

May 26, 1994

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 94-34 BELLE TERRE THIRD ADDITION

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

SURVEYOR/ENGINEER: Baughman Company, c/o Phil Meyer, 315 Ellis, Wichita, KS 67211

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

SITE SIZE: 23.05 Acres

NUMBER OF LOTS

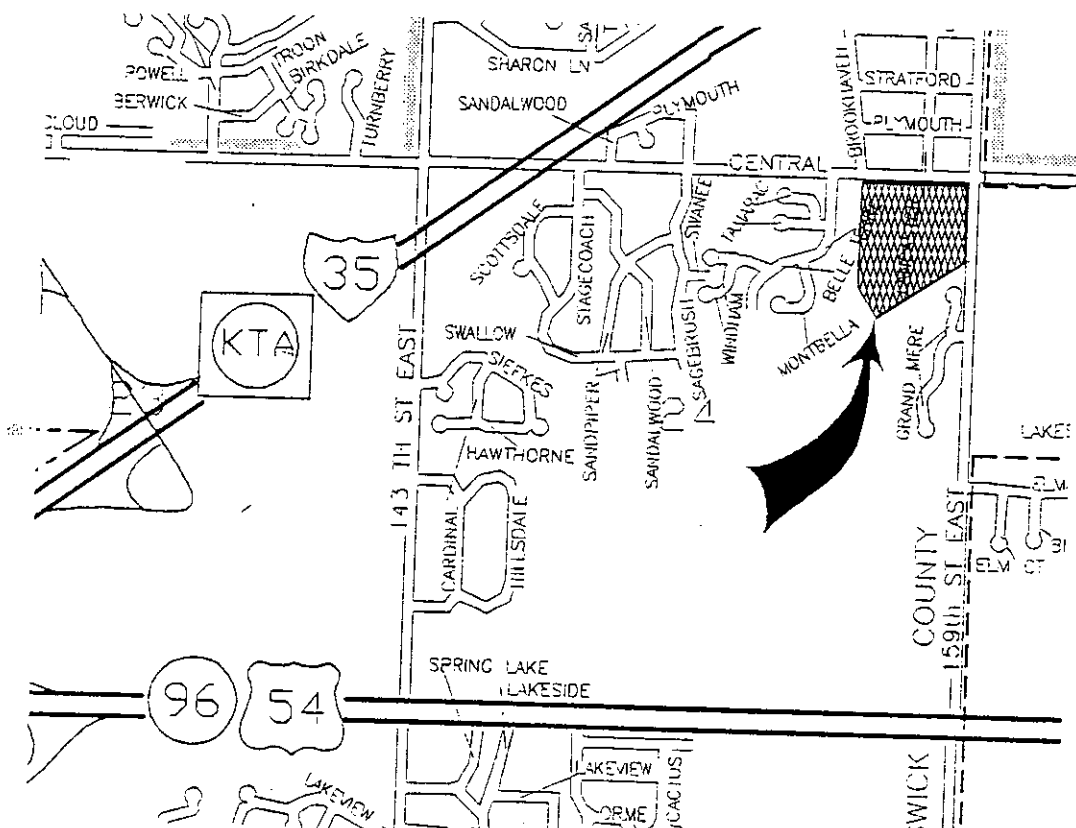
Residential:	47
Office:	
Commercial:	
Industrial:	
Total:	<u>47</u>

MINIMUM LOT AREA: 10,000 sq. ft.

CURRENT ZONING: "R-1" County

PROPOSED ZONING:

VICINITY MAP:



NOTE: At the time that an overall sketch and preliminary plat was being reviewed, this area was shown as being developed for conventional single-family development. However, the applicant was pursuing both a zone change and conditional use to allow a portion of the site (along 159th Street East) to be developed for multi-family housing. The plat as submitted, though, shows conventional single-family development for the entire area or as was basically shown on the previous sketch and preliminary plats. This plat actually represents the fourth final portion of the overall preliminary plat.

STAFF COMMENTS:

- A. Since this entire site is now being platted for conventional single-family development, the applicant shall submit a letter to Planning requesting that the County pass a resolution removing the conditional use (CU-353) located on a portion of this plat.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted. Since the water will be from Wichita, the applicant shall also submit an Outside-the-City water agreement.

City Engineering needs to indicate any requirements as regards water line extensions along Central and/or 159th Street East.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalk along one side of Lancaster/Limerick.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. The applicant shall guarantee construction of the storm sewers required by this plat.
- G. County Engineering needs to indicate if any traffic improvements to Central and/or 159th Street East need to be guaranteed.
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As appropriate, both a City and County Certificate of Petitions shall be submitted.
- I. In the Belle Terre additions to the west of this site, the pipeline easement, as shown on this plat, has been platted as Reserves. Not only does the Subdivision Regulations encourage the use of Reserves in these cases, but such a Reserve across the entire site would seem of potential benefit to the entire development. Further, the area to the south is expected to replat and a corresponding Reserve can be obtained at that time. The final plat tracing shall therefore plat the pipeline area shown on this plat as a Reserve.
- J. For the pipeline easement on this property, the final plat tracing shall include in the labeling of the easement the name of the company benefiting from the easement agreement.
- K. The applicant shall submit a copy of the instrument which establishes the Pipeline Easement o

this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement. If a setback from the pipeline easement is provided for in the pipeline easement agreement, it shall be indicated on the face of the plat.

- L. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the County.
- M. On the final plat tracing, since the areas shown as Reserve "J" on this plat are not shown as being continuous, separate letters need to be used to designate each area. The plat's text shall also be amended accordingly.
- N. 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 maintenance of the "parking strip" area for Central and 159th Street East located between the plat's perimeter and the driving surfaces of these roads.
- O. 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.
- 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. The applicant is advised that the guard house uses located in certain Reserves cannot be used to stop or prohibit the public from entering, driving into or in any means using the public streets in this Addition.
- R. Line 17 of the plat's text needs to be corrected by adding a space between the words "granted as".
- S. The applicant is advised that a platting binder is required with the submittal of the final plat. This plat will be subject to a review of such platting binder and any applicable conditions noted by such a review.
- 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.
- 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. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- W. Recording of the plat within 30 days after approval by the City Council.
- X. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- Y. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage plan. Engineering also needs to comment on the acceptability of the indicated minimum building pad elevations and in particular the use of the lowest opening.