

October 5, 1995

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 95-60 HICKORY CREEK ADDITION

OWNER/APPLICANT: Jay Russell, 455 N. Maize, Wichita, KS 67212

SURVEYOR/ENGINEER: Yung Design Group, 4912 E. 29th Street North, Wichita, KS 67220
and
Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: South of 13th Street North and west of 119th Street West

SITE SIZE: 80.0± Acres

NUMBER OF LOTS

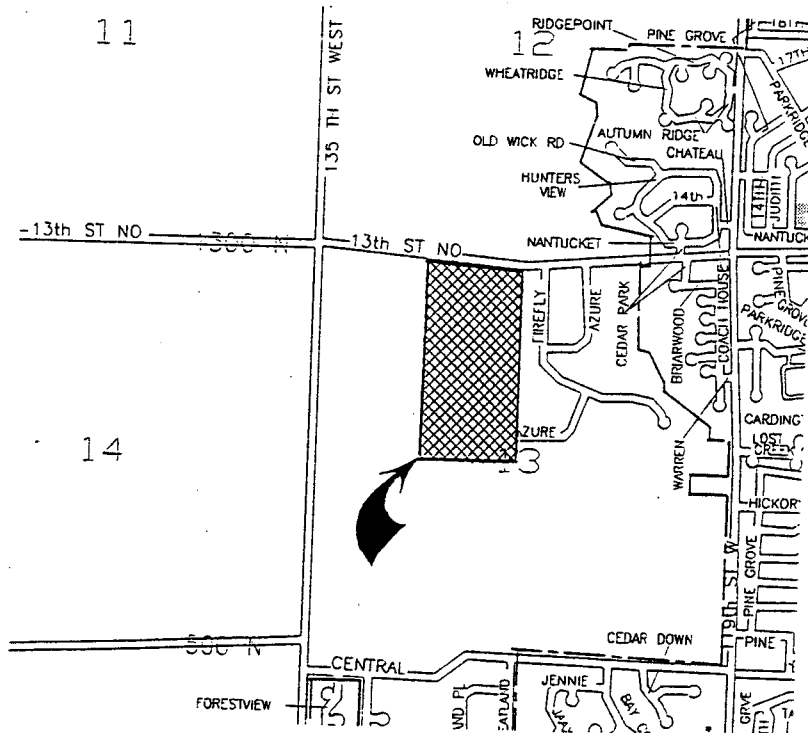
Residential:	164
Office:	
Commercial:	
Industrial:	
Total:	<u>164</u>

MINIMUM LOT AREA: 10,800 sq. ft.

CURRENT ZONING: "R-1"

PROPOSED ZONING: "AA"

VICINITY MAP:



NOTE: This site is presently in the County but adjacent to the City of Wichita. As indicated by the lot sizes being platted, it is anticipated that annexation of the site will occur. Sanitary sewer and water facilities will also be provided from Wichita.

STAFF COMMENTS:

- A. Prior to this plat being forwarded to the Wichita City Council for approval, this site will need to have been annexed to Wichita. Upon annexation, this property will be zoned City "AA" one-family and will allow the lot sizes being platted.
- B. The applicant is advised that a plat named Hickory Creek was platted in the 1950's and while in the County at that time, the plat is now within Wichita being located just north of Central and west of West Street. The final plat shall therefore alter its name so as to not be in conflict with the existing Hickory Creek Addition; e.g., Hickory Creek 2nd, Hickory Creek Estates and so forth.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- D. The applicant shall guarantee the extension of City water to serve the lots being platted. This guarantee shall also provide for the extension of water across this site's frontage to 13th Street North.
- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks. As a collector street, sidewalk is required along both sides of Hickory Creek/Azure. Sidewalks shall also be provided along one side of the section of Azure which extends westward into the abutting property.

While the need for sidewalks on both sides of a collector is typically considered essential because of concerns with safety, this plat's design involving a large Reserve, access easements or extensions of the Reserve and other streets paralleling the collector street suggests that one portion of the required collector sidewalks could be routed along an alternative path. If the applicant desires, an alternative sidewalk should be provided for consideration. That is, a sidewalk along one-side of the collector would still be required with the second section of sidewalk potentially following an alternate route; providing that such alternate route basically supplements the collector's alignment.

- F. Both **City and County Engineering** need to indicate any paving plans for 13th Street North in the area of this Addition. The guaranteeing of 1-lane equivalent along the frontage along with needed traffic improvements has been a requirement for major subdivisions being platted in areas where access is still involving gravel-type arterials. Not only is the area north of this site still in the County, but approximately a quarter mile section to the east is still County on both sides of 13th Street North. A portion of 13th Street North east of this site and west of 119th Street West has, however, been paved. All of 13th Street North east of 119th Street is also paved.

At the least, this site should be required to provide petitions for the future paving, including traffic improvements, of 13th Street North adjacent to the site or other appropriate assurances (affidavit) provided.

- G. The applicant shall guarantee any drainage improvements required by the platting of this property.
- H. The applicant shall guarantee construction of the storm sewers required by this plat.
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- 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. Further, this covenant shall provide for the homeowners' association to maintain the "parking strip" area located between this plat's north line and the driving surface for 13th Street North.
- If a swimming pool and related facilities are planned as a use to be located in a Reserve, the applicant is advised that a site plan as specified in the Subdivision Regulations must be submitted to Planning for review and approval.
- L. 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.
- M. Since Reserve As is being indicated as having certain structure type uses, a 25-foot building setback shall be platted to Hickory Creek.
- N. In the plattor's text, it shall be noted that utilities may cross the wall easement.
- 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 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. The applicant needs to indicate the reason for an opening to 13th Street North being shown in addition to the apparent street opening. If this opening is being requested to serve the driveway presently having access to 13th Street, a contingent dedication of access control shall be noted for this opening such that complete access control will occur when Hickory Creek is constructed.
- Q. On the final plat, the plattor's's text shall note the purpose of the access easements and in what manner the easements shall be abstracted. It is recommended that the improvements (walks) be provided at the time of site development by the developer. Maintenance of the walk
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and easements should also be specified in this Addition's covenants.

- R. As appropriate, along this site's perimeter, wider than standard easements should be employed in order to protect the rows of trees surrounding this site.
 - S. For the drainage easement crossing Lots 36 and 35, Block 1, sufficient dimensions shall be provided to adequately locate this easement.
 - T. On the final plat, the 15-foot building setbacks for corner lots shall be clearly indicated.
 - U. City Fire Department and OCI staff need to indicate if the Hickory Creek Street name is acceptable.
 - V. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
 - W. 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.
 - X. 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
 - Y. 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.
 - Z. 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
 - AA. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Ron Little, Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
 - BB. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
 - CC. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage concept.
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November 9, 1995

STAFF REPORT
(Final Plat, Preliminary Plat Approved 10/5/95)

CASE NUMBER: S/D 95-60 HICKORY CREEK ESTATES ADDITION

OWNER/APPLICANT: Jay Russell, 455 N. Maize, Wichita, KS 67212

SURVEYOR/ENGINEER: Yung Design Group, 4912 E. 29th Street North, Wichita, KS 67220
and
Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: South of 13th Street North and west of 119th Street West

SITE SIZE: 80.0 ± Acres

NUMBER OF LOTS

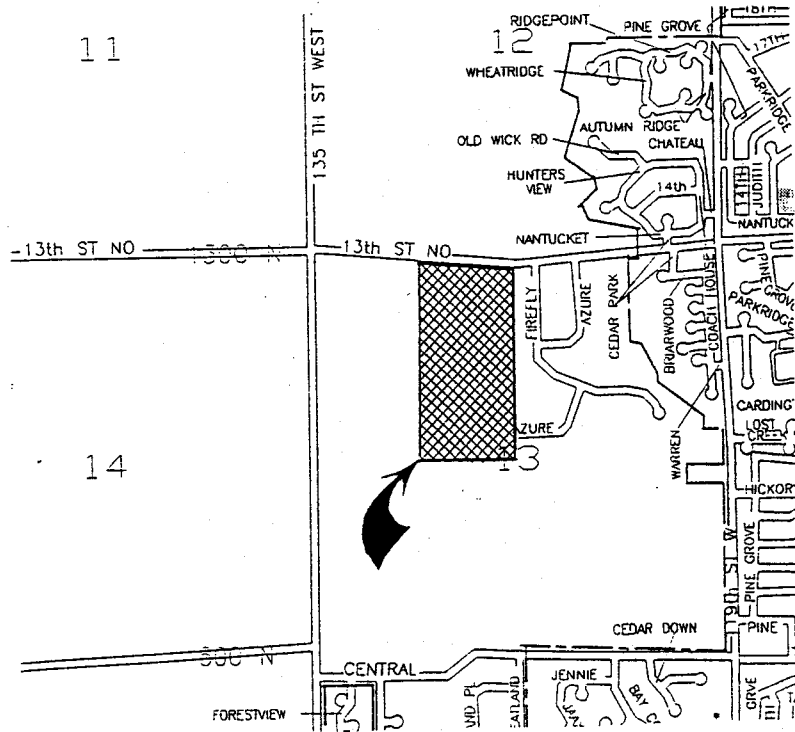
Residential:	153
Office:	
Commercial:	
Industrial:	
Total:	<u>153</u>

MINIMUM LOT AREA: 10,800 sq. ft.

CURRENT ZONING: "R-1"

PROPOSED ZONING: "AA"

VICINITY MAP:



NOTE: This site is presently in the County but adjacent to the City of Wichita. As indicated by the lot sizes being platted, it is anticipated that annexation of the site will occur. Sanitary sewer and water facilities will also be provided from Wichita. The final plat has been revised somewhat from what was shown on the preliminary plat, resulting in a reduction in the number of lots (from 164 to 153).

STAFF COMMENTS:

- A. Prior to this plat being forwarded to the Wichita City Council for approval, this site will need to have been annexed to Wichita. Upon annexation, this property will be zoned City "AA" one-family and will allow the lot sizes being platted.
- 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 also provide for the extension of water across this site's frontage to 13th Street North.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks. As a collector street, sidewalk is required along both sides of Hickory Creek/Azure. Sidewalks shall also be provided along one side of the section of Azure which extends westward into the abutting property.

While the need for sidewalks on both sides of a collector is typically considered essential because of concerns with safety, this plat's design involving a large Reserve, access easements or extensions of the Reserve and other streets paralleling the collector street suggests that one portion of the required collector sidewalks could be routed along an alternative path. If the applicant desires, an alternative sidewalk should be provided for consideration. That is, a sidewalk along one-side of the collector would still be required with the second section of sidewalk potentially following an alternate route; providing that such alternate route basically supplements the collector's alignment.

- E. Prior to submitting the final plat, the applicant was to meet with City and County Engineering to determine requirements for paving 13th Street North and improvements to the bridge in 13th Street North adjacent to this site and if traffic improvements will be required to serve this site's entrance at 13th Street North. As determined appropriate, the applicant is to provide guarantees for such improvements. City and County Engineering need to indicate any such requirements.
 - F. The applicant shall guarantee any drainage improvements required by the platting of this property.
 - G. The applicant shall guarantee construction of the storm sewers required by this plat.
 - H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
 - I. 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
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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. Further, this covenant shall provide for the homeowners' association to maintain the "parking strip" area located between this plat's north line and the driving surface for 13th Street North.

Since a swimming pool and related facilities are planned as a use to be located in one of the Reserves, a site plan as specified in the Subdivision Regulations must be submitted to Planning for review and approval.

- J. 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.
- K. 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.
- L. The final plat tracing shall indicate on the face of the plat complete access control to 13th Street North from the adjacent lots and Reserves (D & C).
- M. It is recommended that the improvements (walks) for the pedestrian access easements be provided at the time of site development by the developer. Maintenance of the walks and easements should also be specified in this Addition's covenants.
- N. 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- O. 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.
- P. 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Q. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Ron Little, Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

- R. Prior to this plat being released for recording, the applicant shall provide proof that ownership of the property is vested in the party signing the plat as the plattor. The platting binder presently indicates ownership in a different party.
 - S. The utility representatives need to confirm if the easements now being platted are sufficient. During review of the preliminary plat, additional easements had been requested.
 - T. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
 - U. Recording of the plat within 30 days after approval by the City Council.
 - V. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage plan.
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January 4, 1996

STAFF REPORT
(Revised Final Plat)
(Final Plat Approved 11/9/95, Preliminary Plat Approved 10/5/95)

CASE NUMBER: S/D 95-60 HICKORY CREEK ESTATES ADDITION

OWNER/APPLICANT: Jay Russell, 455 N. Maize, Wichita, KS 67212

SURVEYOR/ENGINEER: Yung Design Group, 4912 E. 29th Street North, Wichita, KS 67220
and
Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: South of 13th Street North and west of 119th Street West

SITE SIZE: 80.0 ± Acres

NUMBER OF LOTS

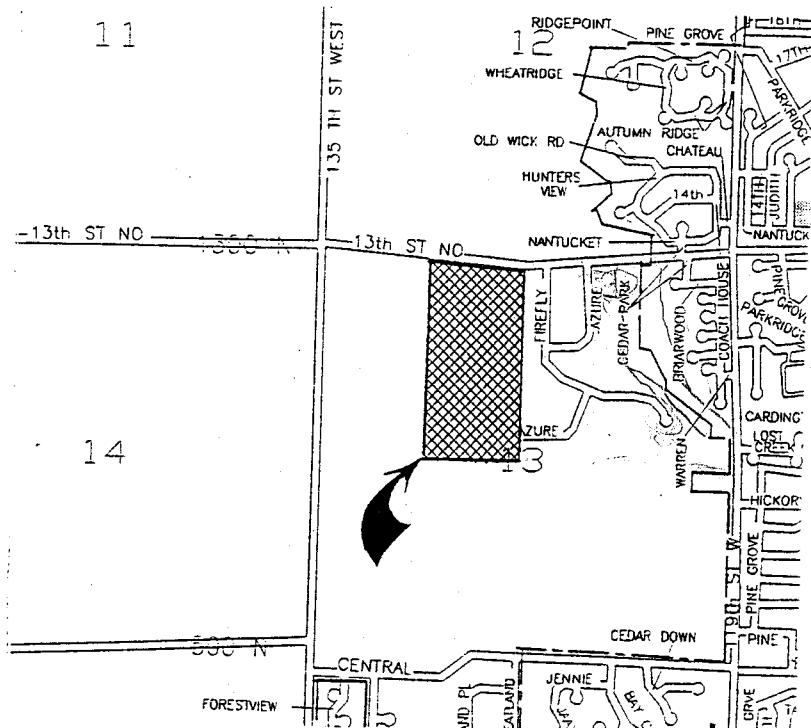
Residential:	153
Office:	
Commercial:	
Industrial:	
Total:	<u>153</u>

MINIMUM LOT AREA: 10,800 sq. ft.

CURRENT ZONING: "R-1"

PROPOSED ZONING: "AA"

VICINITY MAP:



NOTE: A plat of the Hickory Creek Estates Addition was approved by the MAPC 11/16/95. The conditions listed below are associated requirements also approved for this plat. The applicant has, however, requested that a change be considered in the plat as approved. The applicant is requesting that an area along the western end of Reserve A and adjacent to Hickory Creek Street be allowed to be platted in such a manner that parking could be accommodated within an easement. The parking at that location is being provided to serve a community swimming pool planned for that site (Reserve A).

While City and Traffic Engineering have discussed this situation with the applicant and have suggested that street right-of-way could be reduced in the area of the planned parking easement, the situation as proposed is in direct conflict with a Policy Statement No. 13 adopted by the MAPC in 1986 concerning the creation of parking type areas within residential areas. Further, the requirement to submit a site plan for a Reserve being platted within a swimming pool, places approval of such a plan, which is to include the provision of parking, with the Director of Planning. Consequently approval of this proposed change to the plat requires concurrence by both the Planning Commission as regards Policy Statement 13 and by the Planning Director as to the acceptability of a site plan and in this case with the proposed parking, provided along street right-of-way.

A copy of Policy Statement No. 13 and a site plan of the proposed "off"-street parking area along Reserve A have been included in the mailout to the Subdivision Committee Commissioners and other involved parties. Copies of the revised plat, however, were not provided at the appropriate closing date for normal distribution. The revised plats will consequently be distributed at the January 4, 1996 meeting. In regard to the comments or conditions as approved by the MAPC, this revision to the plat does not itself alter or revise these conditions and if this revised plat is approved, the comments listed below shall still apply.

STAFF COMMENTS:

- A. Prior to this plat being forwarded to the Wichita City Council for approval, this site will need to have been annexed to Wichita. Upon annexation, this property will be zoned City "AA" one-family and will allow the lot sizes being platted.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. The applicant shall also submit calculations needed to determine the capacity of a lift station needed to serve this site. If determined necessary by City Engineering, guarantees shall also be provided for any needed improvements to this lift station.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted. This guarantee shall also provide for the extension of water across this site's frontage to 13th Street North.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks. As a collector street, sidewalk is required along both sides of Hickory Creek/Azure. Sidewalks shall also be provided along one side of the section of Azure which extends westward into the abutting property.

While the need for sidewalks on both sides of a collector is typically considered essential because of concerns with safety, this plat's design involving a large Reserve, access easements or extensions of the Reserve and other streets paralleling the collector street suggests that one

portion of the required collector sidewalks could be routed along an alternative path. If the applicant desires, an alternative sidewalk should be provided for consideration. That is, a sidewalk along one-side of the collector would still be required with the second section of sidewalk potentially following an alternate route; providing that such alternate route basically supplements the collector's alignment.

- E. As requested by City Engineering, the applicant shall provide appropriate guarantees to participate in the paving of 13th Street North adjacent to this site.
 - F. The applicant shall guarantee any drainage improvements required by the platting of this property. As requested by City Engineering, additional drainage information is needed before the drainage plan can be approved. Also any additional easements or widening of drainage easements determined necessary shall be provided for on the final plat tracing.
 - G. The applicant shall guarantee construction of the storm sewers required by this plat.
 - H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
 - I. 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. Further, this covenant shall provide for the homeowners' association to maintain the "parking strip" area located between this plat's north line and the driving surface for 13th Street North.

Since a swimming pool and related facilities are planned as a use to be located in one of the Reserves, a site plan as specified in the Subdivision Regulations must be submitted to Planning for review and approval.
 - J. 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.
 - K. 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.
 - L. The final plat tracing shall indicate on the face of the plat complete access control to 13th Street North from the adjacent lots and Reserves (D & C).
 - M. It is recommended that the improvements (walks) for the pedestrian access easements be provided at the time of site development by the developer. Maintenance of the walks and easements should also be specified in this Addition's covenants.
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- N. 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- O. 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.
- P. 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Q. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Ron Little, Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- R. Prior to this plat being released for recording, the applicant shall provide proof that ownership of the property is vested in the party signing the plat as the plattor. The platting binder presently indicates ownership in a different party.
- 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 final plat shall indicate the utility easements requested by K.G.& E. which are indicated on the enclosed "marked" copy of the plat.
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