

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT**

DATE: October 19, 1994

TO: Subdivision/Utility Advisory Committee Members
FROM: Don Losew, Senior Planner *D.L.*
SUBJECT: Revision of Crest Ridge Plat S/D 94-58

Due to conflicts with the pipeline located along the west line of this plat, a previously proposed utility easement located within the pipeline easement has had to be deleted. Instead, a 20-foot street, drainage and utility easement is now being shown along the involved lots east line, adjacent to Crest Ridge Court. This will result in all utilities being located in the front of these lots. This plat is being scheduled for City and County review. If this situation is unacceptable to the County and/or utilities, please contact this Office.

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

September 15, 1994

STAFF REPORT

(Final Plat, Preliminary Plat Approved 8/18/94)

CASE NUMBER: S/D 94-58 CREST RIDGE ADDITION

OWNER/APPLICANT: Crestview Partners, L.T.D., 9207 Killarney, Wichita, KS 67206

SURVEYOR/ENGINEER: Mid-Kansas Engineering Consultants, Inc., 3500 N. Rock Road - #800, Wichita, KS 67226

SUBDIVIDER: Phil Snodgrass, 2400 N. Woodlawn - #100, Wichita, KS 67220

TOWNSHIP: Bob Asmann, Trustee, Minneha Township, 14301 Wentworth Ct., Wichita, KS 67230

LOCATION: East of 127th Street East and north of Central

SITE SIZE: 9.00 Acres

NUMBER OF LOTS

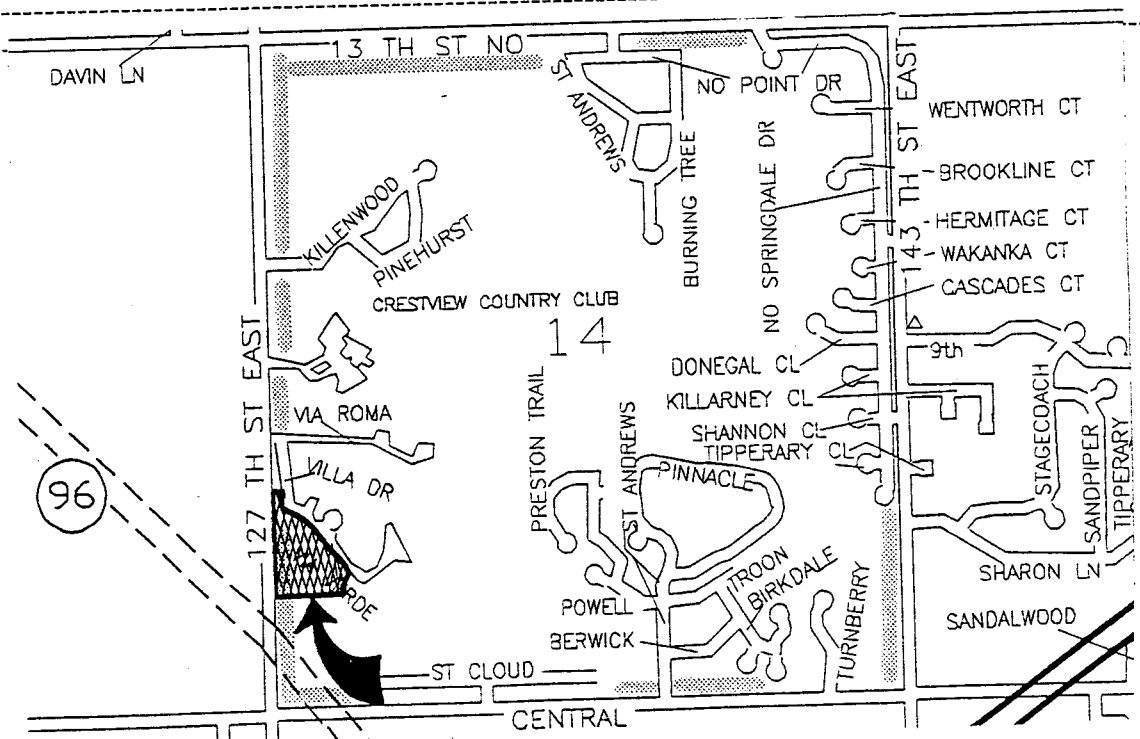
Residential:	32
Office:	
Commercial:	
Industrial:	
Total:	32

MINIMUM LOT AREA: 6943.5 sq. ft.

CURRENT ZONING: R-1

PROPOSED ZONING: "AA" (SCZ-0673)

VICINITY MAP:



STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted. Extension of water along 127th Street will not be necessary. Since this extension of water will involve City of Wichita lines, an outside-the-City water agreement shall also be submitted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee shall be with the County.
- C. The applicant shall guarantee any drainage improvements, including storm sewers, required by the platting of this property.
- D. The applicant shall guarantee the paving of the proposed interior streets to urban standards.
- E. 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 of Petitions, as appropriate, shall be submitted.
- F. It is noted that the east perimeter utility easement width has been reduced from 20 feet to 15 feet and the drainage easement along the northeasterly line of current Lot 13 has been deleted. The Committee members shall be prepared to comment on the acceptability of these changes. The requested easement which would provide for extension of sewer across 127th Street is being granted in the northwest corner of this plat.
- G. The applicant shall submit a copy of the instrument which establishes the Conoco Pipeline Easement on 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.
- H. The applicant shall provide proof, by letter from the Conoco 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 and as reserves for drainage and landscaping are acceptable. Any relocation, lowering or encasement of the pipeline, caused by development of this property, will not be at the expense of the County.
- I. The platting binder indicates the pipeline easement was last assigned to Continental Pipeline and Apco Pipe Line Company. The applicant's agent shall be prepared to state whether these companies are the same as Conoco Pipeline Company which is referenced on the plat.
- J. 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 the parking strip between this plat's west property line and the driving surface for 127th Street East.
- K. If reserves are 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.

- L. The 15-foot easements adjacent to the 32-foot streets shall be labeled as "street, drainage and utility easements". On the final plat tracing, the granting of the street, drainage and utility easement shall be mentioned in the plat's text. The following wording is suggested: "Easements for the construction and maintenance of street, drainage and public utilities, as indicated on the accompanying plat, are hereby granted."
- M. 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 County Engineer prior to installation.
- N. 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 or 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.
- O. Because of the large pipeline easement within this plat, it is recommended that the Planning Commission allow the platting of 20-foot building setbacks for this site rather than the typical 25-foot building setbacks.
- P. On the final plat tracing, the lot numbers shall be continuous from 1 through 32, all in one block.
- Q. Several dimensions in the surveyor's certificate do not match the corresponding dimensions on the graphic layout of the plat. These shall be checked and corrected prior to submission of the plat tracing.
- R. The plat is in the unincorporated area and is not being annexed at this time; therefore, the reference to Wichita shall be deleted from the plat's name.
- S. 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.
- 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. The County Engineer's representative shall be prepared to comment on the status of the applicant's drainage plan and state what drainage guarantees, if any, will be required.

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 7

August 18, 1994

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 94-58 CREST RIDGE ADDITION

OWNER/APPLICANT: Crestview Partners, L.T.D., 9207 Killarney, Wichita, KS 67206

SURVEYOR/ENGINEER: Mid-Kansas Engineering Consultants, Inc., 3500 N. Rock Road - #800,
Wichita, KS 67226

SUBDIVIDER: Phil Snodgrass, 2400 N. Woodlawn - #100, Wichita, KS 67220

TOWNSHIP: Bob Asmann, Trustee, Minneha Township, 14301 Wentworth Ct.,
Wichita, KS 67230

LOCATION: East of 127th Street East and north of Central

SITE SIZE: 9.00 Acres

NUMBER OF LOTS

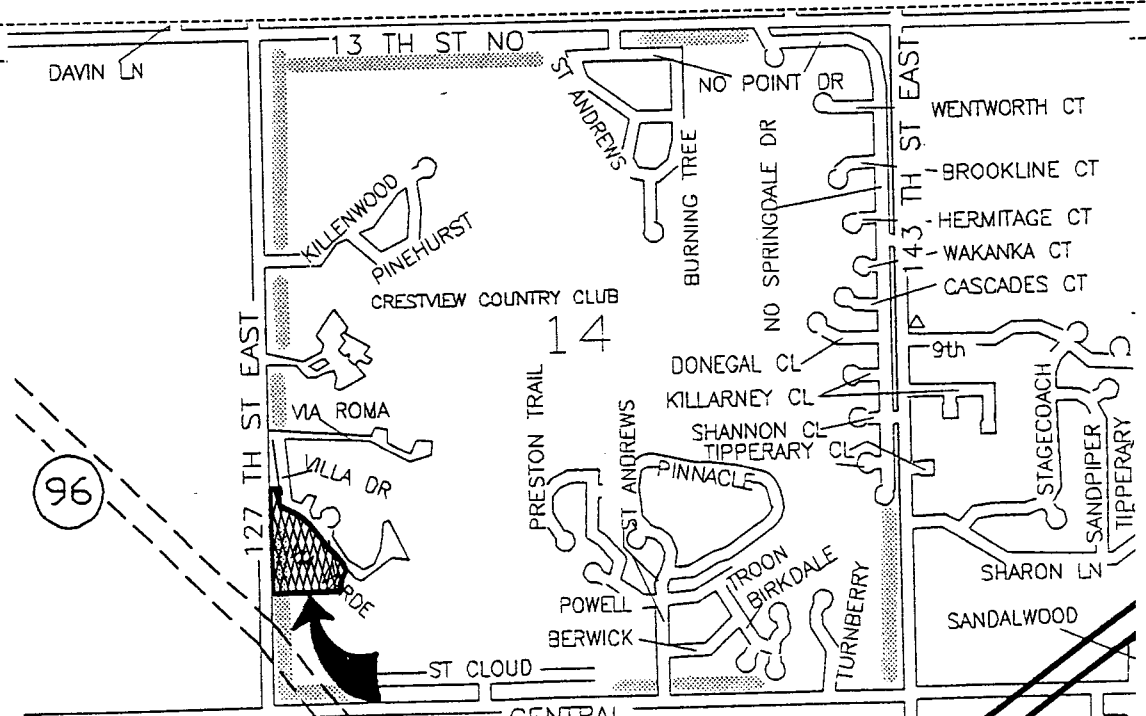
Residential:	32
Office:	
Commercial:	
Industrial:	
Total:	<u>32</u>

MINIMUM LOT AREA: 6943.5 sq. ft.

CURRENT ZONING: R-1

PROPOSED ZONING: "AA" (SCZ-0673)

VICINITY MAP:



NOTE: A County zone change (SCZ-0673) has been submitted for this site which requests a zone change from "R-1" to "AA" zoning. Water to this area is supplied by the City of Wichita, with sanitary sewer being provided through the County. Adjacent to this site, 127th Street East was involved to some degree in being reconstructed due to construction of the Freeway to the south of this site.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted. City Engineering needs to indicate if this guarantee needs to include any improvements or extensions of water along 127th Street East.

Since this extension of water will involve City of Wichita lines, an outside-the-City water agreement shall also be submitted.

- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee shall be with the County.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. 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 of Petitions, as appropriate shall be submitted.
- G. Based upon the Subdivision Regulations since the street serving this site is single point of entry, cul-de-sac street exceeding 600 feet (is nearly 1100 feet), serves more than 24 single family lots (32) and has average lot frontages of less than 90 feet (68 feet most common), the interior street, Crest Ridge Circle/Court must be platted at a 64-foot right-of-way. The final plat shall therefore be redesigned with a 64-foot street. Only the short cul-de-sac at the center of this site can be allowed with a reduced right-of-way and in this instance that should be a 58-foot, not 32-foot street. All culs-de-sac shall also be platted with the required radius (50-feet to property lines).

Further, because of the length of this deadend street, an emergency access easement must also be provided. Such an easement would appear to be appropriate in the area of Lot 10, out to 127th Street East. Since Reserves are being shown for this plat, such emergency access may be created as Reserve to be owned and maintained by a homeowners organization. The platting text needs to specifically indicate this emergency access noting that an appropriate driving surface will be maintained and that no obstruction of the easement or Reserve will be allowed.

- H. The final plat shall also be redesigned to place the pipeline along the west side of this plat into

a Reserve. The Villas at Crestview Additions to the north of this site platted a Reserve in the area of this pipeline, with golf course areas covering the pipeline in other areas.

Because of the increased requirement noted above for street right-of-way and the need to retain sufficient lot sizes for zoning purposes, it is suggested that the Planning Commission, if possible based on the actual pipeline location, not require all of the pipeline easement to be placed in the Reserve. That is, if the actual pipeline is located toward 127th Street East only a portion of the pipeline easement, westerly 20 to 30 feet could be required to be placed in a Reserve. The primary concern being to prevent individual lot owners from unknowingly damaging a pipeline if such lines are allowed to be within lot perimeters.

- I. The applicant shall submit a copy of the instrument which establishes the Conoco Pipeline Easement on 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.
- J. The applicant shall provide proof, by letter from the Conoco 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 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 County.
- 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. This covenant shall also provide for the homeowners' association to maintain the parking strip along this plat's west property line and the driving surface for 127th Street East.
- L. The final plat shall state in the plat's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- M. If reserves are 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.
- N. On the final plat complete access control shall be dedicated from this site to 127th Street East. Such access control shall also be noted in the plat's text.
- O. 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 or 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.

- P. Because of the additional requirements for street right-of-way and the platting of a Reserve for the pipeline, it is recommended that the Planning Commission allow the platting of 20-foot building setbacks for this site rather than the typical 25-foot building setback.
- Q. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- R. 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.
- S. 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.
- 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. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- W. The representatives from County Engineering should be prepared to comment on the status of the applicant's drainage concept.