

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 2

January 6, 1994

STAFF REPORT
(Final Plat, Preliminary Plat Approved 9/2/93)

CASE NUMBER: S/D 93-20 HARBOR ISLE (CRYSTAL LAKE) ADDITION

OWNER/APPLICANT: Bachman Enterprises, Inc, 1901 W. 13th Street,
Wichita, KS 67203

SURVEYOR/ENGINEER: Yung Design Group, 4912 E. 29th Street North,
Wichita, KS 67220
and
Kenny Hill, Poe and Associates, 434 North Oliver,
Wichita, KS 67208

LOCATION: East side of Meridian, 1/2 mile south of 53rd Street
North

SITE SIZE: 37.3 Acres

NUMBER OF LOTS
Residential: 76
Office:
Commercial:
Industrial:
Total: 76

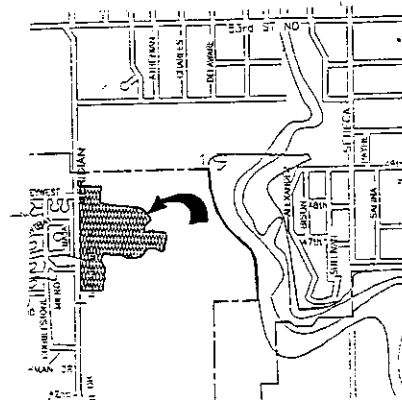
*Lowest floor 4'
above ground water*

MINIMUM LOT AREA: 7,200 sq. ft.

CURRENT ZONING: "AA" and "LC"

PROPOSED ZONING: "AA"

VICINITY MAP:



NOTE: A sketch plat for an area of 178 acres, covering all of the sand pit lake in which this plat is located, was submitted by the applicant for Planning Department review. The applicant, however, at this time is considering only the platting of a portion of that overall sketch plat area. This plat represents approximately 37 acres. A small portion of this site, toward the south, along Meridian has "LC" zoning, but as indicated by the plat, is being proposed for one-family development. The site is recommended by the "Wichita Land Use Guide" for low density residential use.

STAFF COMMENTS:

- A. Both to reflect the actual development now being planned and to avoid the requiring of streets to be paved to the commercial standard, the applicant shall request a zone change to "AA" zoning for that portion of the plat presently zoned "LC". (At the time of this final plat submittal, no such zone change had yet been applied for.) This plat will be subject to approval of such a zone change and will not be scheduled for City Council review until approval of the zone change.
- 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 water line extensions needed in Meridian.
- D. The applicant shall guarantee the paving of the proposed interior streets.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. As was noted during review of the preliminary plat:

Although this is only a portion of the lake area involved in the sketch plat and perhaps while not all of the water area needs to be platted at this time, a much more significant Reserve area needs to be established. That is, a reasonable portion of the existing "Crystal Lake" area should be included in this plat as Reserve. Ultimately, all such areas should be included within a plat, especially when such areas are in essence depicted as part of the

development. The degree to which this Reserve should be established, is also somewhat dependent upon this area's overall development plans. Nonetheless, it would seem that it is not just to the City's interest that such properties become platted, but also for the property owners of this development. The platting of such areas as Reserve should provide the property owners with some greater assurance of their access to the lake(s).

Prior to submitting the final plat, the applicant shall meet with Planning Department Staff to discuss the platting of such Reserves.

However, no such meeting was held with Planning staff and as shown by this final plat, no significant lake areas were added. Subsequently, though, the applicant has been contacted and has agreed to include a substantial portion of the Lake Area as Reserve on the final plat tracing.

- H. 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 homeowners' association to maintain this parking strip or right-of-way area between this plat and Meridian's paved surface. Also, this covenant shall clearly indicate that the applicant will be responsible for the initial improvements needed in the emergency access easement located in the north end of Reserve C.
- I. 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.
- 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 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.
- K. The applicant shall provide proof, by letter from the pipeline company 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 easement or 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.

- L. The final plat tracing shall indicate the recording information for the 60-foot gas line easement on this property.
- M. 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.
- N. Based upon the platting binder, at least two pipelines are noted as affecting this site. However, only one pipeline is shown. The applicant shall verify if an additional pipeline is located on this site and the final plat tracing shall show all such easements. Copies of the pipeline easements noted in the platting binder shall be submitted to Planning for the plat file. If any additional pipelines affect this particular site, the plat shall be subject to typical requirements for the platting of pipelines.
- O. On the final plat tracing, the plattor's text shall either be amended by deleting references to utility easements in Reserves A & B, or easements if needed should be shown across these Reserves, or the Reserves should be indicated as allowing utilities, that is are platted for utilities with no reference made to being confined to an easement.
- P. Unless not required by Cablevision, a utility easement shall be shown across the north 20-feet of Reserve D.
- Q. On the final plat tracing, the plattor's text shall be amended by deleting the reference to any uses allowed in Reserve C, also being allowed within the area shown for the 30-foot emergency access easement. Walls, monuments, etc. should obviously not be implied as being allowed within this easement.
- R. On the final plat tracing the apparent easements along the south line of Reserve C and in the center of Reserve D should be clearly labeled (utility, drainage, etc. easements).
- S. On the final plat tracing, the references to minimum building elevations need to also be shown in mean sea level (MSL).

- T. The tiepoint on the final plat tracing at the southwest corner of this Addition shall be corrected to indicate Township 26S (not 27) and Range 1E (not 2E).
- U. On the final plat tracing, the MAPC signature block shall indicate James D. Miner as chairman.
- V. On the final plat tracing, the County clerk Shall be indicated as Susan E. Crockett-Spoon.
- W. As indicated by the platting binder property taxes of over \$50,000 are due on this site from 1992 to 1993. This plat will not be released for recording until proof is provided that these taxes have been paid.
- X. As requested by County Engineering , the applicant was to meet with Engineering to discuss the indicated relocation of the drainage easement on Lot 1. Engineering needs to indicate any requirements in regard to this easement.
- Y. 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.
- Z. 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.
- AA. 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.
- BB. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- CC. Recording of the plat within 30 days after approval by the City Council.
- DD. Both City and County Engineering should be prepared to comment upon this site's drainage plan or requirements. In addition, a number of drainage easements created by separate instrument are noted in the platting binder but are apparently being vacated or replatted by this plat and City and County Engineering need to indicate any conditions in regard to these

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easements.

City Engineering also needs to indicate the acceptability of both the wording and elevations shown for the minimum building pad elevation. Also, Engineering needs to indicate if additional building elevation restrictions should be established for this site in regard to groundwater elevations.