

October 5, 1995

**STAFF REPORT**  
**(Preliminary Plat)**

**CASE NUMBER:** S/D 95-70 WOODS ESTATES ADDITION

**OWNER/APPLICANT:** Mr. and Mrs. Dale Woods, Box 245, Larned, Kansas 67550

**SURVEYOR/ENGINEER:** Moehring & Associates, 433 S. Hydraulic, Wichita, KS 67211

**LOCATION:** South of 29th Street North and west of 127th Street East

**SITE SIZE:** 163.03 Acres

**NUMBER OF LOTS**

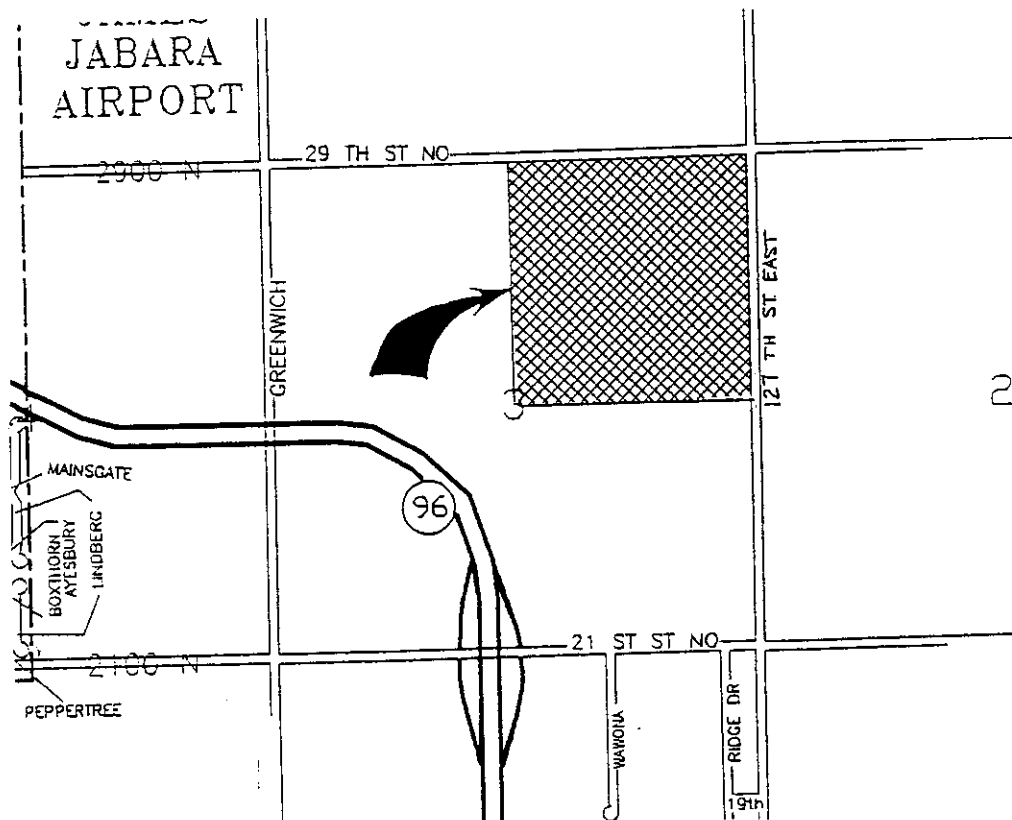
Residential:	29
Office:	
Commercial:	
Industrial:	
Total:	<u>29</u>

**MINIMUM LOT AREA:** 5.01 Acres

**CURRENT ZONING:** "R" and "R-1"

**PROPOSED ZONING:** "R"

**VICINITY MAP:**



NOTE: The platting of this site involves a number of issues. Based on the Comprehensive Plan, this area was intended to remain agricultural in nature but if residential uses were to occur, minimum lot sizes of 20 acres and/or cluster-type development would be preferred. This plat, however, is proposing a fairly typical, 5-acre suburban-type development. At the same time, urban-type development and subdivisions are occurring just south of this site either side of 127th Street East. Until the zoning code contains a district with larger minimum lot sizes than we currently have, staff will not oppose 5-acre lots in agricultural areas.

Also of concern is the design of this addition such that several lots require direct access out to 29th Street North, a mile line road. However, this street is not an arterial in the transportation plan and a section of the street to the west, south of Jabara Airport, has been vacated resulting in 29th Street being a discontinuous-type facility. Nonetheless, future subdivisions in this area should be anticipated and most if not all will likely be a more typical urban density resulting in traffic volumes and speeds higher than expected of a simple residential-type street. That is, direct residential access to such streets needs to be controlled.

While as a relatively low density Addition, paving of the adjacent mile line roads (both 29th and 127th Streets are presently gravel) would at this time seem questionable, the ongoing development in this area along with future growth along both of these roads, will ultimately require their paving. The presence of the N.E. Freeway will itself encourage if not assure such future development.

No municipal facilities (sanitary sewer and water) are presently directly available to this site. Nonetheless, Wichita's City Limits and facilities are or will soon be within one to one and one half miles of this site. Guarantees for the future extensions of these facilities may therefore be justifiable. The indicated rural water district line is through Butler County and such lines are generally not actually available for use by new developments.

Finally, a pipeline is shown along this site's east line or adjacent to 127th Street East. The preliminary plat has not clearly indicated the easement or area involved with this pipeline. The S/D regulations and Planning Department have taken the position that in except unusual situations, such pipelines (easements, setbacks, etc.) should be platted as a Reserve. This plat however, is not platting any other forms of Reserves requiring the formation of a homeowners' association and consequently, a means to also maintain a Reserve for a pipeline. As both a practical matter and an issue of safety, however, a reserve should still be considered. For this particular situation, such a reserve would apparently run immediately along the west line of 127th Street East and should have minimal or no impacts on lot configurations or the plat's layout. Although it is noted that many of the lots in this plat are at the minimum 5-acre size needed for lagoons.

STAFF COMMENTS:

- A. Since neither municipal water nor sanitary sewer is available to serve this property, 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 facilities and water wells. A memorandum shall be obtained specifying approval.
- B. The applicant shall guarantee the installation of the interior streets to the suburban street standard.
- C. Staff recommends that the plat be redesigned so that none of the lots have direct access to the section line roads.
- D. For any lot requiring direct access to 29th or 127th Streets, access control except for one opening shall be dedicated. For any such lot at the intersection of 29th and 127th Streets, 100-feet of complete access control shall be dedicated from the northeast corner of the lot back and along these two streets. For lots adjacent to these streets but having access by an internal street, complete access control shall be dedicated to 29th or 127th Streets. Both the face of the final plat and the plat's text shall indicate such dedications with the text also noting the dedication is to the Appropriate Governing body and opening locations determined by the appropriate Engineer.
- E. Staff needs a clarification of how wide the pipeline easement is along 127th Street before we can determine if we would recommend a reserve or not.
- F. The applicant shall submit a copy of the instrument which establishes the Conoco Pipeline Easement on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement. If a setback from the pipeline easement is provided for in the pipeline easement agreement, it shall be indicated on the face of the plat.
- G. For the pipeline easement on this property, the final plat shall include in the labeling of the easement the name of the company benefiting from the easement agreement.
- H. The final plat shall indicate the recording information for the pipeline easement on this property.
- I. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- J. On the final plat, the KG&E easement shall also be labeled and appropriate recording information shown. To adequately describe this easement's position on the effected lots, sufficient dimensions shall be shown from lot corners to this easement and/or adjacent utility easement.
- 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. (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.)
- 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- N. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- O. 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.
- P. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or 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.
- Q. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- R. The representatives from County Engineering should be prepared to comment on the status of the applicant's drainage concept.