

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8
April 18, 1991

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 91-20 - THE ABBY AT FAIRFIELD ADDITION

OWNER/APPLICANT: Ralph Rudy, 715 N. Gow, Wichita, KS
67207

SURVEYOR/ENGINEER: Professional Engineering Consultants, 303
South Topeka, Wichita, KS 67202

LOCATION: South of 13th St. North, in an area west of
Rock Rd.

SITE SIZE: 5 Acres

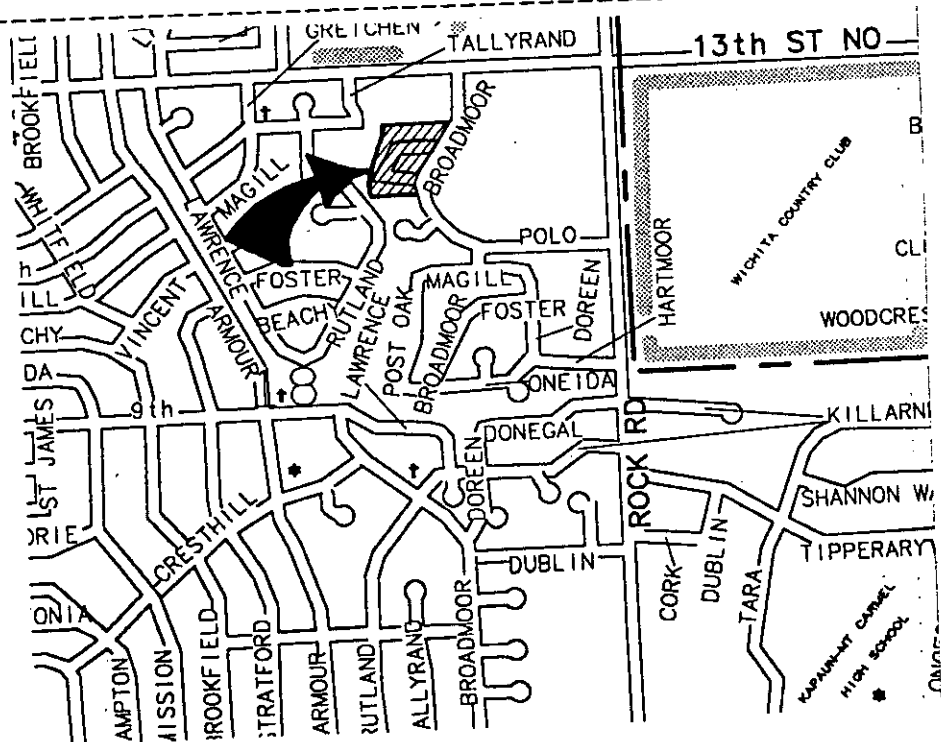
NUMBER OF LOTS

Residential:	11
Office:	
Commercial:	
Industrial:	
Church:	1
Total:	12

MINIMUM LOT AREA: 8,000 sq. ft.

CURRENT ZONING: "A" Two Family Dwelling (DP-146)

VICINITY MAP:



NOTE: This site is a replat of a portion of Fairfield Club Addition, platted in 1988 and is also part of a Community Unit Plan - (DP-146). The plat is proposing eleven residential lots and one lot for a church use.

STAFF COMMENTS:

- A. City Engineering needs to indicate if existing petitions should be abandoned for this site and new petitions provided for sanitary sewer, drainage, street paving and water. If projects are to be abandoned as a result of this replat, the applicant shall pay off any charges against any abandoned improvements.
- B. The applicant shall guarantee the paving of the proposed private interior streets to the 29-foot public street standard.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. The Community Unit Plan (DP-146) allowed a church use as part of Parcel 1. This replat proposes a church use on Lot 1, which is associated with Parcel 2 which restricts uses to Zero lot line, patio homes, single family, townhouses and associated community facilities. The applicant must file for an adjustment to the C.U.P. in order to provide for a church use in Lot 1 of Parcel 2. The final plat tracing shall not be submitted until the associated C.U.P. has been adjusted to provide for a church use.
- E. 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.
- F. 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.
- G. The final plat shall state in the platlor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- H. Regarding the reserves being platted for private drive purposes, the platlor's text on the final plat tracing shall reference, by lot and block numbers, which lots are to be provided access by the reserves.

- I. Regarding Reserve A, which is being platted for private drive purposes, discussion with the Law Department indicates a need for language in the covenant which sets forth ownership and maintenance responsibilities of the reserve, to establish future reversionary rights of the reserve to the lots benefiting from the reserve.
- J. As indicated by this plat, a standard cul-de-sac or turnaround is being proposed by this plat. Such a standard turnaround must be approved by City Engineering. Engineering needs, therefore, to indicate the acceptability of this design. Further, Engineering should indicate if the configuration of this street should require a 15-foot street-drainage-utility easement to be platted along all lots adjacent to Broadmoor Court.
- K. If 15-foot street-drainage-utility easements are required to be platted along Broadmoor Court, a restrictive covenant shall be submitted. 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. Any plantings within the easement shall be reviewed by the City Forestry Division prior to installation.
- L. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.
- M. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-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.
- N. 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.
- O. On the final plat, a 20-foot utility easement shall be indicated at the southeast corner of lot 9 in order to adequately cover the existing sanitary sewer line at this location. Further, an additional 5-foot portion of easement should be indicated along Reserve A or in lot 10 to cover the same sanitary sewer line. A 20-foot easement should also be provided across Reserve B for

this sewer line. If the applicant choose, Reserves A and B could simply be indicated as allowing utilities but dropping reference to the utilities being confined to easements.

- P. If easements are not being platted within the Reserves, particularly Reserves A & C, reference to utilities being confined to such easements should be dropped from the descriptions on Reserve uses.
- Q. Prior to or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- R. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- S. 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.
- T. 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.
- 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. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

May 16, 1991

STAFF REPORT
(Final Plat, Preliminary Plat Approved 4/18/91)

CASE NUMBER: S/D 91-20 - THE ABBY AT FAIRFIELD ADDITION

OWNER/APPLICANT: Ralph Rudy, 715 N. Gow, Wichita, KS 67207

SURVEYOR/ENGINEER: Professional Engineering Consultants, 303 South Topeka, Wichita, KS 67202

LOCATION: South of 13th St. North, in an area west of Rock Rd.

SITE SIZE: 5 Acres

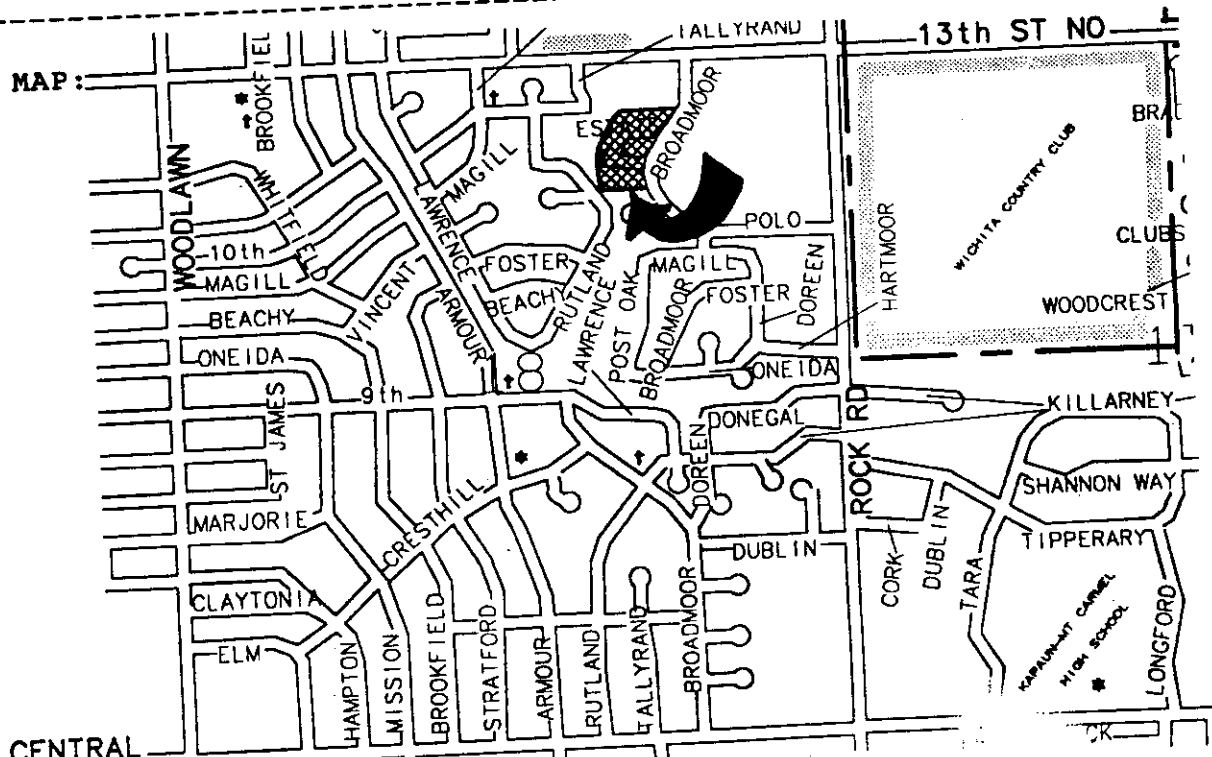
NUMBER OF LOTS

Residential:	11
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Total:	12

MINIMUM LOT AREA: 8,000 sq. ft.

CURRENT ZONING: "A" Two Family Dwelling (DP-146)

VICINITY MAP:



NOTE: This site is a replat of a portion of Fairfield Club Addition, platted in 1988 and is also part of a Community Unit Plan - (DP-146). The plat is proposing eleven residential lots and one lot for a church use.

STAFF COMMENTS:

- A. The applicant shall submit square footage figures to Engineering or an agreement to provide for the redistribution of specials for sanitary sewer. New petitions shall be submitted for water and paving. If projects are to be abandoned as a result of this replat, the applicant shall pay off any charges against any abandoned improvements.
- B. The applicant shall guarantee the paving of the proposed private interior street, shown as Reserve "A," to the 29-foot public street standard.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. The Community Unit Plan (DP-146) allowed a church use as part of Parcel 1. This replat proposes a church use on Lot 1, which is associated with Parcel 2 which restricts uses to Zero lot line, patio homes, single family, townhouses and associated community facilities. The applicant must file for an adjustment to the C.U.P. in order to provide for a church use in Lot 1 of Parcel 2. The final plat tracing shall not be scheduled for City Council review until the associated C.U.P. has been adjusted to provide for a church use.
- E. At the time the preliminary plat was approved, the applicant was required to meet with City Engineering to determine if the proposed street design for Broadmoor Ct. was acceptable. Engineering needs to indicate if the design shown on the final plat is acceptable.
- F. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either from 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.
- G. 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.

- H. Regarding Reserve A, which is being platted for private drive purposes, discussion with the Law Department indicates a need for language in the covenant which sets forth ownership and maintenance responsibilities of the reserve, to establish future reversionary rights of the reserve to the lots benefiting from the reserve.
- I. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.
- J. 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 public or private street (drive). 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.
- K. On the final plat tracing, the platlor's text shall note that the parking allowed in Reserve B is confined to the indicated parking easements. Further, the applicant needs to provide for the maintenance and ownership of these parking areas. Also, these areas are intended for guest type parking and not for the storage of boats, campers, and other such vehicles. The covenant concerning the ownership and maintenance of Reserve B should clearly address these requirements for the indicated parking easements. Traffic Engineering needs to also indicate if the location of these easements pose any safety problems.
- L. 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.
- M. The applicant shall submit a letter from K.G. & E. indicating that satisfactory arrangements have been made for the relocation of any K.G. & E. equipment made necessary by this plat.
- N. Prior to submitting the final plat, the applicant was to submit a copy of the street design to KPL. The representative from KPL should be prepared to indicate if the present street design is acceptable.

- P. 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.
- Q. 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.
- R. 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.
- S. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- T. Recording of the plat within 30 days after approval by the City Council.
- U. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.