

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 1

September 17, 1992

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 92-41 - THREE R's ESTATE ADDITION

OWNER/APPLICANT: Howard and Genevieve Sims, Etal, 7121 N. Hillside, Wichita, KS 67147

SURVEYOR/ENGINEER: Macon Company, 114 E. 4th, Newton, KS 67114

LOCATION: North of 69th Street North and west of Hillside

SITE SIZE: 16 acres

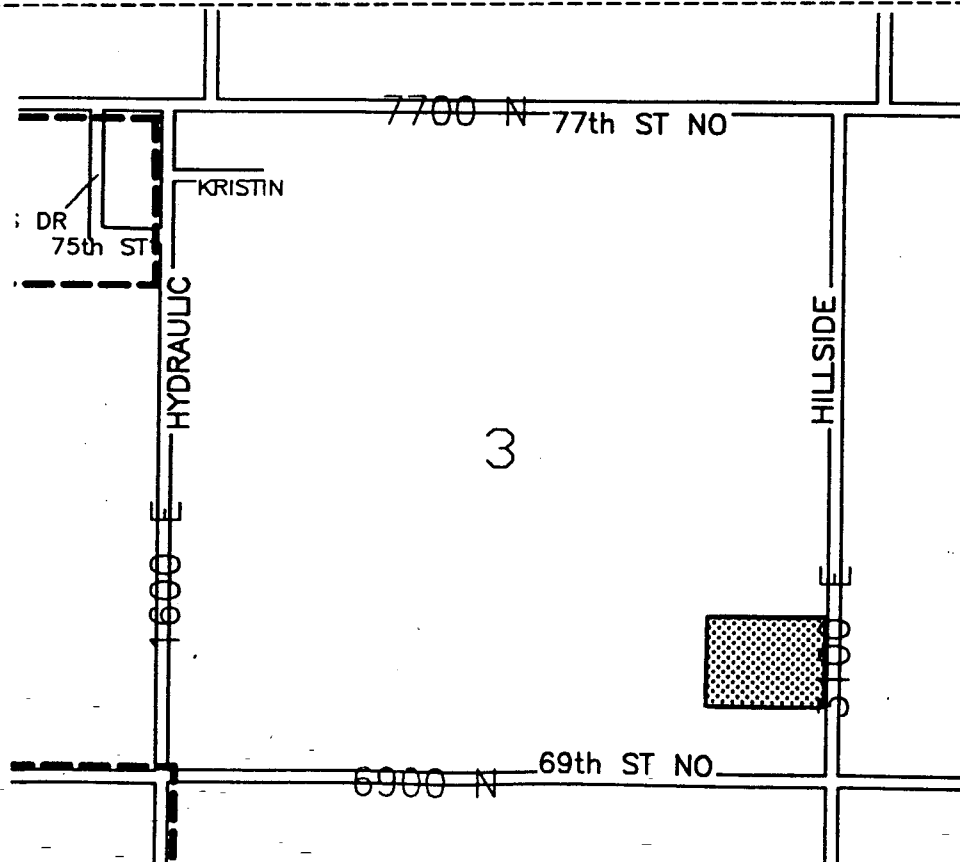
NUMBER OF LOTS

Residential:	3
Office:	
Commercial:	
Industrial:	
Total:	3

MINIMUM LOT AREA: 5 acres

CURRENT ZONING: "R" Rural Residential

VICINITY MAP:



NOTE: This site is located in the County, with an existing home located on the western portion of the site. The site is now being platted to allow for three lots with two of the lots being for new homes and the third lot encompassing the existing house. Based upon the setting and physical conditions at this site, the applicant is proposing to provide access to the three lots through or by means of an already established 15-foot private ingress/egress easement rather than by a public road. A rural water district line is available to the site as an option to the use of on-site water facilities.

STAFF COMMENTS:

- A. Although the sketch plat is indicating the presence of lagoons and a rural water district line exists at this site, Health Department approval for the use of on-site sanitary sewer and water needs to be obtained. The applicant shall contact the Environmental Health Division of the Health Department to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage and water wells. A memorandum shall be obtained specifying approval.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. As indicated by the sketch plat, an existing home on this site has been provided access to Hillside by means of a recorded ingress/egress easement. Rather than dedicate and guarantee a public street for the three lots now being platted, the applicant is requesting to use this existing access easement for all three building sites.

The Subdivision Regulations (7-205(E)) indicate that for single family lots, the use of vehicular access easements is to be "discouraged" but may be allowed when authorized by the Planning Commission. The applicant has indicated to Staff that this site is somewhat isolated and restricted as to access from or to adjoining areas. The southern and westerly property lines for instance are encumbered by an existing pond and the north property line is adjacent to a private drive that provides access to another existing home to the west of this site but a hedgerow physically separates the site from this drive.

In reviewing the aerial photo of this site, a public road along the north line of this site would seem to be a reasonable expectation. However, such road would largely be to the benefit of the property to the north and could be expected to be

dedicated in total when and if that property subdivides. A contingent dedication of right-of-way along this site's north line is an option that could be considered. Planning Staff has also noted that the location of the existing access easement is somewhat of an awkward situation in terms of how it divides the lots and has suggested that if no public street dedication is required along the north property line, that an alternative access easement be considered here. This alternative easement would be created in order to allow for the possible elimination by the property owners of the present easement.

The Subdivision Committee/Planning Commission needs to indicate if they will authorize this plat to use a vehicular access easement or if any other or additional requirements need to be provided for access.

- E. The representative from the County Fire Department should be prepared to indicate any concerns with this plat's proposed access. The applicant has indicated that the Fire Department was in agreement with the use of the access easement for the existing house.
- F. On the final plat tracing, the dedication of access control to Hillside needs to be indicated both on the face of the plat and in the plat's text. County Engineering needs to indicate if, in addition to the existing opening for the access easement, any other openings should be allowed to Hillside. The final plat tracing shall indicate the access control requested.
- G. On the final plat tracing, the plat's text shall be amended to reference the standard plat's language as to the dedication of streets (and access control) and the granting of public easements.
- H. In order to indicate the typical platting of a building setback to public streets, the 40-foot water easement shall also be labeled as a platted building setback. In the event the water easement is reduced or eliminated, a 40-foot setback would still be considered to exist.
- I. On the final plat tracing the lines indicating the 50-foot right-of-way dedication for Hillside shall be shown as dashed lines. Solid lines are used to indicate private streets.
- J. On the final plat tracing, the centerline of Hillside shall be labeled (CL).
- 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. 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.

- M. 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.
- 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.
- P. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage plan. Engineering also needs to indicate if this site is in any way effected by a floodway or minimum building pad requirement. Based on FEMA maps, floodway is located just to the west of this site, but apparently does not directly impact it.

Note: This plat has been submitted in final form only.