, 501 S. Summitlawn, Wichita, KS 67209

AGENT: Walter Morris & Sons, Attn: Mike Boyd, 128 S. Dellrose, Wichita, KS 67218

SURVEYOR/ENGINEER: Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: North of Kellogg and east of Ridge

SITE SIZE: 20.49 Acres

NUMBER OF LOTS

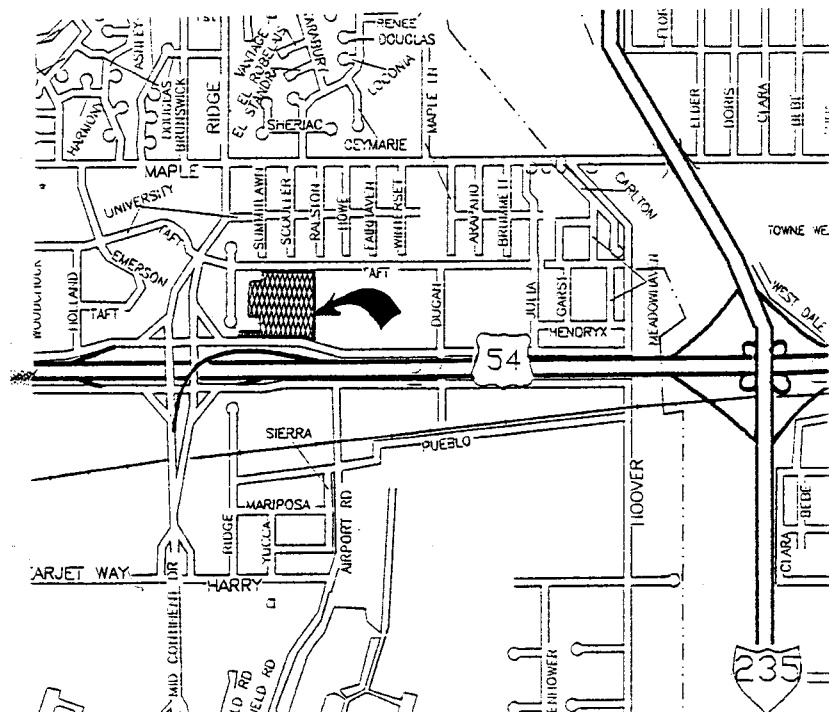
Residential:	
Office:	
Commercial:	2
Industrial:	
Total:	2

MINIMUM LOT AREA: 52,245.46 sq. ft.

CURRENT ZONING: "C"

PROPOSED ZONING:

VICINITY MAP:



NOTE: Although larger than what would be accepted for a final form only plat, this plat has been accepted in final form only. The site had been previously platted with this replat largely being undertaken to adjust lot configurations to conform to the development that has actually taken place in the areas east of this plat. This site is also within a Community Unit Plan (DP-151) which is itself also being amended to reflect related changes in parcel boundaries and actual development patterns. Lot 1 and 2 of this plat will correspond to respectively Parcels 1 and 2 of the Amended The Dugan Centre CUP, DP-151. This amended CUP, however, is still being reviewed and has not been approved by the MAPC or City Council.

STAFF COMMENTS:

- A. This plat will be subject to approval of the CUP and any relevant conditions. The plat will not be scheduled for City Council review until approval of the CUP has been completed.
- B. In addition to standard requirements for the extension of sanitary sewer and water, when the original Dugan Centre plat was reviewed numerous requirements for drainage, adjacent street paving, intersection, traffic, etc. improvements were established. City Engineering and Traffic Engineering need to indicate if this replat now requires any additional guarantees and/or the provision of agreements concerning the existing guarantees.
- 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 indicate if any additional right-of-way requirements exist for this site, particularly as regards Kellogg and Kellogg Drive.
- E. On the final plat tracing, the face of the plat shall indicate the presence of Kellogg Drive and Kellogg adjacent to the south end of this plat. It shall also be indicated that complete access control exist between Kellogg Drive and Kellogg.
- F. A preliminary review of the CUP indicates that this site is expected to have only one (1) allowed opening to Taft. Both the face of the plat and plattor's text shall note this dedication of such access control.
- G. In regard to building setbacks, the CUP is indicating a 60-foot setback along the east line of Lot 1 and a "stepped" typed setback along the north line. If these are the setbacks for the approved CUP, the final plat tracing shall also plat such setbacks.
- H. The platting of minimum building pad elevations shall also be shown on the face of the final plat tracing. Such information is typically included below the north arrow.
- I. The final plat tracing shall show the recording information for the access easement. This is a private easement and shall be recorded by the applicant with a copy of the recorded easement submitted to Planning for the plat file.

In regard to the existing access easement, this is not a public easement and cannot be vacated by this replat. The applicant shall submit documentation that all parties benefitting from or involved in this access easement are agreeable to the proposed changes. That is, a release of this easement needs to be obtained, with proof of such a release being provided to Planning.

- J. 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.
- K. 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 a method similar to special assessments.
- L. Prior to this plat being released for recording, proof shall be provided that all applicable property taxes have been paid. At this time, the platting binder indicates outstanding 1994 taxes of over \$12,000.
- M. The applicant shall submit an avigational easement covering all of 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.
- 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. (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.)
- 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.
- R. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- S. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

Note: This plat has been submitted in final form only.

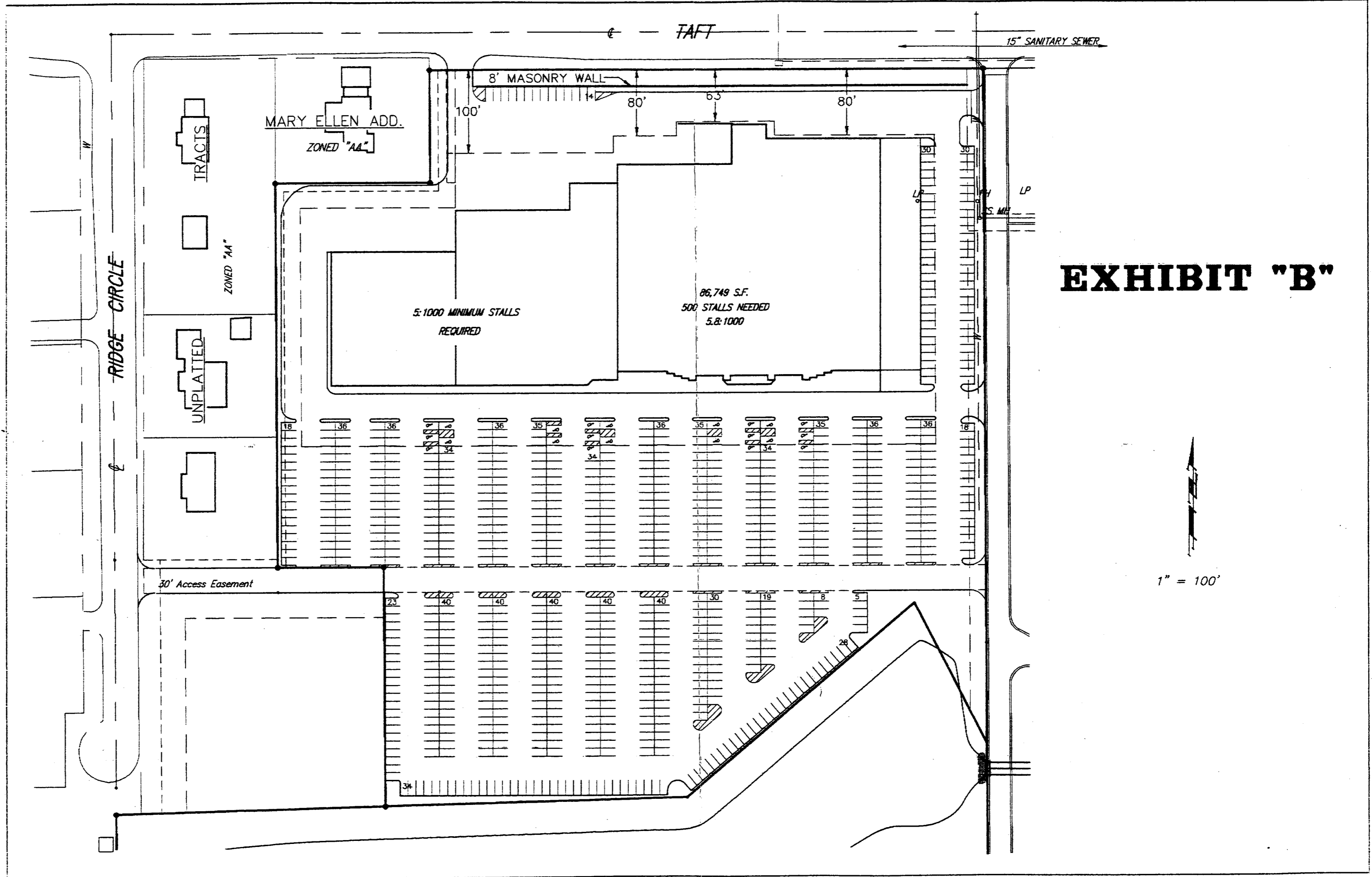
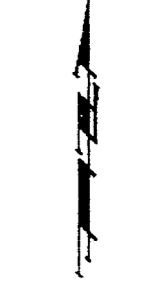


EXHIBIT "B"



1" = 100'