

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 100

March 16, 1995

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 95-1 BALTHROP ADDITION

OWNER/APPLICANT: Ritchie Assoc., Inc., 8100 E. 22nd Street North - Building 1000, Wichita, KS 67226

SURVEYOR/ENGINEER: P.E.C., 303 S. Topeka, Wichita, KS 67202

LOCATION: North of Central and east of Greenwich

SITE SIZE: 118.6 ± Acres

NUMBER OF LOTS

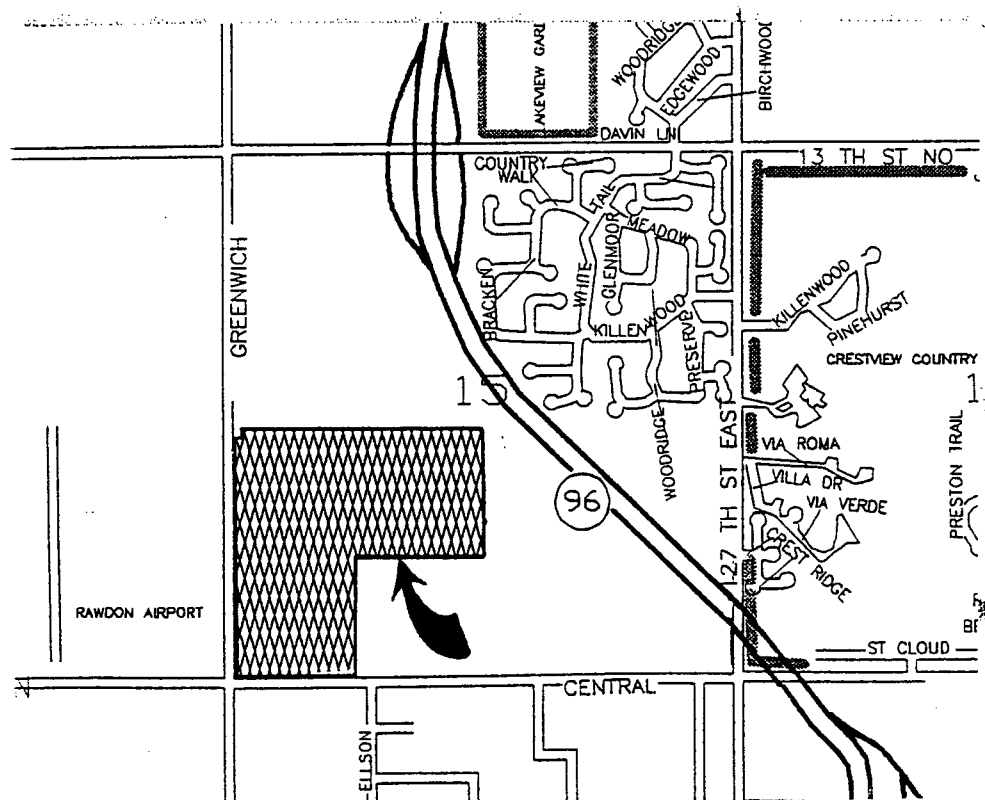
Residential:	183
Office:	
Commercial:	5
Industrial:	
Total:	188

MINIMUM LOT AREA: 9600 sq. ft.

CURRENT ZONING: "R-1" & "LC"

PROPOSED ZONING: "AA" and "LC" (SCZ-0682)

VICINITY MAP:



NOTE: This site has been approved for a zone (SCZ-0682) which involves a zone change from "R-1" county suburban residential to "AA" county one-family zoning and also to "LC" light commercial zoning. The change in "LC" zoning basically enlarges the area of "LC" zoning at the northeast corner of Central and Greenwich. These zone changes have been approved subject to platting. In Addition, a voluntary form of a community unit plan is being provided for the area of "LC" zoning.

STAFF COMMENTS:

- A. Prior to any final plat being submitted for the area of "LC" zoning, the voluntary community development plan needs to be submitted to Planning for review. Any final plat for this area will need to reflect all relevant conditions of such a plan (access control, building setbacks, lot/parcel boundaries, etc.). Improvements to serve this area such as sanitary sewer, water, traffic, etc. will be determined at the time of final platting and will also be based upon any requirements noted by the community development (unit) plan.

Compliance with the conditions of such development plan will be submitted with or as appropriate as part of the outside-the-City water agreement(s) to be provided for this area and/or the overall subdivision.

- B. The applicant shall guarantee the extension of City water to serve the lots being platted. This guarantee shall include any needed extensions of water in both Greenwich Road and Central needed to serve this site. Since such water service will be through Wichita water lines, an outside-the-City water agreement shall be submitted.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee shall be with the County.
- D. The applicant shall guarantee the paving of the proposed interior streets. This paving shall be to the urban standard. In addition, sidewalks shall be included in the paving guarantees for one side of Tipperary, Bristol, and the two areas of looped streets. That is, sidewalk shall be provided along one side of all streets, including stubs, not shown as a cul-de-sac street. Temporary turnarounds shall also be guaranteed for Tipperary at the east line and Bedford at the north line of the plat.
- E. County Engineering needs to indicate any traffic improvements required to serve this development. That is, are improvements needed for the residential entrances of this site (Tipperary and Greenwich, Bristol and Central), for the entrances to the "LC" section such as the indicated major entrance at Central, for the Greenwich and Central intersection, and so forth. As appropriate, such guarantees will be provided at the time of final platting and will be subject to any such requirements determined by the community development (unit) plan to be submitted for the commercial portion of this site.
- F. The applicant shall guarantee the portion of the major entrance to Lot 15, Block 5 located in public right-of-way.
- G. The applicant shall guarantee any drainage improvements required by the platting of this

property.

- H. The applicant shall guarantee construction of the storm sewers required by this plat.
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. Both City and County Certificates shall be submitted as appropriate.
- J. As with previous plats, the design of this plat raises a number of issues both in terms of access situations in general, but emergency access in particular. For example, the area east of Reserve H will for now be limited to one means of access. Further, a sketch plat for this site has also indicated, as noted by Tipperary's extension to the east line of the plat, plans to plat residential lots between this plat and the Northeast Freeway. Ultimately, nearly 150 lots will be served by Tipperary primarily and more restrictedly by Bedford when the property to the north plats.

For access in general, this plat and the sketch plat which included the area to the east is showing no or very limited street access to adjoining properties. In no case are the adjoining, unplatted properties zoned for incompatible uses. The area between Central and this plat, and east of Bristol is under a number of separate ownerships, however, and is somewhat broken up by a number of existing ponds and associated drainage ways. Nonetheless, access between Central and this plat and/or the area further east needs to be considered. That is, a public street other than Bristol needs to be provided both as a means of access for this plat, but also for future development of the large tracts in this area. The applicant's agent has indicated that it is their expectation that none or only very limited development of these areas is expected now or well into the future.

In regard to the issues of access in general but emergency access in particular, the following recommendations are made.

1. As required by the Subdivision Regulations in order to provide future development and interconnecting of adjacent properties, a street stub or stubs shall be provided from Bristol across Reserve "G" and/or from Tipperary across Reserve "G" or Block 6 to serve the area adjacent to this site and north of the existing residential uses.
2. In order to provide for additional emergency access to the area east of Reserve "H", an easement on or off-site shall be provided. Possibilities such as an easement along the north line of the site from Greenwich Road to Bedford or from one of the culs-de-sac along the east side of Bristol to Bedford could be considered. Any such element would be temporary, being allowed to expire when another means of public access (street) is actually built into the area.
3. If no such easement can be obtained or the applicant is unwilling to provide such an easement, the plat should be redesigned so as to directly provide by this plat itself a second public street into this site. For example, Killarney (Circle) could be extended as a continuous street between Blocks 1 & 4.
4. Not allow a final plat to be approved for any area east of Reserve "H" unless another

public street or acceptable means of emergency access is provided to these areas. That is, subsequent plats for these areas shall require that Bedford at the north line or a street connection to Central in addition to Bristol be either constructed or at least guaranteed by an adjoining plat; or that an acceptable means of emergency access be provided for any final platting to be approved.

- K. For the buildings in Lots 15, 16 & 17, Block 5 located in the indicated building setbacks, it is advised that these structures be removed if they are not intended for the planned "LC" uses at those locations. Any future use of these structures will be limited to maintaining the portions in the setbacks and no expansions within the setbacks can be allowed. Once removed for any cause, all reconstruction of any such structures will be required to observe the setbacks as platted or per the community development (unit) plan.
- L. For any Reserve indicated as potentially allowing structures (Reserve H) an appropriate building setback shall be platted to adjacent streets.
- M. In regard to any Reserve being platted for a swimming pool, clubhouse, and related facilities, while this has only been formally indicated as an allowed activity for Reserves for additions in Wichita, the County Permitting Agency has indicated that if noted on a County plat, such uses will be allowed for County Additions providing no violation of the underlying zoning would occur. As with City plats, a site development plan shall be submitted to Planning for review and approval.
- N. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- O. 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. This covenant shall also provide for the lot owners' association to maintain the "parking strip" between this plat's perimeter and the driving surfaces for Greenwich and Central.
- P. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the County, 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.
- Q. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-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.
- R. The plattor's text shall note that utilities may cross the wall easements.

- S. For easements such as along the rear of Lots 55 through 66, Block 1, additional dimensions shall be provided on the plat so as to accurately describe the easement location.
- T. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- U. Prior to or at the time of submitting the final plat, the applicant shall submit a drainage plan to County Engineering for review and approval.
- V. 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.)
- W. 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.
- X. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Y. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- Z. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage concept.
- AA. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Ron Little, Kansas Department of Wildlife and Parks, P. O. 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.