

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING
COMMISSION

AGENDA ITEM # _____

MAY 5, 1988

STAFF REPORT
(Final Plat; Preliminary Approved 4/21/88)

CASE NUMBER: S/D 88-24 - PEARSON FARMS ADDITION

OWNER/APPLICANT: Bruce A. Pearson, 10218 W. 21st Street North,
Wichita, KS 67212

SURVEYOR/ENGINEER: Baughman Company, P.A.

LOCATION: Southwest corner of 21st Street North and Maize Road.

SITE SIZE: 16.8 Acres

NUMBER OF LOTS:

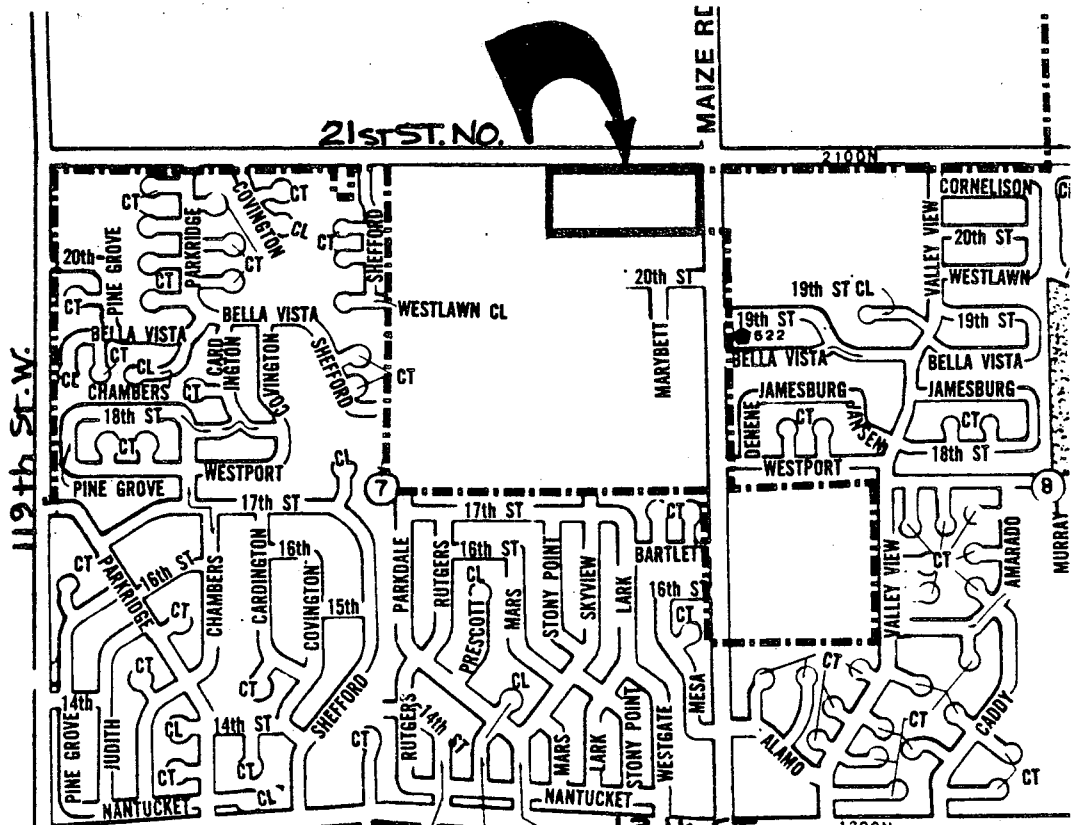
Residential:	
Office:	
Commercial:	5
Industrial:	
Total:	5

MINIMUM LOT AREA: 43,993.4 Sq. Ft.

CURRENT ZONING: "AA"

PROPOSED ZONING: "LC" and "OC" Z-2908 w/DP-184

VICINITY MAP:



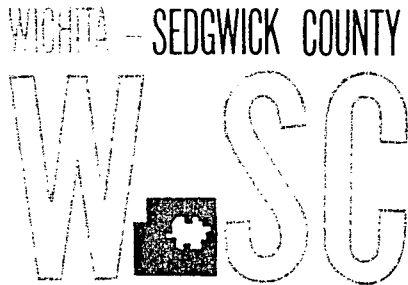
STAFF COMMENTS:

- NOTE: This plat is subject to conditions of the Pearson Farms Commercial Community Unit Plan (DP-184). Lot 1 and the west 203 feet of Lot 3 have been approved for "OC" zoning. The remainder of the subdivision will be zoned "LC".
- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
 - B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
 - 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. In accordance with the associated Community Unit Plan, the applicant shall guarantee the construction of temporary accel/decel lanes along the property frontage on 21st Street and Maize Road. The guarantees for the temporary lanes shall be held by the City of Wichita until development occurs (partial development would necessitate partial construction of the temporary lanes). The applicant shall also guarantee the construction of permanent accel/decel lanes along 21st Street and Maize Road and permanent left turn center lanes in 21st Street and Maize Road in conformance with the conclusions of the traffic impact/access study prepared for this property.
 - F. The applicant shall guarantee the construction of those portions of the required major entrances that are within street rights-of-way. This guarantee shall be included in accel/decel lane petitions.
 - G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
 - H. The applicant is advised that provision #11 of the associated Community Unit Plan requires that a system of fire lanes be approved by the Fire Department for this site. This approval needs to be obtained prior to final approval of a parking plan.
 - I. The applicant shall obtain the off-site drainage agreement required by the drainage plan for this property.
 - J. As required by the drainage plan for this property, the applicant shall submit a cross lot drainage agreement. This agreement shall provide for Lot 5 to drain across Lot 3.
 - K. The applicant is advised that if traffic signalization is required for this large commercial development, it will be installed at the property owner's expense.

PEARSON FARMS ADDITION

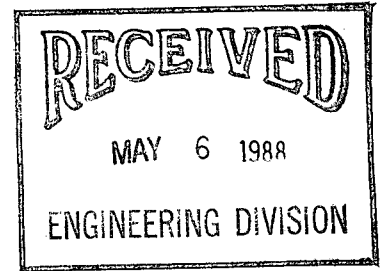
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- L. The final plat tracing shall indicate the utility easements requested by K.G.&E. and Southwestern Bell. These easements are indicated on the surveyor's copy of the approved preliminary plat.
- M. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- N. On the final plat tracing, the platlor's text shall be amended to more clearly indicate the access openings being allowed from the lots to Maize Road and 21st Street. In particular, the 90-foot areas from Lot 3, intended for major entrances, needs to be more accurately described. It is suggested that the platlor's text simply state that, "access controls as depicted on the face of the plat are hereby dedicated". Also, the 90-foot wide areas on Lot 3 should be labeled on the face of the plat as areas of "access control except for one opening".
- O. On the final plat tracing, the perimeter of Lot 2 shall be reduced to match the boundaries of C.U.P. Parcel 2. On the preliminary plat, the configuration of Lot 2 was correctly shown. If the applicant desires to plat Lot 2 as shown on this final plat, an adjustment to the Community Unit Plan parcel descriptions is required.
- P. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- Q. Recording of the plat within 30 days after approval by the City Council.
- R. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561



May 6, 1988

Baughman Company, P.A.
315 Ellis
Wichita, KS 67211

Re: Final Plat S/D 88-24 - PEARSON FARMS ADDITION

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, May 5, 1988, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- C. The applicant shall guarantee construction of the storm sewers and detention pond required by the drainage plan for this site.
- D. In accordance with the associated Community Unit Plan, the applicant shall guarantee the construction of temporary accel/decel lanes along the property frontage on 21st Street and Maize Road. The guarantees for the temporary lanes shall be held by the City of Wichita until development occurs (partial development would necessitate partial construction of the temporary lanes). The applicant shall also guarantee the construction of permanent accel/decel lanes along 21st Street and Maize Road and permanent left turn center lanes in 21st Street and Maize Road in conformance with the conclusions of the traffic impact/access study prepared for this property.
- E. The applicant shall guarantee the construction of those portions of the required major entrances that are within street rights-of-way. This guarantee shall be included in accel/decel lane petitions.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

SEDGWICK COUNTY

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- G. The applicant is advised that provision #11 of the associated Community Unit Plan requires that a system of fire lanes be approved by the Fire Department for this site. This approval needs to be obtained prior to final approval of a parking plan.
- H. As required by the drainage plan for this property, the applicant shall submit a cross lot drainage agreement. This agreement shall provide for Lots 1, 2, 4 and 5 to drain across Lot 3.
- I. The applicant is advised that if traffic signalization is required for this large commercial development, it will be installed at the property owner's expense.
- J. The applicant shall attempt to obtain the off-site utility easement needed on the property to the south for extension of sanitary sewer. If this easement cannot be obtained by the applicant, the sanitary sewer petition shall provide for condemnation costs.
- K. 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.
- L. On the final plat tracing, the platlor's text shall be amended to more clearly indicate the access openings being allowed from the lots to Maize Road and 21st Street. In particular, the 90-foot areas from Lot 3, intended for major entrances, needs to be more accurately described. It is suggested that the platlor's text simply state that, "access controls as depicted on the face of the plat are hereby dedicated". Also, the 90-foot wide areas on Lot 3 should be labeled on the face of the plat as areas of "access control except for one opening".
- M. On the final plat tracing, the perimeter of Lot 2 shall be reduced to match the boundaries of C.U.P. Parcel 2. On the preliminary plat, the configuration of Lot 2 was correctly shown. If the applicant desires to plat Lot 2 as shown on this final plat, an adjustment to the Community Unit Plan parcel descriptions is required.
- N. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- O. Recording of the plat within 30 days after approval by the City Council.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable Letter of Credit are available from this office.

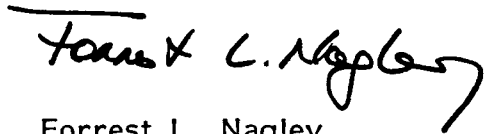
WICHITA - SEDGWICK COUNTY

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The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, May 12, 1988 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



Forrest L. Nagley
Senior Planner

FLN:dIk

Enclosure

cc: Bruce A. Pearson, 10218 W. 21st St. N., Wichita, KS 67212
Mike Lindebak, City Engineer

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WILLIAM L. KORBER, L.S.
JOHN E. LUNDBLADE, L.S.
N. BRENT WOOTEN, P.E.



BAUGHMAN COMPANY, P.A.
SURVEYING & ENGINEERING
316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

PEARSON FARMS ADDITION

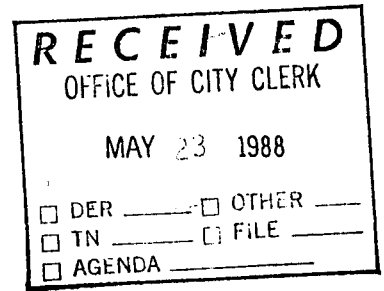
Comments Addressing The Final Plat Items
Scheduled For May 5, 1988.

- A. The Applicant will guarantee water line improvements adjacent to the plat along 21st Street and Maize Road to be held until fall development occurs and the unplatted property to the west plats.
- B. The Applicant will guarantee sanitary sewer improvements to serve the lots. The sewer petition will be held until the unplatted area to the west develops and shares in the cost of the extension.
- C-D. The Applicant will guarantee the construction of the drainage improvements in the form of a detention pond and a pump station.
- E-F. The Applicant shall guarantee temporary and permanent accel/ decel lanes as necessary and according to the traffic study for the associated C.U.P. along 21st Street North and Maize Road. Major entrances will also be included in this guarantee.
- I. The Applicant will attempt to obtain off site drainage agreements from the property to the west. If the agreements are not obtained, a restrictive covenant will be filed on Lots 1, 3, and 4 which states that no development shall occur on these lots until such time as appropriate off site drainage agreements are obtained or adequate drainage improvements which include a detention pond and a pump station are installed as are guaranteed which eliminate the need for off site drainage agreements all-together
- J. Cross lot drainage agreements between all of the lots in this plat will be obtained.

Additional Items - The Health Department is agreeable to allow temporary septic tanks and laterals and water well facilities to allow development on Lots 2 and 5 until such time as main become available. Those temporary facilities will then be abandoned and those two lots will be required to hook up to permanent utilities. A restrictive covenant will be filed which states that no additional development will occur on Lots 1, 3, or 4 until such time as main sewer and water lines are extended to serve all of the lots within the plat.

ASPHALTIC CONCRETE

PAVING PETITION



To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of lots, parcels, and tracts of real property lying within the area described generally as follows:

PEARSON FARMS ADDITION

Lots 1 through 5 inclusive

do hereby petition, pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq., as follows:

- (a) That there be constructed to commercial street standards pavement on 21st Street North, from the West line of Pearson Farms Addition to the west line of Maize Road, which shall include an ACCELERATION - DECELERATION LANE AND MAJOR ENTRANCE on the south side of 21st Street North, and LEFT TURN LANE WITH MEDIAN AND CHANNELLIZATION IMPROVEMENTS as necessary to 21st. Street North

And that there shall also be constructed to commercial street standards pavement on Maize Road, from the south line of 21st. Street North to a point approximately 100 feet south of the south line Pearson Farms Addition, which shall include an ACCELERATION - DECELERATION LANE AND MAJOR ENTRANCE on the west side of Maize Road and LEFT TURN LANES WITH MEDIAN AND CHANNELIZATION IMPROVEMENTS as necessary to Maize Road.

That said pavement shall consist of an asphaltic concrete base and asphaltic concrete wearing surface, composed of stone, sand, mineral filler, and asphalt according to Ordinance No. 36-572 with plans and specifications to be furnished by the City Engineer.

That there shall be traffic markings installed as necessary on Maize Road and 21st Street North, and drainage is to be installed as necessary.

- (b) That the estimated and probable cost of the foregoing improvements being One Hundred Ninety Thousand Dollars (\$190,000.00), with 100 percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1-1/2 percent per month from and after June 1, 1988.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.
- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a square foot basis.

Except when driveways are requested to serve particular tract, lot, or parcel, the cost of said driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

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(e) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of any assistance available through the Special Assessment Deferral Program, in accordance with city of Wichita Ord. No. 38-559.

2. It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

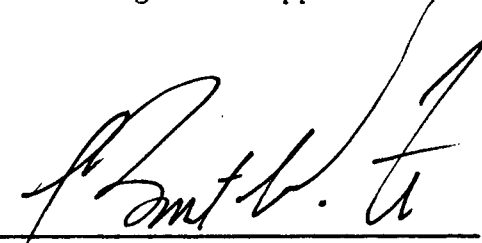
4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
<u>PEARSON FARMS ADDITION</u>		
Lots 1	<i>Bruce A. Pearson</i>	5-18-88
Lot 2	<i>Esther L. Pearson</i>	5-18-88
Lot 3	✓	
Lot 4	✓	
Lot 5	<i>Barbara A. Matous</i>	5-19-88

AFFIDAVIT

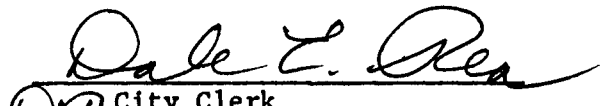
The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.


Name

315 Hulls
Address

262 7271
Telephone No.

Sworn to and subscribed before me this 29th day of MAY 1988.


City Clerk