

**SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING COMMISSION**

**AGENDA ITEM NO. 5**

**February 2, 1995**

*Pinehurst?*

**STAFF REPORT  
(Preliminary Plat)**

**CASE NUMBER:** S/D 95-4 STONEBRIDGE ADDITION

**OWNER/APPLICANT:** P.D.S. Development, Co., Inc., 6100 E. Central - Suite 215, Wichita, KS 67208

**SURVEYOR/ENGINEER:** P.E.C., P.A., 303 S. Topeka, Wichita, KS 67202

**OTHER:** Brad T. Murphree, Blair & Murphree, P.A., 400 N. Woodlawn - Suite 1, Wichita, KS 67208-4395  
Bruce Wilgers, 522 Turnberry Circle, Wichita, KS 67230  
Robert Oberfell, 533 Turnberry Circle, Wichita, KS 67230

**LOCATION:** North of Central and west of 143rd Street East

**SITE SIZE:** 17.64 ± Acres

**NUMBER OF LOTS**

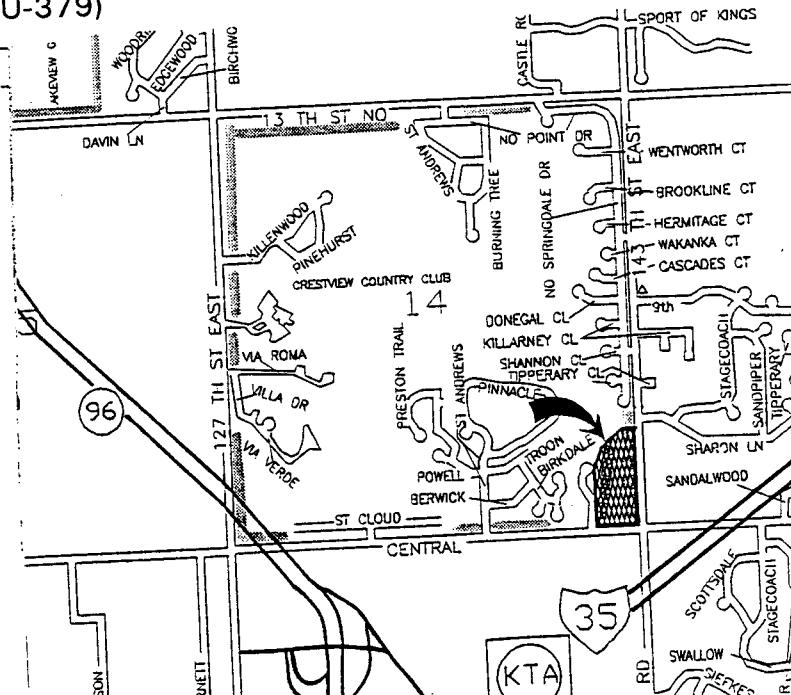
Residential:	33
Office:	
Commercial:	
Industrial:	
Total:	<u>33</u>

**MINIMUM LOT AREA:** 9500 sq. ft.

**CURRENT ZONING:** R-1

**PROPOSED ZONING:** "AA" (SCZ-0678 and CU-379)

**VICINITY MAP:**



NOTE: This site is involved in both a zone change and a conditional use (SCZ-0678 and CU-379). While the County zone change is to "AA" one-family zoning, the conditional use has been requested to allow two-family uses, provided a minimum lot size of 10,000 square feet is involved. Except for apparently one lot (Lot 12, Block 2) all lots are greater than 10,000 sq. ft.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in 143rd Street East, the applicant shall submit an outside-the-City water service application and associated restrictive covenant.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee will be with the County.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee the paving of the proposed private interior streets to the public street standard. The applicant is reminded that a petition cannot be used as a guarantee for a private street.

In regard to this street's width and paving requirement, the Subdivision Regulations require private streets to meet the standards for an equivalent public street [7-201(U)]. A looped street with a paved width of 29 ft. is intended to serve not more than 36 single family lots or the equivalent of 36 dwelling units. This site, however, under CU-379 has been established for the purpose of duplex or two-family uses on each lot. Consequently, this plat can have 66 dwelling units or nearly twice the number for which a 29-foot street could be allowed. Consequently, the final plat shall provide a Reserve width adequate for a paved street of 35-feet (equivalent to a public street with a 64-foot right-of-way).

That is, as long as this site maintains a conditional use for two-family dwellings, the final plat shall show a reserve with a 64-foot width and a guarantee for the paving of a 35-foot street (back of curb to back of curb). Since the conditional use restricts two-family units to lots of at least 10,000 sq. ft., a reduction in the number of platted lots may result if two-family uses are intended for each lot. Nonetheless, the possible number of dwelling units will still significantly exceed the maximum number allowed for the presently indicated 29-foot street.

- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. Both a City and County Petition, as appropriate, shall be submitted.
- F. 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.
- G. 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" area located between the perimeter of this plat and the driving surfaces for Central and 143rd Street East.

- H. For those reserves 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.
- I. If this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement, (the conditional use for 2-family is removed)" 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 planting within this easement shall be reviewed by the City Forestry Division prior to installation.
- J. The County Fire Department needs to comment on the adequacy of the emergency access easement shown for this site (width, location, requirements for a driving surface, etc.).  
  
Also, the County needs to indicate the acceptability of the indicated street name. A Stonebridge Ln already exists in an area south of Central and east of Rock. This street does not, being north of Central, align properly with the existing Stonebridge. Further, the same street name for a looped street has the potential for creating addressing conflicts. If determined appropriate, the final plat shall indicate a revised name or names for this private street.
- K. The platting of the minimum building pad elevation shall be noted on the face of the plat as well as in the plattor's text.
- L. As this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).
- M. Since this plat involves the platting of a floodway, the plattor's text on the final plat shall reference the standard floodway language.
- N. The applicant is advised that any lot of less than 10,000 sq. ft. can according to CU-379 only be used for one-family, not two-family development. Lot 12, Block 2 appears to be under 10,000 sq. ft.
- O. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- P. 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.

- Q. 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.
- R. 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.
- S. 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.)
- T. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- U. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage concept.
- V. 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 Fish and Wildlife, 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.

March 2, 1995

**STAFF REPORT**  
(Final Plat, Preliminary Plat Approved 2/2/95)

**CASE NUMBER:** S/D 95-4 PINEHURST (STONEBRIDGE) ADDITION

**OWNER/APPLICANT:** P.D.S. Development, Co., Inc., 6100 E. Central - Suite 215, Wichita, KS 67208

**SURVEYOR/ENGINEER:** P.E.C., P.A., 303 S. Topeka, Wichita, KS 67202

**OTHER:** Brad T. Murphree, Blair & Murphree, P.A., 400 N. Woodlawn - Suite 1, Wichita, KS 67208-4395  
Bruce Wilgers, 522 Turnberry Circle, Wichita, KS 67230  
Robert Oberfell, 533 Turnberry Circle, Wichita, KS 67230

**LOCATION:** North of Central and west of 143rd Street East

**SITE SIZE:** 17.64 ± Acres

**NUMBER OF LOTS**

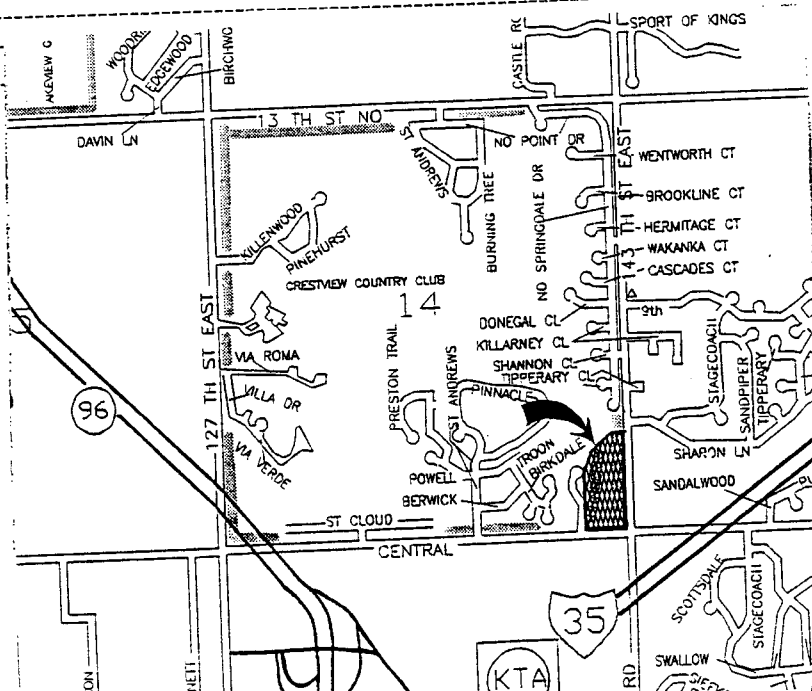
Residential:	32
Office:	
Commercial:	
Industrial:	
Total:	<u>32</u>

**MINIMUM LOT AREA:** 9500 sq. ft.

**CURRENT ZONING:** R-1

**PROPOSED ZONING:** "AA" (SCZ-0678 and CU-379)

**VICINITY MAP:**



NOTE: This site is involved in both a zone change and a conditional use (SCZ-0678 and CU-379). While the County zone change is to "AA" one-family zoning, the conditional use had been requested to allow two-family uses, provided a minimum lot size of 10,000 square feet is involved. This conditional use is now being withdrawn at the applicant's request. It should also be noted that a minor change is being shown by the final plat by a reduction from 33 to 32 lots.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of City water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in 143rd Street East, the applicant shall submit an outside-the-City water service application and associated restrictive covenant.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee will be with the County. As indicated by County Engineering, additional easement may be required for a sanitary sewer interceptor.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property. These improvements may be included with the paving guarantees.
- D. The applicant shall guarantee the paving of the proposed private interior streets to the public street standard. The applicant is reminded that a petition cannot be used as a guarantee for a private street.

Provided that the applicant removed the conditional use (CU-379) for 2-family development, a 29-foot paved private street can be allowed. The applicant has submitted a letter to the Planning Department (Zoning section) requesting that the conditional use be removed. It is understood that CU-379 was approved subject to platting and while this plat would complete the conditions to allow the conditional use to go into effect, it should be appropriate to withdraw the conditional use at this time, noting that completion of this plat will not now result in adoption of the Conditional Use.

- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. Both a City and County Petition, as appropriate, shall be submitted.
- F. 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" area located between the perimeter of this plat and the driving surfaces for Central and 143rd Street East.
- G. For those reserves 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.

- H. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 29-foot private 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.
- I. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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.
- J. The applicant shall be responsible for all needed improvements in respect to the emergency access easement (paving, gates, etc.). The plat's text shall also note this easement, specifically indicating that the easement is to be unobstructed (except for an approved gate).

Also, the applicant is advised that a Stonebridge Ln already exists in an area south of Central and east of Rock. This street does not, being north of Central, align properly with the existing Stonebridge. Further, the same street name for a looped street has the potential for creating addressing conflicts. Again, both the applicant and Fire Department need to verify that the names and alignments of these two streets will not be a safety or addressing problem.

- K. 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.
- L. 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.
- 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. (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.)
- N. 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 Fish and Wildlife, 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.
- O. Perimeter closure computations shall be submitted with the final plat tracing Section 5-101(c).
- P. Recording of the plat within 30 days after approval by the City Council.
- Q. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage plan.