

April 28, 1994

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 94-26 THE SPRINGS AT CRESTVIEW ADDITION

OWNER/APPLICANT: Karl Solomon, 625 N. Carriage Parkway, Wichita, KS 67208

SUBDIVIDER: Dave Sproul, 3500 North Rock Road, Wichita, KS 67226

SURVEYOR/ENGINEER: Poe & Associates of Kansas, Inc., 434 N. Oliver, Wichita, KS 67208

TOWNSHIP: Bob Asmann, Trustee, Minneha Township, 14301 Wentworth Ct., Wichita, KS 67230

LOCATION: Northeast corner of 143rd Street East and Central

SITE SIZE: 24.86 Acres

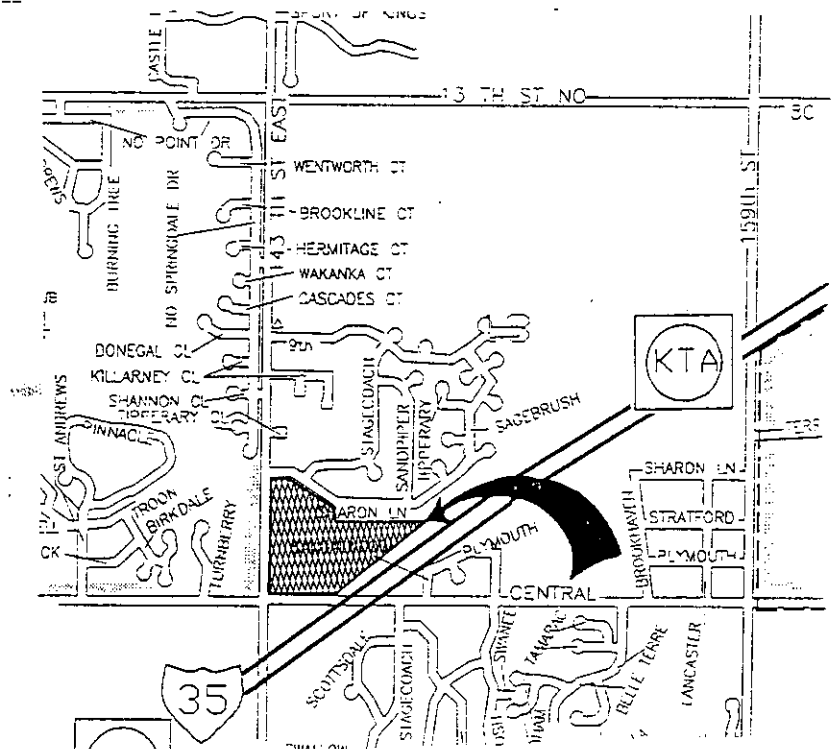
NUMBER OF LOTS

Residential:	17
Office:	
Commercial:	
Industrial:	
Total:	<u>17</u>

MINIMUM LOT AREA: 11,000 sq. ft.

CURRENT ZONING: "AA" County - CU-210

VICINITY MAP:



NOTE: This site was originally platted as one large lot with a conditional use (CU-210) that allowed apartment type development. As an apartment type development, a number of conditions were established by CU-210, which would not apply to what is now apparently being platted as a conventional one-family addition. According to the applicant's agent even the large lot, Lot 17, is now intended for one-family rather than multi-family uses.

STAFF COMMENTS:

- A. Based on what now appears to be the intention to develop this area for one-family development rather than the multi-family uses noted under CU-210, the applicant shall submit a letter requesting that a resolution be prepared for approval by the County, to rescind the conditional use, CU-210.
- 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 will be with the City of Wichita and the applicant shall also submit an Outside-the-City water agreement.
- D. The applicant shall guarantee the paving of the proposed interior streets.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. County Engineering needs to indicate if the replat of this site is in any way still involved or needs to be involved in any existing guarantees or improvements required for the preceding Addition. That is, are there any existing petitions that need to be amended, or projects to be abandoned due to this replat.
- G. The applicant shall guarantee any drainage improvements required by the platting of this property. Both a County and City Certificate of Petitions shall be submitted as appropriate.
- H. In order to have access for maintenance purposes, openings to Reserve A are being shown both from Central and 143rd Streets. The opening in 143rd Street is, though, in an area typically maintained as Complete Access Control. County Engineering needs to comment if the indicated access to these streets is acceptable.
- 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. The covenant shall also provide for the maintenance of the "parking strip" areas along 143rd St. and Central.
- 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 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.

- K. The final plat shall state in the platlor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- L. When this area was originally platted, all properties were to be part of the homeowners' association responsible for owning, maintaining, and using the various open space areas created. Either as part of the above covenant(s) or by proof of other existing covenants, the applicant shall verify that such a situation still exists. If the applicant does not feel that such a condition still exists, a legal opinion shall be submitted indicating justification for this.
- M. Some means of direct access needs to be platted from Sharon Court to Reserve A. That is, all residents of this Addition and of the previously platted Addition(s) should have a means to access such Reserves if they are responsible for the ownership and maintenance of these areas. The access points from Central and/or 143rd Streets are not acceptable.
- N. The final plat shall also indicate a 25-foot building setback for Lot 17 to Sharon Court.
- O. The indicated minimum building pad elevation shall be indicated both on the face of the plat and within the platlor's text.
- P. As appropriate, the access controls shall also be noted/dedicated in the platlor's text (143rd and Central).
- Q. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- R. 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.
- 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.
- T. 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.
- U. 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.
- V. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- W. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage concept. Also, Engineering needs to indicate if the minimum building pad elevation is acceptable, if a floodway needs to be platted or such a use included as part of Reserve A and any other drainage requirements.

May 26, 1994

STAFF REPORT

(Final Plat, Preliminary Plat Approved 4/28/94)

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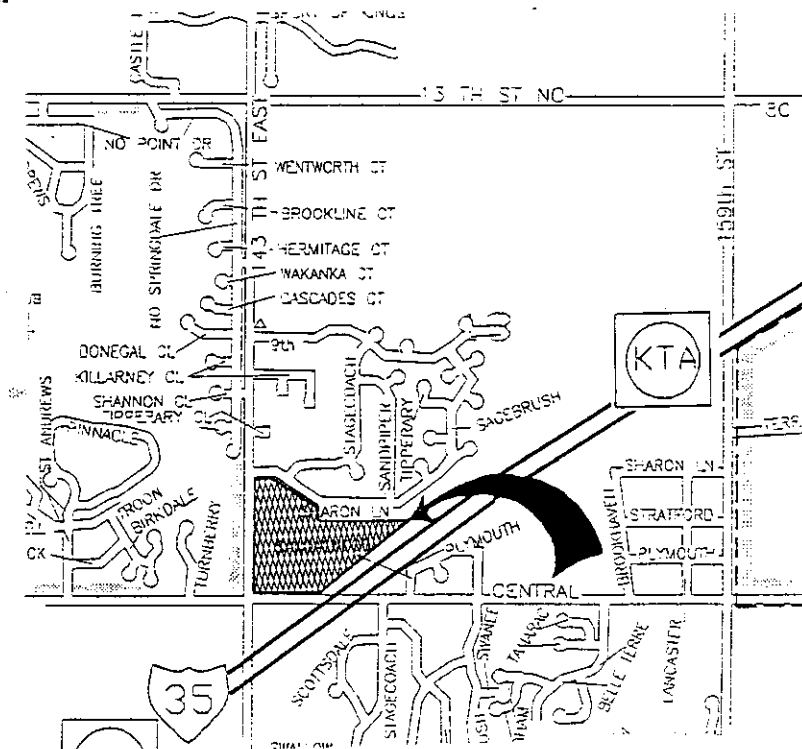
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STAFF COMMENTS:

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- 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 will be with the City of Wichita and the applicant shall also submit an Outside-the-City water agreement.
- D. The applicant shall guarantee the paving of the proposed interior streets.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. County Engineering needs to indicate if the replat of this site is in any way still involved or needs to be involved in any existing guarantees or improvements required for the preceding Addition. That is, are there any existing petitions that need to be amended, or projects to be abandoned due to this replat.
- G. The applicant shall guarantee any drainage improvements required by the platting of this property.
- 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. The covenant shall also provide for the maintenance of the "parking strip" areas along 143rd St. and Central.
- 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 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.
- K. When this area was originally platted, all properties were to be part of the homeowners'

association responsible for owning, maintaining, and using the various open space areas created. Either as part of the above covenant(s) or by proof of other existing covenants, the applicant shall verify that such a situation still exists. If the applicant does not feel that such a condition still exists, a legal opinion shall be submitted indicating justification for this.

- L. Since Reserve A is being platted in part for Floodway, the platting text shall be amended to include the standard floodway language.
- M. On the final plat tracing, lot numbers shall be rearranged starting with Lot 17 being renumbered as Lot 13, with the four lots along the east side of the Court subsequently being numbered as Lots 14 through Lot 17 being adjacent to Sharon Lane.
- N. The platting text shall be amended to note the granting of the pedestrian easement along Lot 12 and that such easement will be unobstructed for terms of access to the Reserve.
- O. Based on this site's platting binder, property taxes are due on this site and proof of payment must be provided before the plat will be released for recording. Also, the binder indicates a mortgage for this site is being held by Bank IV. The final plat tracing shall either be signed by Bank IV or a release of this mortgage obtained.
- P. The final plat tracing shall indicate the proper names and/or spelling for the parties needing to sign this plat (MAPC Chairman, County Commission Chairman, County Clerk, etc.).
- Q. 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.
- R. The indicated minimum building pad elevation shall also be indicated on the face of the plat. At a minimum, a note shall be placed below the north arrow indicating minimum pad elevations are as indicated in the platting text.
- 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.
- T. 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.
- U. 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.
- V. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- W. Recording of the plat within 30 days after approval by the City Council.
- X. The representative from County Engineering should be prepared to comment on the status of the

applicant's drainage plan. County Engineering also needs to indicate the acceptability of the indicated minimum building pad elevations.