

SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 10

May 23, 1996

STAFF REPORT  
[Preliminary-Final (One-Step Plat)]

CASE NUMBER: S/D 96-30 WEST KELLOGG POWER CENTER

CONTRACT PURCHASER: Attn: Tom Boyd, Box Development, LLC, 128 S. Dellrose, Wichita, KS 67218

AGENT: Attn: Christian Ablah, Classic Realty, 8343 E. 32nd Street North - Suite 150, Wichita, KS 67226

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

LOCATION: North of Kellogg and west of Hoover

SITE SIZE: 18.2 Acres

NUMBER OF LOTS

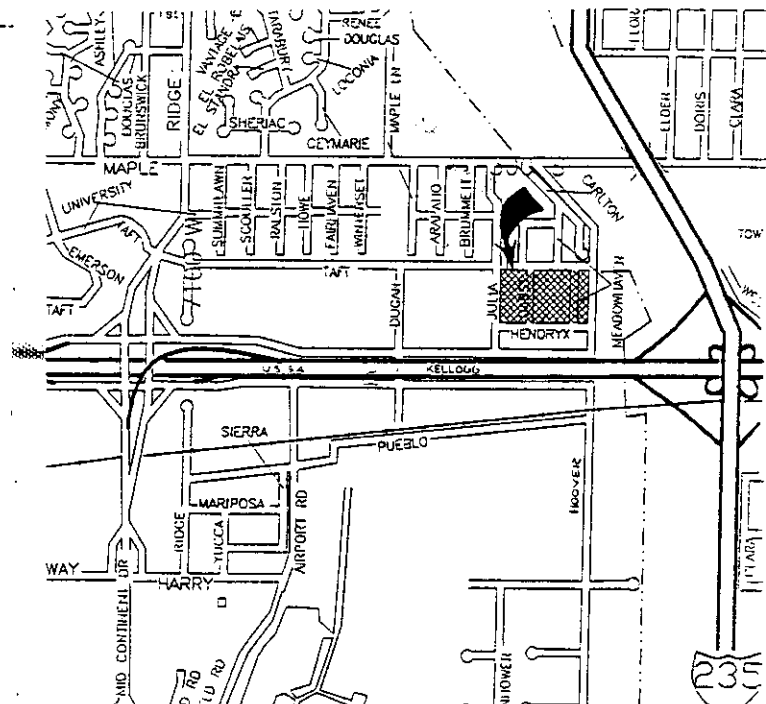
Residential:	
Office:	
Commercial:	3
Industrial:	
Total:	<u>3</u>

MINIMUM LOT AREA: 36,000 sq. ft.

CURRENT ZONING: "SF-6" Single Family

PROPOSED ZONING: "LC" Limited Commercial (Z-3198), CUP, DP-221

VICINITY MAP:



NOTE: This plat is being submitted as another example of the potential one-step, preliminary-final type plat. If approved by the Subdivision Committee, the plat will be placed on the following MAPC agenda for its consideration. This site is subject to a recently approved CUP, DP-221 The West Kellogg Power Center. The site is also involved in a zone change (Z-3198) from SF-6 to LC zoning.

STAFF COMMENTS:

- A. This site is in a developed area of the City and municipal facilities appear to be available to this site. City Engineering, however, needs to confirm if any additional guarantees are needed for sanitary sewer and/or water improvements.
- B. City and Traffic Engineering both need to indicate paving and traffic improvements required for this development. In addition to paving guarantees for any unpaved streets adjacent to this site (Taft, Hoover, etc.), Engineering needs to indicate if additional widening or traffic improvements are required for Julia, Hendryx and so forth. Sidewalks shall also be guaranteed along one-side of all adjacent streets.
- C. The applicant shall guarantee closure of the street opening to Taft (Meadowhaven) and the driveway opening to Julia from Lot 1.
- D. City Engineering needs to also indicate any requirements for the abandonment or relocation of any existing facilities now located in street right-of-way or easements being vacated by this plat (e.g., storm sewer in Meadowhaven).
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- G. The final plat tracing shall indicate the dedication of sufficient right-of-way so that all adjacent streets provide at a minimum the 70 feet required for a commercial street. Specifically, five (5) feet of additional right-of-way is still required for Julia and Hendryx. Based upon previous platting or platting of adjacent properties, this site should be responsible for any such additional right-of-way.
- H. On the final plat tracing, the word "complete" shall be deleted where access openings are actually to be allowed. That is, access control cannot be considered complete if openings can actually be provided.
- I. Prior to this plat being released for recording, the applicant shall provide proof that the site's ownership is all in the control of Box Development, L.L.C., that all property taxes have been paid and that there are no outstanding mortgages. At this time, the site is under multiple ownerships with taxes unpaid for various portions of the site and numerous mortgages in existence for the various owners.

- J. On the final plat tracing, proper reference shall be made as to Box Company, L.L.C., being the plattor of this site.
- K. Prior to this plat being released for recording, the applicant shall submit a recorded copy of the private wall and landscape easement for the plat file.
- L. 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.
- M. 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.)
- 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 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.
- R. The representatives from **City Engineering** should be prepared to comment on the status of the applicant's drainage plan. Also, **Engineering** needs to indicate if this site requires a minimum building pad elevation. Such a requirement was placed on the Byron Stout Addition to the south; however, FEMA maps appear to show that this site is outside of the 100 year floodplain, being within the 500 year floodplain instead.

Note: This plat has been submitted as a one-step, preliminary-final plat.



**BAUGHMAN COMPANY P. A.**  
**ENGINEERING & SURVEYING**  
316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

**FACSIMILE COVER SHEET**

**TO:**

**FAX NUMBER:** 268-4114

**NAME:** *Mike Lindebak*

**FIRM NAME:** *City Engineering*

**CITY / STATE:** *Wichita, Ks*

**FROM:**

**BAUGHMAN COMPANY, P.A.**

**FAX NUMBER (316) 262-0149**

**NAME OF SENDER:** *Phil Meyer*

**PROJECT:** *West Kellogg Power Center Addition*

**PROJECT NO:** *95-12-P496*

**DATE:** *June 18, 1996*

**NUMBER OF PAGES (INCLUDING THIS PAGE):** 2

**COMMENTS:**

*Mike, would you please review the attached letter, then give me a call. Thank You.*

**(IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL (316) 262-7271)**

**FILE COPY**

**BAUGHMAN COMPANY, P. A.**  
ENGINEERING, SURVEYING & PLANNING  
316/262-7271 • FAX 316/262-0149 • 315 ELLIS • WICHITA, KANSAS 67211

June 10, 1996

Mr. Dale Garst  
1654 Burns  
Wichita, KS 67203

RE: West Kellogg Power Center Addition  
Located between Hoover & Julia, North of Hendryx Avenue  
Wichita, Kansas

Dear Mr. Garst:

I am writing to you in reference to a project that our office is working on for Box Development Company, L.L.C. This project is located within Garst Gardens Addition, between Hoover and Julia, north of Hendryx Avenue. Our office represented Box Development Company as agent for a rezoning case on the above-described property.

Box Development Company has rezoned this property from "AA" Single-Family Residential to "LC" Light Commercial and completed a community unit plan for the "LC" property. One of the requirements of rezoning this property was for the applicant to replat the land. As part of the replatting process, Wichita's City Engineering Department required the applicant to submit a paving guarantee for Hendryx Avenue.

Our office is contacting you to inform you that City Engineering is accepting this guarantee as a paving petition based on a linear foot basis, split fifty/fifty with the land owners on each side of Hendryx Avenue. As a result of this paving petition, the Dale Garst Addition could be assessed up to \$16,200 based upon its 200 linear foot of street frontage along Hendryx Avenue. This assessment could be placed on specials and spread against this land over a fifteen year period. The special tax on your property could be approximately \$140 a month over the fifteen year period based upon this paving petition.

Mr. Garst, I do not enjoy informing you of this issue through a letter. However, I tried several times last week unsuccessfully to contact you by phone. If you have any questions about this issue, after you review this letter please feel free to contact me at 262-7271.

Sincerely  
BAUGHMAN COMPANY, P.A.

  
Philip J. Meyer, L.A.

cc: Box Development, L.L.C.  
Vicky Huang, City Engineering