



NOTE: This site is in the County with the total area under "R-1" Suburban Residential Zoning. Such zoning requires minimum lot sizes of 20,000 square feet whereas this plat is indicating lots as small as 8,000 square feet. The applicant is, however, in the process of obtaining a zone change to "AA" zoning for all of the site except for the large lots in the southeast corner of the Addition. For the area in the northeast section of this plat, the applicant is also pursuing a conditional use for multifamily development, although this preliminary plat appears to be suggesting conventional single-family uses.

STAFF COMMENTS:

- A. This plat, except for the lots in the southeast portion of the Addition, cannot be submitted for City or County Commission approval until the required zone change and conditional uses are approved. Lot sizes of under 20,000 square feet cannot be platted until appropriate zoning is obtained.
- B. This plat is within 5-miles of Wichita's City Limits and must also be submitted for City Council approval.
- C. Since the portion of this plat indicated as Block 4 and Lots 33 through 61 of Block 3 are shown on this preliminary plat in what appears to be intended for conventional single-family development, but is the same area being proposed for multi-family uses through a conditional use, the applicant shall indicate to the Committee the actual intentions for developing this site.  
  
The applicant is advised that any significant deviation from the development shown on this preliminary, for this section of the plat, shall require that a preliminary plat be resubmitted for this section, rather than a final plat. Not only is it a requirement that a plat correspond to the development plan provided for a conditional use, but various platting or development requirements may be significantly different than what is being shown on this preliminary.
- D. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- E. The applicant shall guarantee the extension of City water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in Central, the applicant shall submit an outside-the-City water service application and associated restrictive covenant. City Engineering needs to indicate if these guarantees also need to provide for any extensions along 159th Street East.
- F. The applicant shall guarantee any drainage improvements required by the platting of this property.
- G. Although located in the County, this is an urban scale

development and streets shall be guaranteed to the urban standard. The paving guarantee shall also provide for a temporary turnaround for the street segment adjacent to Lots 1 and 2, Block 3. County Engineering needs to indicate if such turnaround may be provided within the dedicated street right-of-way or if an off-site turnaround needs to be obtained.

- H. The applicant shall also guarantee the installation of sidewalk along at least one side of the Belle Terre/Chelmsford Street system. If an alternative sidewalk plan is requested by the applicant, because of high traffic volumes likely to occur along the segment of Belle Terre north of Lot 145, Block 1, sidewalk shall be provided from approximately that location to Central in addition to any other sidewalks within other reserves. If the County is unable to include such improvements with its paving petitions an alternate means of guarantee shall be used.
- I. County Engineering needs to indicate any paving requirements for the adjacent arterials, including any needed traffic improvements for the limited entrances into this development and for the Central and 159th Street intersection.
- J. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. Separate Certificates of Petitions shall be submitted for those projects involving City and County improvements.
- K. For 151 lots, in the western portion of this plat, a singular entrance is being proposed for this site, from Central. The street connection at the south line of this plat cannot be expected to be of use for many years to come and as is now shown for a segment of street along this plat's west line, may likely be requested for vacation if and when development to the south is proposed. The applicant needs to indicate, how, at this time, at least an emergency easement or access can be provided to the western portion of the development.

While Planning would not typically support the vacation of the street connection from Sagebrush into the western side of an addition as extensive as this, the amount of traffic that might be diverted to Sagebrush if a street connection is provided in this case, would potentially be too much of an impact on the existing homes along Sagebrush.

Depending on how the applicant final out this preliminary plat, the applicant should be required to provide an acceptable means of emergency access into the western portion of the site. The applicant shall provide the Subdivision Committee with various options.

- L. 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.

- M. 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.
- N. 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.
- O. The plattor's text shall also note any reserve(s) involved with the floodway on this site, and the plattor's text shall also cite the standard floodway language.
- P. For those reserves indicated as being platted for utilities located within easements, such easements should be indicated to avoid interpreting that the whole reserve is an easement.
- For certain Reserves, such as the segment south of Lots 24 through 27, Block 3, it shall be clearly indicated if all of the Reserve area is also an easement or if a specific easement is being platted.
- Q. For Reserves A and B which indicate possible structures as a use, 25-foot building setbacks shall be platted in any areas where these reserves abut a public street.
- R. The applicant is advised that guard houses, as is being indicated for Reserves F, M & Q may in no manner be used to stop, impede, or in any manner restrict the public's use of these public streets.
- S. The plattor's text shall note the use of the wall easement and that utilities may cross this easement.
- T. On the final plat, it is recommended that Reserve A be extended to Lancaster in the vicinity of Lots 37 to 48, Block 3, so that residents in this area of the Addition have some convenient means of access to the amenities proposed for this open space area.
- U. 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.
- V. The applicant shall provide proof, by letter from the pipeline or

by copy of the pipeline easement agreement, that the dedication of street right-of-way over a portion of the pipeline easement and the use of part of this pipeline easement as a general utility easement are acceptable and that the building setback line as shown is sufficient. Any relocation, lowering or encasement of the pipeline, caused by development of this property, will not be at the expense of the City.

- W. The final plat shall indicate the platting of any needed minimum building pad elevations. The platting of the minimum building pad elevation shall be noted on the face of the plat as well as in the platting's text. As this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N). It shall also be noted if these elevations involve the lowest level or opening.
- X. The County Fire Department needs to indicate the acceptability of the street names being shown on this plat. In particular Chelmsford, Belle Terre, Montebella Circle, and Windham are new names but which also line up reasonably with existing street names such as Brookhaven. The final plat shall indicate those names determined appropriate by the County Fire Department.
- Y. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- Z. 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.
- AA. 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.
- BB. 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.
- CC. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- DD. 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.
- EE. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage concept.

SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

February 18, 1993

STAFF REPORT  
(Final Plat, Preliminary Plat Approved 10/29/92)

CASE NUMBER: S/D 92-50 BELLE TERRE ADDITION

OWNER/APPLICANT: Downing Development Company, 1124 Terradyne,  
Wichita, KS 67002

SURVEYOR/ENGINEER: Bill G. Yung Design, 4912 E. 29th Street  
North, Wichita, KS 67220

LOCATION: South of Central and west of 159th Street East

SITE SIZE: 39 Acres

NUMBER OF LOTS

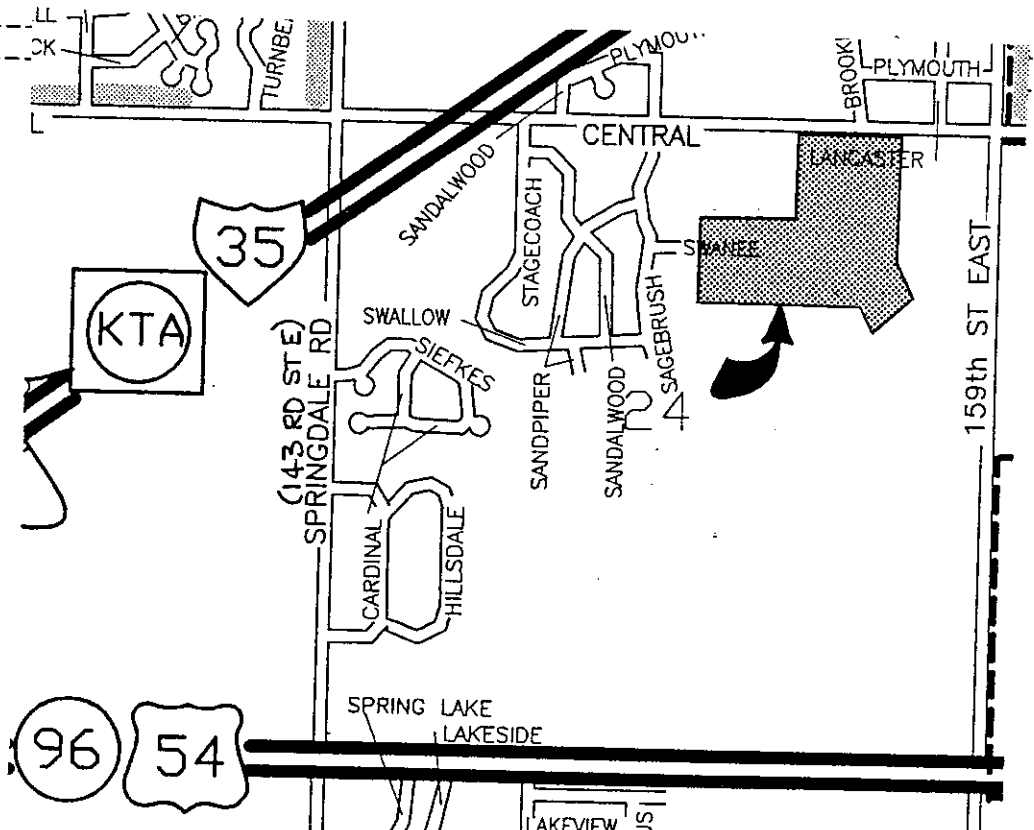
|              |    |
|--------------|----|
| Residential: | 59 |
| Office:      |    |
| Commercial:  |    |
| Industrial:  |    |
| Total:       | 59 |

MINIMUM LOT AREA: 10,000 sq. ft.

CURRENT ZONING: "R-1" Suburban Residential

PROPOSED ZONING: "AA" - (SCZ- )

VICINITY MAP:



NOTE: This plat represents a portion of an overall preliminary plat approved October 29, 1992. The overall, Belle Terre, preliminary plat involves 148.9 acres and potentially 213 single family lots, but also multi-family development is being considered for a portion of the site. A zone change to "AA," County single-family zoning has been approved for this site, which allows for the lot sizes being platted.

STAFF COMMENTS:

- A. The location of this plat in the County requires its approval by both the Wichita City Council and the Board of County Commissioners. The final plat tracing shall therefore include the proper approval signature blocks for both of these political bodies.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted. This guarantee shall include any needed extensions of water along Central. Since this property will utilize a City of Wichita water supply line in Central, the applicant shall submit an outside-the-City water service application and associated restrictive covenant.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. Although located in the County, this is an urban scale development and streets shall be guaranteed to the urban standard. The paving guarantee shall also provide for a temporary turnaround for the street segment adjacent to Reserves E and F. As indicated by County Engineering, this turnaround should be provided off-site, with the applicant obtaining and submitting to the County any needed off-site right-of-way. A copy of such dedication shall be submitted to Planning for the plat file.
- F. The applicant shall also guarantee the installation of sidewalk along at least one side of Belle Terre. If the County is unable to include such improvements with its paving petitions an alternate means of guarantee shall be used.
- G. As indicated by County Engineering, the applicant shall guarantee a decel lane, for the entrance to this site, along Central.
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. Separate Certificates of Petitions shall be submitted for those projects involving City and County improvements.

- I. As was indicated during review of the overall preliminary plat:

For 151 lots, in the western portion of this plat, a singular entrance is being proposed for this site, from Central. The street connection at the south line of this plat cannot be expected to be of use for many years to come and as is now shown for a segment of street along this plat's west line, may likely be requested for vacation if and when development to the south is proposed. The applicant needs to indicate, how, at this time, at least an emergency easement or access can be provided to the western portion of the development.

While Planning would not typically support the vacation of the street connection from Sagebrush into the western side of an addition as extensive as this, the amount of traffic that might be diverted to Sagebrush if a street connection is provided in this case, would potentially be too much of an impact on the existing homes along Sagebrush.

Depending on how the applicant final out this preliminary plat, the applicant should be required to provide an acceptable means of emergency access into the western portion of the site.

Prior to submitting any final plat for this site, the applicant was to meet with the County Fire Department to discuss the location of and timing of the installation of an emergency access easement for the development in the western portion of this site. The applicant and County Fire Department need to indicate what has been decided upon.

- J. The applicant shall submit by a separate request, a vacation application, signed by all abutting property owners, for the street segment located west of lot 27, Block 1. This request shall be submitted for consideration, prior to this plat being scheduled for City Council review.
- 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 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.

- M. County Engineering needs to verify if all or only a portion of Reserve A needs to be platted for floodway. Also, the plattor's text needs to be amended as appropriate. That is, the text references "floodway easements" while no such easements are apparently shown on the plat. That is, all of Reserve A should be considered floodway or portions shown as a floodway and or floodway easement, with the plattor's text appropriately referencing the situation. Further, the applicant is advised that a "Clubhouse" in Reserve A, if Reserve A is intended as a floodway, is an inappropriate use.
- N. For Reserve A which indicates possible structures as a use, 25-foot building setbacks shall be platted in any areas where this reserve abuts a public street. In particular, a setback shall be indicated to Belle Terre.
- O. The applicant is advised that guard houses, as is being indicated for Reserve B may in no manner be used to stop, impede, or in any manner restrict the public's use of public streets.
- P. 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.
- Q. On the final plat tracing the recording information for the gas line easement in Reserve A shall be indicated. Also, the 50 foot setback should be labeled as a "pipeline" setback so as to distinguish it from a platted setback. A copy of this easement shall be submitted for the plat file.
- R. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the County.
- S. Prior to submitting any final plat for this site, the applicant was to meet with the County Fire Department to determine appropriate street names for this site. The applicant is advised that a final plat will not be scheduled for Subdivision Committee review unless such contact has been made with the County Fire Department. The County Fire Department needs to indicate if the street names on this plat are acceptable.
- T. The final plat was to indicate the utility easements requested by K.G. & E. and Southwestern Bell which were indicated on a "marked" copy of the plat. This plat is not indicating such easements. The utilities need to comment on these easements.
- U. 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.

- 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- 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. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- Y. Recording of the plat within 30 days after approval by the City Council.
- Z. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage plan. Engineering also needs to indicate if the minimum building pad elevations are correct and as to the need to either plat a floodway and/or better reference the floodway within Reserve A and within the plat's text.

INTEROFFICE MEMORANDUM

Printed by: Gene Rath  
Date: 26-Feb-1993 06:24pm CST  
From: Joe Botinelly  
BOTINELLY J  
Dept: WATER & SEWER  
Tel No: 268-4908

TO: See Below

Subject: Meeting

A meeting is scheduled for 3:30 p.m. Monday, March 1 in the Engineering Conference room to discuss water service regarding the Belle Terra area southwest of the intersection of Central and 159th Street. As I understand it, a developer or property owner in the area will attend this meeting.

Before meeting with developers or property owners about this project, I recommend a meeting of Public Works and Water & Sewer staff, to discuss certain questions.

1. My understanding is that a water line in 159th serving this project stops 1,000 feet short of the southern boundary of the development. Will this force the water utility at a later date to extend this main at its own expense to close a gap?
2. Are property owners on the east side of 159th being assessed for this main? If not, should they be?
3. A property owner on the east side of 159th south of Douglas wants water service. Unable to obtain water from 159th unless this main is extended, the owner is considering participating in a benefit district in Green Valley Addition, even though the property is separated from the proposed water line by another property. If this property obtains water from the Green Valley line, will this produce a gap in the water system along 159th Street? An official of the City of Andover, which would assess this property, has indicated Andover wishes to cooperate with the Wichita water utility in serving this property.
4. The City of Wichita assesses for water mains west of 159th and the City of Andover assesses for water mains east of 159th. Assessing for lines in 159th which benefit properties on both sides of the street, it would seem to me, requires communication and cooperation with the City of Andover. Conditions in the agreements between the Wichita water utility and the City of Andover may also need to be considered.

Unless these issues have already been ironed out, it appears to me that an in-house meeting Monday morning or early Monday afternoon would be beneficial.

Do all of you have time at 10:30 a.m. Monday morning for such a meeting. I would recommend the engineering conference room. I would appreciate it if you could let me know early Monday morning.

Thanks.

Distribution:

TO: Bret Weingart  
TO: Columbus (Buddy) Smith

( WEINGART\_B )  
( SMITH\_CL )