

April 14, 1994

STAFF REPORT

(Final Plat, Preliminary Plat Approved 3/17/94)

CASE NUMBER: S/D 94-15 J & G ADDITION

OWNER/APPLICANT: J & G Enterprises, L.L.C., 16066 Citation Road, Wichita, KS 67230
and Timothy E. McKee, Esq., Triplett, Woolf & Garretson, 151 N. Main -
Suite 800, Wichita, KS 67202-1409

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

LOCATION: South of Kellogg; west of Edgemoor (between Bleckley and Pinecrest)

SITE SIZE: 0.91 Acres

NUMBER OF LOTS

Residential:

Office:

Commercial: 1

Industrial:

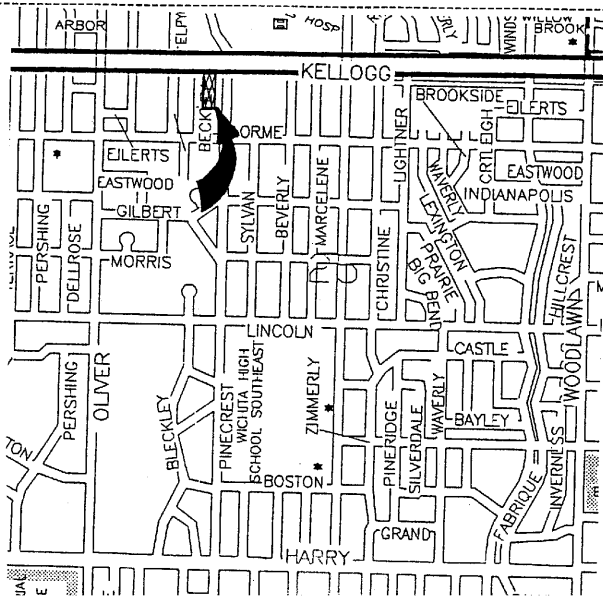
Total: 1

MINIMUM LOT AREA: 0.91 Acres

CURRENT ZONING: "A" and "BB"

PROPOSED ZONING: "LC" (Z-3116)

VICINITY MAP:



Mr. Mike Lindebak
March 28, 1994
Page 2

Item H in the above referenced letter mentions that the following structures should be removed:

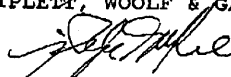
1. A house, which has already been removed;
2. Trash bin from an easement;
3. Shed in a building setback.

My client would like to maintain the shed on a temporary basis during our construction process, but after the construction has been completed, the storage building will be removed. My client has fenced an area with a wooden fence to hide the portable trash bin, rather than have the unattractive trash bin open to view. Therefore, my client requests that they be able to maintain the fence screen around the trash structure, with the understanding that if this fence screen is required to be removed from the easement due to construction, my client would be responsible for replacing the fence screen.

Subject to these items, we would like to proceed as soon as possible to conclude this replatting process. If you have any questions at all, please contact me or Phil Meyer.

Sincerely,

TRIPLETT, WOOLF & GARRETSON



By Timothy E. McKee

TEM:ck
cc: ✓ Phil Meyer

LAW OFFICES OF

TRIPLETT, WOOLF & GARRETSON

THOMAS C. TRIPLETT
JOHN F. WOOLF
THOMAS F. GARRETSON
JAMES A. WALKER
TIMOTHY B. MCKEE
THRON E. FRY
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RON H. HARNDEN

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CENTRE CITY PLAZA
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WICHITA, KANSAS 67202-1409

TELEPHONE TELECOPY
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TAD FATTON
BRADLEY A. STOUT
RACHAEL K. FIRNER
JEFFREY D. LEONARD
NANCY J. STROUSE

March 28, 1994

Mr. Mike Lindebak
City Engineer
City Hall - 7th Floor
455 North Main Street
Wichita, KS 67202

RE: S/D 94-15 J & G Addition

Dear Mr. Lindebak:

Post-It™ brand fax transmittal memo 7671		# of pages = 2
To VICKY	From PHIL MEYER	
Co. CITY ENGINEERING	Co. BAUGHMAN	
Dept.	Phone # 262-7271	
Fax # 268-4114	Fax #	

I represent J & G Enterprises with respect to the above platting and zoning matter. The zoning application has been approved subject to replatting and, as you know, Phil Meyer of Baughman Company, P.A. is handling the replatting process and has met with your staff.

I would like to address a couple of the items listed in paragraphs A through M in Don Losew's letter to Phil Meyer of March 21, 1994.

It is my understanding that Phil has discussed this matter with Mr. Gibson and Ms. Huang, who would be knowledgeable about the details.

With respect to Item M, it is my understanding that this deals with the prospective drainage project in which the City plans to deepen and widen the drainage canal to the east of my client's property. My client does not have any problem with granting to the City a construction easement on the eastern portion of my client's property, subject, however, to allow my client to maintain vehicular traffic sufficient to allow the clinic to continue meeting the needs of its patients. We will provide a drawing and a draft of the construction easement with the filing of the plat. In addition, my client does not have any difficulty in granting a permanent access easement after the construction is completed. However, it is our understanding that the City would normally replace the six foot wrought-iron fence at the top of the drainage area with a shorter, black, chain-link fence, which my client objects to. If the City would be willing to construct a fence of like kind and quality as the one which presently exists, then my client would be happy to grant the access easement as requested.

- 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. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Engineering also needs to indicate if the floodway or drainage easement as platted along this site's east line is adequate and if any minimum building pad requirements exist for this location.

NOTE: A zone change (Z-3116) to "LC" zoning has recently been approved for this site. An existing structure is planned for expansion while a number of houses are to be removed.

STAFF COMMENTS:

- A. The applicant shall guarantee any drainage improvements required by the platting of this property.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. An existing sewer line crossing this site is located in a 10-foot utility easement. City Engineering needs to indicate if a 15 or 20-foot easement needs to be indicated on the final plat.
- D. Based upon development plans shown during review of the zone change, both the existing structure and its planned expansion southward are requesting a reduced building setback to Bleckley. The final plat shall show a reduced setback for no more than this planned expansion with a 20-foot setback to Bleckley for this site's remaining frontage to Bleckley.
- E. In regard to the 35-foot building setback to Kellogg, the final plat shall indicate the platting of the 35-foot building setback from Kellogg through the existing building which encroaches into the setback area. Central Inspection has advised that the platting of this building setback does not preclude the property owner from maintaining or remodeling that portion of the building within the setback area. The building cannot, however, be enlarged within the setback and, if the building is removed, any new building construction must observe the platted building setback.
- F. The applicant shall submit a sidewalk certificate for the installation of sidewalk along Bleckley in the area now lacking sidewalk.
- G. City Engineering needs to indicate if there are any additional right-of-way requirements from this site for Kellogg.
- H. Prior to this plat being scheduled for City Council review, the applicant shall submit a letter indicating the removal of various structures from easements and setbacks. Specifically, a house needs to be removed from an easement, a trash bin from an easement and a shed in a building setback.
- I. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- 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. 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.

NOTE: A zone change (Z-3116) to "LC" zoning has recently been approved for this site. An existing structure is planned for expansion while a number of houses are to be removed.

STAFF COMMENTS:

- A. The applicant shall guarantee any drainage improvements required by the platting of this property.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. In regard to the 35-foot building setback to Kellogg, the final plat shall indicate the platting of the 35-foot building setback from Kellogg through the existing building which encroaches into the setback area. Central Inspection has advised that the platting of this building setback does not preclude the property owner from maintaining or remodeling that portion of the building within the setback area. The building cannot, however, be enlarged within the setback and, if the building is removed, any new building construction must observe the platted building setback.
- D. The applicant shall submit a sidewalk certificate for the installation of sidewalk along Bleckley in the area now lacking sidewalk.
- E. Prior to this plat being scheduled for City Council review, the applicant shall submit a letter indicating the removal of various structures from easements and setbacks. Specifically, a house needs to be removed from an easement, a trash bin from an easement and a shed in a building setback.
- F. Prior to this plat being released for recording the applicant shall provide proof that as appropriate, property taxes as indicated in the platting binder, have been paid.
- G. 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.
- 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. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- J. Recording of the plat within 30 days after approval by the City Council.
- K. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Also, during review of the preliminary plat, Engineering indicated that a minimum building pad elevation may be required. Engineering needs to indicate if such an elevation is required and if so, the final plat tracing shall properly reference this elevation.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 2

March 17, 1994

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 94-15 J & G ADDITION

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and Timothy E. McKee, Esq., Triplett, Woolf & Garretson, 151 N. Main - Suite 800, Wichita, KS 67202-1409

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