

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

May 26, 1994

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 94-27 STEVE KELLEY 3RD ADDITION

OWNER/APPLICANT: Steve Kelley, 2301 Cedar Crest Drive, Wichita, KS 67223

SURVEYOR/ENGINEER: Baughman Company, P. A., 315 Ellis, Wichita, KS 67211

LOCATION: East of Hoover and north of Central Avenue

SITE SIZE: 0.99 Acres

NUMBER OF LOTS

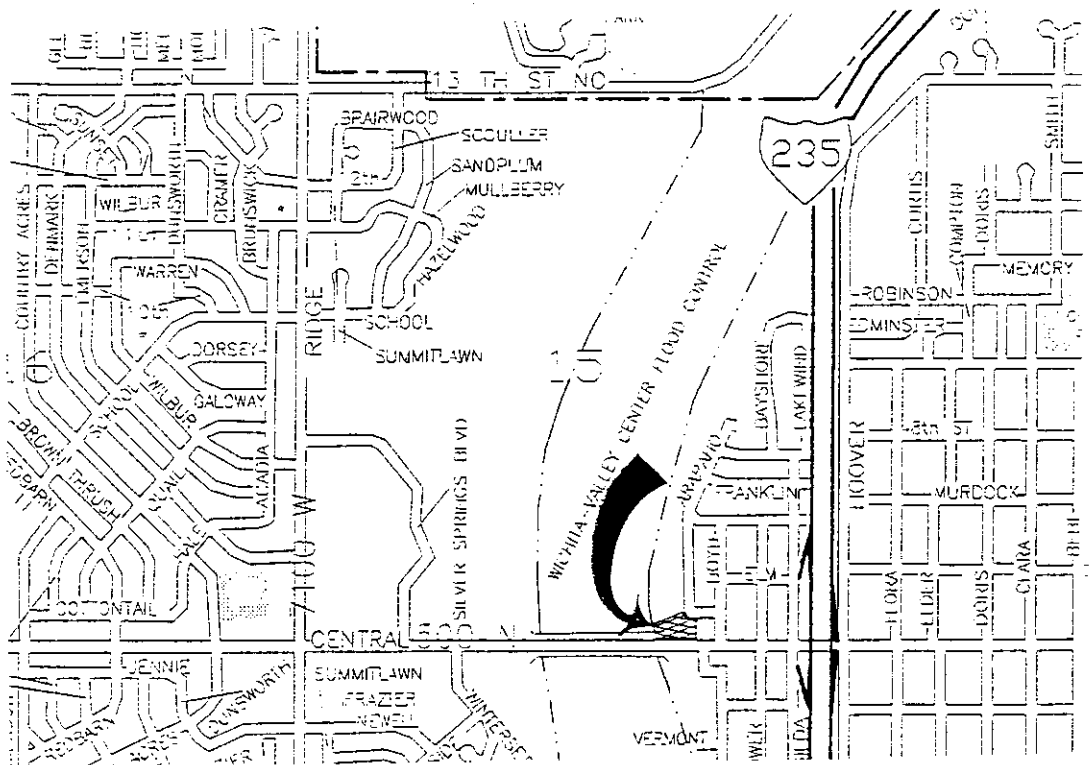
Residential:	
Office:	
Commercial:	2
Industrial:	
Total:	<u>2</u>

MINIMUM LOT AREA: 0.5 Acres

CURRENT ZONING: "LC" and "AA"

PROPOSED ZONING: "LC" (Z-3099)

VICINITY MAP:



NOTE: Although this preliminary plat is shown as a 2-lot plat, the final plat is anticipated to be submitted as a 1-lot plat and consequently, the following comments are based on a 1-lot plat. A zone change for a portion of this site (Lot 1 of this plat) (Z-3099) to "LC" is pending until an issue of property ownership is resolved. The southwest corner of this site is presently under City ownership, having been obtained by the City apparently as part of the floodway development in this area.

STAFF COMMENTS:

- A. This plat shall be subject to the zone change (Z-3099) being approved for this site and subsequently, resolution of the property ownership issue involving City property in the southwest corner of this plat.

Further, as required of the zone case, a covenant or other legal documents shall be submitted for recording which establishes this property's requirement for installing and maintaining landscaping along this plat's frontage to Arapaho.

- B. This site appears to be served by existing facilities. Engineering, however, needs to indicate if additional guarantees such as for drainage are required.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. On the final plat, complete access control shall be shown and dedicated in the plat's text to Arapaho. Unless indicated otherwise by Traffic Engineering, access control to Central shall be shown as presently exists. That is complete access control shall be dedicated in those areas not now shown with driveways.
- E. The applicant shall guarantee the closure of the driveway to Arapaho. The guarantee shall provide for removal of the driveway within public right-of-way and construction of curb-and-gutter to close the driveway opening.
- F. City Engineering needs to indicate the acceptability of the indicated 10-foot street right-of-way easement shown for Central or if an outright dedication of right-of-way is needed.
- G. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- H. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- I. 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.
- J. 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.
- 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. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Although no minimum building pad elevation was indicated for the previous additions, City Engineering needs to indicate if any such requirements should now be established for this site.

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 4

September 1, 1994

STAFF REPORT

(Final Plat, Preliminary Plat Approved 5/26/94)

CASE NUMBER: S/D 94-27 STEVE KELLEY 3RD ADDITION
OWNER/APPLICANT: Steve Kelley, 2301 Cedar Crest Drive, Wichita, KS 67223
SURVEYOR/ENGINEER: Baughman Company, P. A., 315 Ellis, Wichita, KS 67211
LOCATION: East of the "Big Ditch" and north of Central Avenue
SITE SIZE: 0.94 Acre

NUMBER OF LOTS

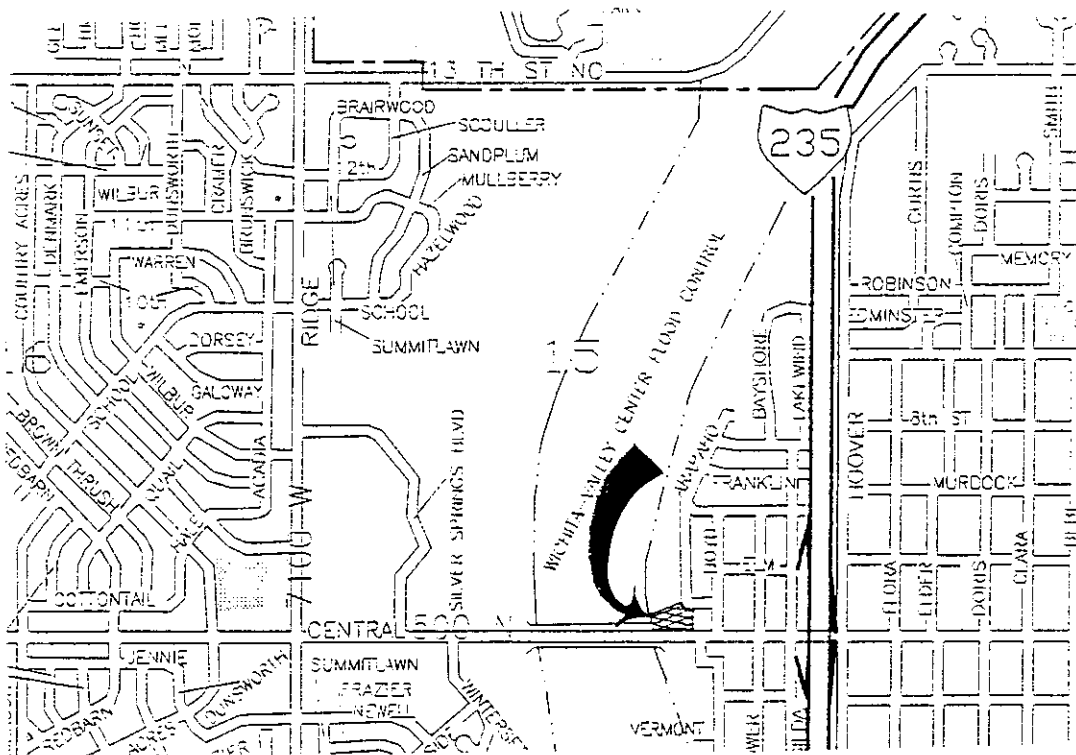
Residential:	
Office:	
Commercial:	1
Industrial:	
Total:	<u>1</u>

MINIMUM LOT AREA: .94 Acre

CURRENT ZONING: "LC" and "AA"

PROPOSED ZONING: "LC" (Z-3099 and Z-3145)

VICINITY MAP:



NOTE: The applicant's request for "LC" zoning on the NW half of this site (Z-3099) has been approved by the City Council subject to replatting into one lot with Lot 1 of Kelley-Shaw Addition and covenanting to provide certain landscaping and screening along Arapaho as discussed by the applicant at MAPC. The City has agreed to release the north 30 feet of a 50' x 100' easement in the SW corner of this site, upon payment of an established release fee. The south 20 feet is being retained by the City for future street needs but a minor street privilege permit for the use of it for parking as well as for use of the south 10 feet of the balance of this site for parking and signs has just recently been obtained by this applicant.

STAFF COMMENTS:

- A. Since a portion of the property being included in this lot is still owned by the City, the applicant shall complete the purchase process by paying the purchase fee (\$760.00) so that the City can record the quit claim deed. This shall be completed prior to scheduling this plat for City Council review.
- B. In accordance with the requirement for landscaping and screening the Arapaho frontage, as discussed with MAPC during review of Z-3099, the applicant shall execute and submit the previously prepared covenant which provides for installation of a fence and a certain minimum amount of plant materials. This fully executed covenant shall be submitted to Planning prior to scheduling this plat for City Council review.
- C. The applicant shall guarantee the closure of the driveway to Arapaho. The guarantee shall provide for removal of the driveway within public right-of-way and construction of curb-and-gutter to close the driveway opening.
- D. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- E. 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.
- F. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.
- G. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- H. 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.
- I. The applicant or agent shall provide the Planning Department with copies of the documents referenced in Items #10, 11, 14, 15 and 18 of Schedule B of the platting binder so it can be determined if any additional easement or right-of-way notations need to be shown on the plat tracing.

Firsching, Linda

To: Armour, James
Subject: Emailing: PMap4953151



PMap4953151.pdf

Rich Vanauken, American Auto Glass, 6000 W. Central, wants to change his sign. JR sent him to us for a minor street privilege permit. He's claiming that everyone else on the block can have signs and they all said they don't pay. I told him his right-of-way was wider than his neighbors to the west and he mentioned 6124. I told him that he is on right-of-way but he has a minor street privilege permit. Steve Kelley told American Auto Glass that he doesn't pay anything and never will. I told him that I didn't know why the annual fee was waived but that I was sure he would have to pay if he changed anything. Rich Vanauken or Mark Enert will be calling you to see why they need to fill out an application. They think they can just change the sign. I told them that they would have to get a minor street privilege permit even if the annual fee were waived which I didn't think would happen. I put Steve Kelly's msp in your office. I can see no reason for them waiving the fee other than that Steve Kelley constructed over our property and when we questioned him about it he hired a lawyer.