

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

May 14, 1992

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 92-17 - WOODBRIDGE 6TH ADDITION

OWNER/APPLICANT: Slawson Investment Corp. c/o Larry Chambers,
104 S. Broadway, Suite 200, Wichita, KS 67202

SURVEYOR/ENGINEER: Professional Engineering Consultants, % Gary
Wiley, 303 S. Topeka, Wichita, KS 67202

LOCATION: Southeast Corner of 119th Street West and 21st
Street North

SITE SIZE: 7.34 Acres

NUMBER OF LOTS

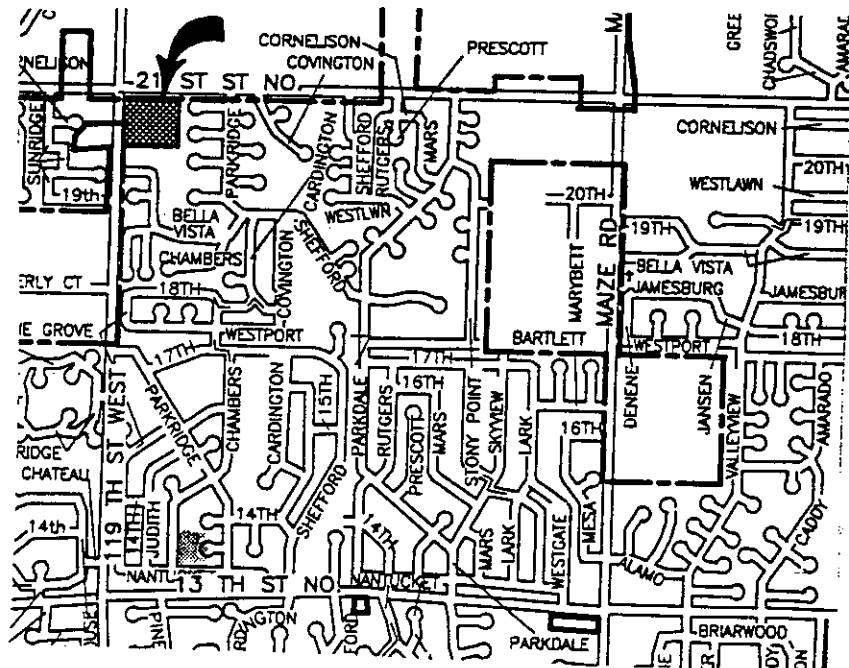
Residential:	29
Office:	
Commercial:	
Industrial:	
Total:	29

MINIMUM LOT AREA: 6,555 sq. ft.

CURRENT ZONING: "LC" light-commercial, DP-160

PROPOSED ZONING: "AA" one-family

VICINITY MAP:



STAFF COMMENTS:

NOTE: The entirety of this site is presently zoned "LC" light commercial and is under the Woodbridge Commercial Community Unit Plan DP-160. However, as is indicated by this plat, much of this CUP is now being replatted into conventional residential lots. The area indicated as Lot 1, Block 1, Woodbridge 4th is not being included in this replat and is apparently the only portion of the original CUP and "LC" zoning now being planned for commercial development.

STAFF COMMENTS:

- A. Prior to this plat being scheduled for City Council review, the applicant shall obtain either an amendment or adjustment to CUP DP-160 to reflect the development plans now being indicated by this plat.
- B. The applicant shall also obtain a zone change, to an appropriate residential zoning classification for the area of this plat.
- C. The applicant shall abandon any applicable existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects.
- D. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- E. The applicant shall guarantee the extension of City water to serve the lots being platted.
- F. The applicant shall guarantee any drainage improvements required by the platting of this property.
- G. The application shall guarantee construction of the storm sewers required by this plat.
- H. The applicant shall guarantee the paving of the proposed interior streets. Since Cornelison/Pine Grove will also be a direct connection between two arterials and may be expected to carry additional traffic volumes, a sidewalk shall be guaranteed along one side of this street. Because of the possible levels of traffic, it is recommended that sidewalk be provided on both sides of this street.
- I. When this site was platted as a commercial development, the CUP indicated that traffic improvements should be determined at the time of platting. Traffic Engineering needs to indicate if under the present development plans, this plat should now be responsible for any traffic guarantees.
- J. If improvements are guaranteed by petition, a notarized

certificate listing the petitions shall be submitted to the Planning Department for recording.

- K. The applicant is advised that in adjusting or amending the CUP for this site, if this residential area is simply deleted from the CUP, the use of 20-foot building setbacks or lots with frontages of under 60 feet cannot be supported under the Subdivision or zoning regulations. That is, if not provided for by a CUP, setbacks of at least 25 feet and lots with at least 60-foot frontages shall be platted.
- L. 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.
- M. On the final plat the side lot utility easements on lots 1 and 16, Block 2, shall also be labeled as a building setback.
- N. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- O. The applicant shall install or guarantee the installations of all utilities and facilities which are applicable and described in Article 8 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 City Engineering for review and approval.
- Q. 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.
- R. 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.
- S. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- T. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

June 25, 1992

STAFF REPORT
(Final Plat, Preliminary Plat Approved 5/14/92)

CASE NUMBER: S/D 92-17 - WOODBRIDGE 6TH ADDITION

OWNER/APPLICANT: Slawson Investment Corp. c/o Larry Chambers,
104 S. Broadway, Suite 200, Wichita, KS 67202

SURVEYOR/ENGINEER: Professional Engineering Consultants, % Gary
Wiley, 303 S. Topeka, Wichita, KS 67202

LOCATION: Southeast Corner of 119th Street West and 21st
Street North

SITE SIZE: 7.34 Acres

NUMBER OF LOTS

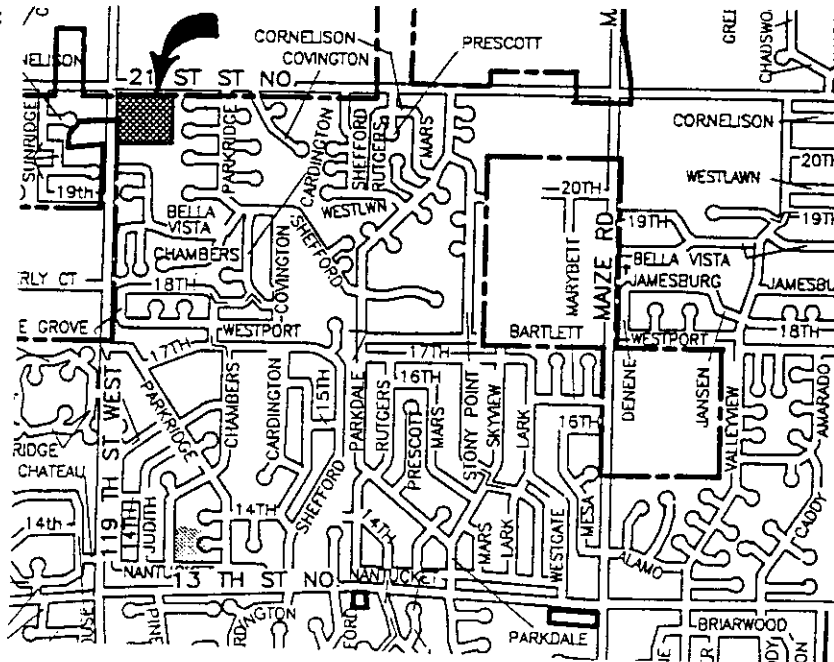
Residential:	29
Office:	
Commercial:	
Industrial:	
Total:	29

MINIMUM LOT AREA: 6,555 sq. ft.

CURRENT ZONING: "LC" light-commercial, DP-160

PROPOSED ZONING: "AA" one-family

VICINITY MAP: /c



STAFF COMMENTS:

NOTE: The entirety of this site is presently zoned "LC" light commercial and is under the Woodbridge Commercial Community Unit Plan DP-160. However, as is indicated by this plat, much of this CUP is now being replatted into conventional residential lots. The area indicated as Lot 1, Block 1, Woodbridge 4th is not being included in this replat and is apparently the only portion of the original CUP and "LC" zoning now being planned for commercial development.

STAFF COMMENTS:

- A. Prior to this plat being scheduled for City Council review, the applicant shall obtain either an amendment or adjustment to CUP DP-160 to reflect the development plans now being indicated by this plat.
- B. The applicant shall also obtain a zone change, to an appropriate residential zoning classification for the area of this plat. This zone change was reviewed by the MAPC and is scheduled for City Council review on June 30, 1992.
- C. The applicant shall abandon any applicable existing petitions on file for this property.
- D. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- E. The applicant shall guarantee the extension of City water to serve the lots being platted.
- F. The applicant shall guarantee any drainage improvements required by the platting of this property.
- G. The application shall guarantee construction of the storm sewers required by this plat.
- H. The applicant shall guarantee the paving of the proposed interior streets.
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. 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.
- K. As indicated by the platting binder, property taxes are past due

for several years. Before this plat will be released for recording, proof shall be provided that all applicable property taxes have been paid.

- L. The applicant shall install or guarantee the installations of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- 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. 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.
- 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 City Engineering should be prepared to comment on the status of the applicant's drainage plan.

THE CITY OF VICHITA
OFFICE OF PUBLIC WORKS - ENGINEERING

DATE: August 3, 1992

TO: Doug Moshier, Senior Attorney

FROM: Michael E. Lindebak, P.E., City Engineer 

SUBJECT: Agreements to Respread
Special Assessments:
Woodbridge 6th Addition
Sunridge 2nd Addition

Please review the attached agreements as to legal form and return them to the City Engineer's Office.

:cls

Attachment

AGREEMENT

BY AND BETWEEN

THE CITY OF WICHITA, KANSAS,

Party of the First Part

and

SLAWSON INVESTMENT CORPORATION

Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal improvements in the area of Woodbridge, within the City Limits of the City of Wichita; and

WHEREAS, Party of the Second Part is the landowner of all or part of the improvement district; and

WHEREAS, portion of the improvement district of said improvements has been platted and/or replatted; and

WHEREAS, Party of the Second Part desires that a reassessment be made to reflect the changes in platting; and

WHEREAS, the Party of the First Part and Party of the Second Part are both desirous of accomplishing such a reassessment.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties agree as follows:

1. Lots 2, 3, & 4, Block 1, Woodbridge 4th Addition was part of the improvement district for the following City project(s):

Side Street Paving	B40244	(2002)
Submain Sewer	J82295	(1996)
Lateral Sewer	K39954	(2002)
Storm Sewer	L39230	(2000)
Storm Sewer	L39791	(2001)
Water	M83805	(1996)
Water	M39403	(2000)
Water	M30805	(1996)

Said property was replatted as Lots 1 through 13, Block 1 and Lots 1 through 16, Block 2, Woodbridge 6th Addition.

2. The Parties agree to make a reassessment for said project in the following manner:

The assessments to Lots 2, 3, & 4, Block 1, Woodbridge 4th Addition for the project listed in Section 1; are to be re-assessed on an equal fraction basis (1/29 each) to Lots 1 through 13, Block 1 and Lots 1 through 16, Block 2, Woodbridge 6th Addition.

3. The Party of the Second Part is the owner of the property described in section one above and said Party of the Second Part hereby waives the notice and hearing requirements of K.S.A. 12-6a12(b) with respect to the reassessment herein described.

4. The Party of the Second Part further waives his right to appeal the special assessments for the above mentioned projects (including this described reassessment) and agrees that no suit to set aside said assessment shall be brought by him nor shall he in any other way bring an action to question the validity of the proceedings taken by the Party of the First Part in constructing this project and levying the special assessments therefor.

5. The Party of the Second Part further agrees that he will indemnify the Party of the First Part against any and all costs, expenses, claims and judgments for which the Party of the First Part is held responsible or which are entered against the Party of the first Part arising out of or as a result of the reassessment herein described.

6. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement
the _____ of _____, 1992.

THE CITY OF WICHITA, KANSAS

Approved as to form:

By: _____
Mayor
Party of the First Part

Director of Law

Attest:

City Clerk

SLAWSON INVESTMENT CORPORATION

By: Larry A. Chambers
Larry Chambers, President
Party of the Second Part

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, That on this 21st day of July, 1992, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Larry A. Chambers, President, Slawson Investment Corporation, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Gary L. Wiley
Notary Public

My Appointment Expires:

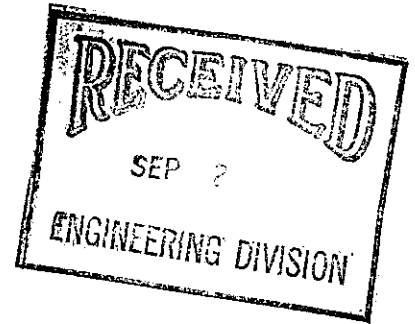
Jan 3, 1993



SLAWSON INVESTMENT CORPORATION

104 S. BROADWAY • SUITE 200 • WICHITA, KANSAS 67202-4165

316 / 263-3201



September 1, 1992

Mr. Michael E. Lindebak, P.E.
City Engineer
City Hall - Seventh Floor
455 North Main
Wichita, KS 67202

Re: Woodbridge 6th Addition

Dear Mr. Lindebak:

Attached are Letters of Credit and Affidavits for the following projects in Woodbridge 6th Addition:

1. Sanitary Sewer Lateral 36, Main 12, S.W.I.
468-82233
2. Water Distribution System
448-88626
3. Paving Cornelison and Pine Grove
472-82264

We request that the City proceed with the construction of these projects at the earliest possible date. We also request that a 10-day start be utilized in the contracts for the sanitary sewer and water line projects.

The design engineering services have been completed by Professional Engineering Consultants, P.A. pursuant to a three-party contract.

If additional information is necessary, please contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Larry A. Chambers".

Larry A. Chambers
President

LAC:lg
Enclosures

cc: Ronald Pletcher, PEC
Charlie Brown, PEC

11925 W. Cornelison
Wichita KS 67212

Neighbors of Woodbridge 6th (Cornelison & Pine Grove)

To follow up on my inquiry to Greg Ferris regarding our special assessments paid for improvement of the 24 lots on Parkridge St.:

It's perfectly acceptable for a developer to petition assessment of any area owned by the developer for improvements in any other area owned by that developer. If the developer owns a tract on the east side of town and a tract on the west side of town, that developer can petition east side tract and west side tract to pay for the improvements for the east side tract. Future buyers charged don't necessarily benefit.

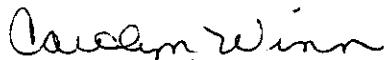
It's unfortunate that the 24 lots in Parkridge weren't petitioned to be assessed equally for the improvements to Parkridge and Cornelison. For whatever reason they weren't. evidently, we're stuck to assume an inordinate amount of the burden.

We may not be able to change our situation but we can bring an inequitable situation to light and perhaps change things to spare other buyers.

Lawmakers need to see to it that the developer can only petition the benefit area. Realtors need to be forthright about specials and who they benefit. Lending agencies need to clarify exactly existing specials and future specials instead of referring to resolution numbers, page numbers and film numbers. Most buyers would assume that the street in front of the house they select is included in the specials ~~mentioned~~ in their closing. Specials are shrouded in mystery. Buyers need to be informed by those people who are in this business.

I appreciate the courteous assistance received from Greg Ferris and Bill Morris.

Sincerely,



Carolyn Winn

Copy: Greg Ferris
Bill Morris
Carlos Mayans
Mike Harris
Slawson Realty
Capitol Federal
Chapelle Realty

KSNW-TV3

MAR 15 1995