

S/D No.: 85-41 Name: WINDEMERE ADDITION

Preliminary Approved: 5/9/85
Scheduled S/D Meeting: 6/20/85

DESCRIPTION

General Location: South of Oxford Street in an area east of Rock Road.
Owner: Tallgrass Company, 8100 E. 22nd St. No., Bldg. 1900, Wichita, KS 67226
Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

1. Gross Acreage of Plat: 14.4 Acres
 2. Number of Lots:
 - Residential: 51
 - Office:
 - Commercial:
 - Industrial:
 - Total: 51
 3. Minimum Lot Area: 6,050 Sq. Ft.
 4. Existing Zoning: "AA" with DP-96
 5. Proposed Zoning: "AA" with DP-96
-

STAFF COMMENTS:

NOTE: This plat was deferred for two weeks at the June 6, 1985 Subdivision Committee Meeting.

- A. The applicant shall guarantee extension of sanitary sewer to serve all lots being platted.
- B. The applicant shall guarantee extension of municipal water to serve all the lots being platted.
- C. The applicant shall guarantee the paving of the private street system (Oxford Circle and Oxford). Oxford Circle shall be guaranteed to the 29-foot back-of-curb to back-of-curb standard. Oxford shall be guaranteed to the standard established when Silverleaf was platted to the west.
- D. The applicant shall guarantee all drainage improvements required by the platting of this property.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The applicant shall submit an avigational easement and restrictive noise covenant for this property.
- G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat. It shall be specified that this covenant is binding on all future owners and is a covenant running with the land.
- H. On the final plat tracing, Oxford Street shall be labeled in the north-west corner of the plat.
- I. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the C.U.P. requires the submission of a site plan for approval by the Director of Planning. The present C.U.P. depicts development of this parcel with townhomes. Since the applicant now proposes zero lot line homes on this property, a revised site plan shall be approved by the Director of Planning prior to the submission of the plat for scheduling before the Board of City Commissioners.
- J. The applicant shall grant, by separate instrument, the 10-foot off-site utility easement indicated on the preliminary plat adjacent to the west line of this plat.
- K. The applicant shall grant, by separate instrument, the 20-foot off-site utility easement indicated on the preliminary plat adjacent to the east line of this plat.

- L. 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. The covenant shall contain a provision which gives the City the authority to maintain the reserves and charge the costs to the owner(s) in the event the owner(s) fail to maintain the reserves. Preliminary discussions with the Law Department indicate that the covenant will need to provide for the reversionary rights of Reserves G, H, J and K to adjacent lot owners in the event the Homeowners' Association should cease to exist. Wording regarding the reversionary rights will need to be reviewed and approved by the City Legal Department. The wording issues, regarding Reserves G thru K, shall be resolved prior to submitting this plat for scheduling before the Board of City Commissioners.
- M. 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation. It shall be specified that this covenant is binding on all future owners and is a covenant running with the land.
- N. The final plat tracing shall label the 20-foot building setback on Lots 1 and 24, Block 1.
- O. The final plat tracing shall indicate a 20-foot building setback on Lot 16, Block 1.
- P. The final plat tracing shall dimension the utility easement in the northwest corner of Lot 9, Block 2.
- Q. The final plat tracing shall dimension the utility easement and building setback being platted on the front of Lot 20, Block 1.
- R. The final plat tracing shall indicate the recording information for the existing 20-foot utility easement that crosses this property.
- S. On the final plat tracing, the plattor's text shall be amended to reference that Reserve "F" is being platted for private street purposes.
- T. Closure computations shall be submitted with the final plat tracing.
- U. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- V. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, are any drainage improvements required by this plat, are the boundaries of the floodway adequate and are the proposed minimum building pads correct?
- W. At the time this plat was considered in preliminary form, the street name "Oxford Circle" was suggested by several members of the Utility Advisory Committee. After checking with the Office of Central Inspection, it has been learned that, if all streets within this addition are named Oxford Circle, an address numbering problem will be created. The following street name changes are suggested:
 - 1. East/west street from Reserve B to Reserve G - WINDEMERE (alternate for 25th Street North).
 - 2. East/west street from Reserve J to Reserve H - WINDWOOD.
 - 3. North/south street from Reserve G to Reserve H - PENSTEMON.
 - 4. North/south street from north line of Lot 33, Block 1 to Reserve J - TARA.
 - 5. Cul-de-sac serving Lots 16 thru 26, Block 1 - TARA CIRCLE or WINDWOOD COURT.

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Surveyor/Engineer: Bill G. Yung Design

1. Gross Acreage of Plat: 14.4 Acres
 2. Number of Lots:
 - Residential: 51
 - Office:
 - Commercial:
 - Industrial:
 - Total: 51
 3. Minimum Lot Area: 6,050 Sq. Ft.
 4. Existing Zoning: "AA" Under CUP
 5. Proposed Zoning: "AA" Under CUP
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STAFF COMMENTS:

- NOTE: This property is subject to the provisions of the Tallgrass Community Unit Plan (DP-96). This property is a plat of Parcel No. 10. Development of this property is planned for 51 zero lot line homes.
- A. The applicant shall guarantee extension of sanitary sewer to serve all the lots being platted.
 - B. The applicant shall guarantee extension of municipal water to serve all the lots being platted.
 - C. The applicant shall guarantee the paving of the proposed interior streets to the 29-foot public street standard. The applicant's agent shall be prepared to state what paving width is proposed for the 24-foot wide private street stubs.
 - D. The applicant shall guarantee all drainage improvements required by the platting of this property.
 - E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
 - F. The applicant shall submit an avigational easement and restrictive noise covenant for this property.
 - G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat.
 - H. Item 13 of the General Provisions of DP-96 states that the development of a parcel with a land use not illustrated on the C.U.P. requires the submission of a site plan for approval by the Director of Planning. The present C.U.P. depicts development of this parcel with townhomes. Since the applicant now proposes zero lot line homes on this property, a revised site plan shall be approved by the Director of Planning prior to the submission of a final plat for this property.
 - I. On the final plat, the 15-foot public drainage, utility and private street easement shall be shown within the Reserves adjacent to the private streets.
 - J. The applicant shall grant, by separate instrument, the 10-foot off-site utility easement indicated adjacent to the west line of this plat.
 - K. The applicant shall grant, by separate instrument, the 20-foot off-site utility easement indicated adjacent to the east line of this plat.

- L. On the final plat, the 15-foot easement, adjacent to both sides of Reserve F (private street), shall be labeled "15-foot public drainage, utility and private street easement."
- M. On the final plat, the "15-foot public drainage, utility and private street easement" shall be fully indicated on all sides of the proposed 24-foot wide private street stubs.
- N. On the final plat, the purposes of the reserves shall be stated in the plat's text. The text shall also specify ownership of the reserves.
- O. 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. The covenant shall contain a provision which gives the City the authority to maintain the reserves and charge the costs to the owner(s) in the event the owner(s) fail to maintain the reserves.
- P. 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.
- Q. In order to provide a 5-foot landscaping strip between the front or side of each home and the "15-foot public drainage, utility and private street easement," the final plat shall indicate a 20-foot building setback on each lot from Reserve F. The C.U.P. does not provide for the 5-foot separation.
- R. In order to provide for the sideyard setbacks made necessary by the proposed zero lot line development, the final plat shall specify, on the face of the plat as well as in the plat's text, that "sideyard setbacks are per the requirements of the Tallgrass Community Unit Plan (DP-96) on file with the Wichita-Sedgwick County Metropolitan Area Planning Department."
- S. If the proposed "5-foot maintenance easement" is to be utilized for a roof overhang, this purpose shall be so stated in the plat's text on the final plat.
- T. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- U. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).
- V. The City Engineer's representative shall be prepared to comment on the drainage concept for this property and state whether any drainage improvements need to be guaranteed with the plat.
- W. The Subdivision Committee members, City Engineer's representative, Traffic Engineer, Fire Chief and the agent for the applicant should be prepared to discuss the need for the final plat to indicate hammerhead turnarounds for the proposed 24-foot wide private street stubs.

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