

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6
January 24, 1991

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 91-3 - WEBB ROAD ADDITION

OWNER/APPLICANT: Webb Road Development and Les Rudd, P.O. Box 782257, Wichita, KS 67278

SURVEYOR/ENGINEER: Bill G. Yung Design, 4912 E. 29th St. N., Suite 1, Wichita, KS 67220/Mid-Kansas Engineering Consultants, 3500 North Rock Road, #800, Wichita, KS 67226

LOCATION: East of Webb Road in an area north of Central.

SITE SIZE: 4.7 Acres

NUMBER OF LOTS

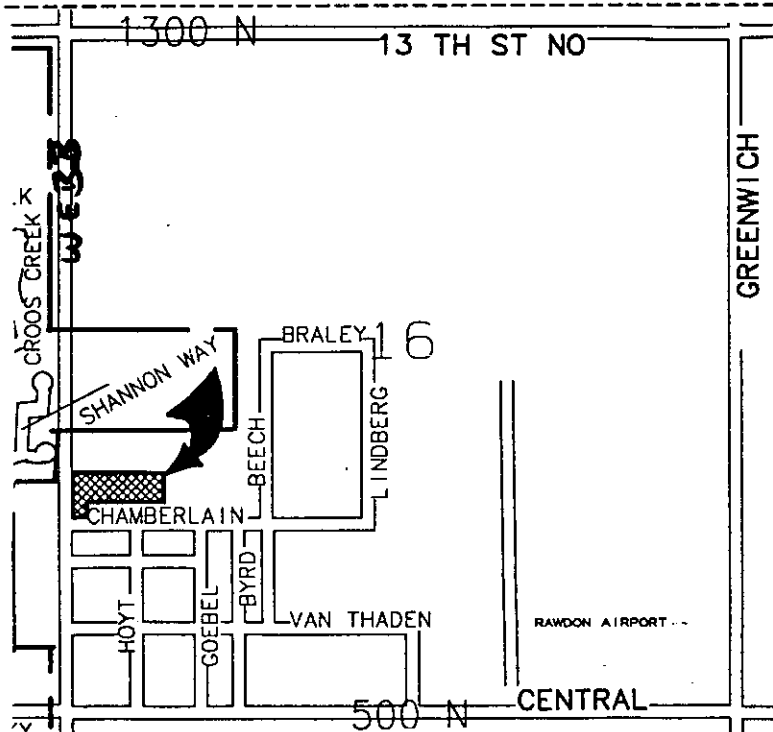
Residential:	
Office:	
Commercial:	X 1
Industrial:	
Total:	X 1

MINIMUM LOT AREA: 4.7 Acres

CURRENT ZONING: "R-1" Suburban Residential

PROPOSED ZONING: "C" Commercial

VICINITY MAP:



NOTE: Although this site is presently within the County and has a County Zone change from "R-1" to "C" zoning (SCZ-0602) pending, the site is adjacent to Wichita's City Limits and is anticipated to use City utilities. Annexation of this site should therefore be expected, with the site's zoning within the City being changed to the "C" District which would be equivalent to the zone change applied for under County Zoning. To obtain this zone change, the site must be platted by 4/12/91.

A unique situation of this site involves several existing properties (houses) immediately west of this plat. Access to these properties has apparently been allowed to occur by way of what appears to be a drive informally maintained, over what is the north 20 or 30 feet of this site and the properties to the east. These existing homes, therefore, do not have direct access to a public street and based on existing development, no reasonable means appears available for the extension of a public road to these properties. This plat indicates a joint access easement to serve those properties.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lot being platted.
- B. The applicant shall guarantee the extension of City water to serve the lot being platted. Engineering should be prepared to discuss this requirement. Water pressure problems have been indicated as occurring in the area south of this site. Water lines, however, are also available to this site both in Webb's right-of-way and through an easement from Sports World (East Side Development Addition) to the north. Neither of these two alternate routes for water would appear to be related to pressure problems being experienced by the area to the south.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. Since this site is adjacent to the City of Wichita's City Limits and will be utilizing City facilities, prior to this plat being scheduled for City Council review. The applicant shall request annexation to the City of Wichita.
- F. City and County Engineering need to indicate if 50 feet of 1/2 street right-of-way is sufficient at this location. The Sports World site immediately to the north was platted in 1988 with 60-feet of right-of-way. If right-of-way for Webb Road is being dedicated by this plat, it shall be clearly indicated on the final plat.

- G. Access control shall also be indicated from this site to Webb on the final plat. Two (2) openings should be sufficient for this site, with one of the openings restricted to the northern portion of the plat or in line with the indicated Access Easement.
- H. Several properties to the east of this site do not have direct access to public street. Rather, over the years it appears that access from these properties to Webb Road has been occurring by means of a drive/road informally established across the north line of the plat and the other involved properties.

In order to continue providing this access for these properties, this plat is proposing to establish a joint access and utility easement across the north 35-feet of this plat. Considering the unique situation of this area, it is recommended that this approach be accepted as the means for providing such needed access and further providing that the following conditions are established.

1. This access easement shall extend beyond this plat to all the involved properties. A portion of the area east of this plat is/was under the same ownership as the applicant of this plat.
 2. This access easement shall note that an unobstructed, all weather driving surface will be constructed and maintained by the owner of this plat, unless those portions across other properties are agreed to be assumed as the responsibility of the involved property owner.
 3. The agreement shall clearly indicate which properties are to benefit from the access easement and in no case can any party create an obstruction to this access.
 4. The text of the agreement shall specify that the access across these properties runs with the land and is binding on future owners and assigns. All of the involved properties should be included in this condition. However, a condition may be included indicating that if these properties are provided in the future with direct public access or are included in the same ownership as the area now being platted, that as appropriate, the access easement would terminate.
- I. The tie point for this plat and other references for this site have implied that this site is in Township 26 South. The applicant is advised that this site is in Township 27 South and appropriate changes should be made on the final plat.

- J. In order to provide some reasonable buffering for the existing residential uses adjacent to this site, the final plat shall indicate a 20-foot building setback along the east and south lines of this plat.
- K. 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.
- L. The applicant shall submit a copy of the instrument which establishes the Gas Service Company Easement on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement.
- M. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- N. 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.
- O. Requirements for a final plat (see pages 24-29, Part 4, Article 5 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. 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.
- R. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- S. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

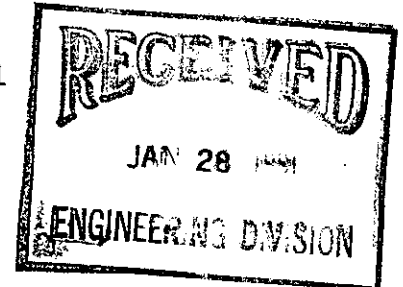
SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

January 24, 1991



Bill G. Yung Design
4912 E. 29th St. N., Suite 1
Wichita, KS 67220

Re: S/D 91-3 (Preliminary Plat) Webb Road Development

Dear Bill:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, January 24, 1991, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lot being platted.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. Since this site is adjacent to the City of Wichita's City Limits and will be utilizing City facilities, prior to this plat being scheduled for City Council review. The applicant shall request annexation to the City of Wichita.
- E. Access control shall also be indicated from this site to Webb on the final plat. Two (2) openings should be sufficient for this site, with one of the openings restricted to the northern portion of the plat or in line with the indicated Access Easement.
- F. Several properties to the east of this site do not have direct access to public street. Rather, over the years it appears that access from these properties to Webb Road has been occurring by means of a drive/road informally established across the north line of the plat and the other involved properties.

In order to continue providing this access for these properties, this plat is proposing to establish a joint access and utility easement across the north 35-feet of this plat. Considering the unique situation of this area, it is recommended that this approach be accepted as the means for providing such needed access and further providing that the following conditions are established.

1. This access easement should extend beyond this plat to all the involved properties. A portion of the area east of this plat is/was under the same ownership as the applicant of this plat.
 2. This access easement shall note that an unobstructed, 20-foot wide, all weather driving surface will be constructed and maintained by the owner of this plat, unless those portions across other properties are agreed to be assumed as the responsibility of the involved property owner.
 3. The agreement shall clearly indicate which properties are to benefit from the access easement and in no case can any party create an obstruction to this access.
 4. The text of the agreement shall specify that the access across these properties runs with the land and is binding on future owners and assigns. All of the involved properties should be included in this condition. However, a condition may be included indicating that if these properties are provided in the future with direct public access or are included in the same ownership as the area now being platted, that as appropriate, the access easement would terminate.
- G. The tie point for this plat and other references for this site have implied that this site is in Township 26 South. The applicant is advised that this site is in Township 27 South and appropriate changes should be made on the final plat.
- H. In order to provide some reasonable buffering for the existing residential uses adjacent to this site, the final plat shall indicate a 20-foot building setback along the east and south lines of this plat.
- I. 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.

- J. The applicant shall submit a copy of the instrument which establishes the Gas Service Company Easement on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement.
- K. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- L. 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.
- M. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- N. Prior to or at the time of submitting the final plat, the applicant shall submit a drainage plan to both County and City Engineering for review and approval.
- O. 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.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be placed on the agenda for final plat consideration before the Subdivision Committee:

Submission of a title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor; if the title report or attorney's opinion has not already been submitted.

The enclosed "marked" copy of the plat is for your information and files. If you should have any questions, please call.

Sincerely,

Kandace A. Jones

Kandace A. Jones
Associate Planner

KJ:sm
Enclosure

cc: Greg Allison, Mid-Kansas Engineering Consultants, 3500 North
Rock Road, #800, Wichita, KS 67226
Webb Rd. Development & Les Rudd, P.O. Box 782257, Wichita,
KS 67278
Mike Lindebak, City Engineer

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8

March 7, 1991

STAFF REPORT
(Final Plat; Preliminary Plat Approved 1/24/91)

CASE NUMBER: S/D 91-3 - WEBB ROAD ADDITION

OWNER/APPLICANT: Webb Road Development and Les Rudd, P.O. Box 782257, Wichita, KS 67278

SURVEYOR/ENGINEER: Bill G. Yung Design, 4912 E. 29th St. N., Suite 1, Wichita, KS 67220/Mid-Kansas Engineering Consultants, 3500 North Rock Road, #800, Wichita, KS 67226

LOCATION: East of Webb Road in an area north of Central.

SITE SIZE: 4.7 Acres

NUMBER OF LOTS

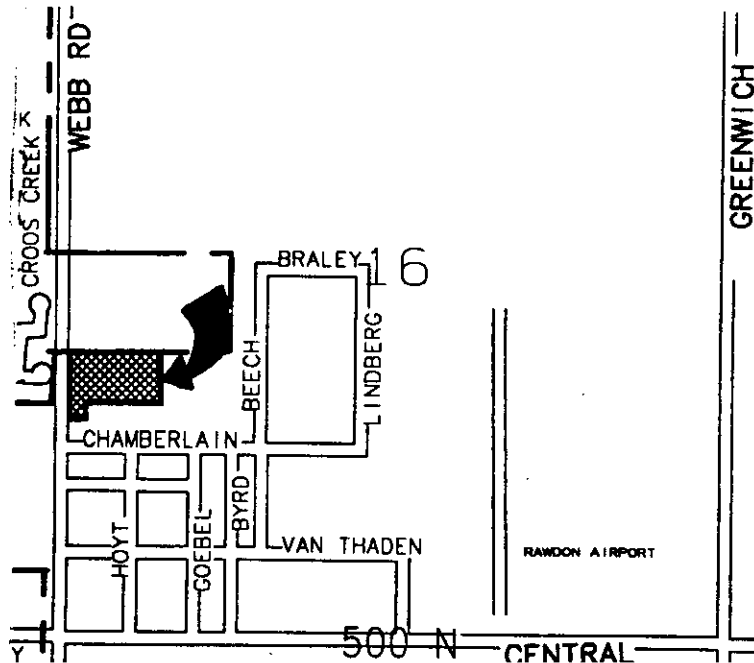
Residential:	
Office:	
Commercial:	1
Industrial:	
Total:	1

MINIMUM LOT AREA: 4.7 Acres

CURRENT ZONING: "R-1" Suburban Residential

PROPOSED ZONING: "C" Commercial

VICINITY MAP:



NOTE: Although this site is presently within the County and has a County zone change from "R-1" to "C" zoning (SCZ-0602) pending, the site is adjacent to Wichita's City Limits and is anticipated to use City utilities. Annexation of this site should therefore be expected, with the site's zoning within the City being changed to the "C" District which would be equivalent to the zone change applied for under County Zoning. To obtain this zone change, the site must be platted by 4/12/91.

A unique situation of this site involves several existing properties (houses) immediately east of this plat. Access to these properties has apparently been allowed to occur by way of what appears to be a drive informally maintained, over what is the north 20 or 30 feet of this site and the properties to the east. These existing homes, therefore, do not have direct access to a public street and based on existing development, no reasonable means appears available for the extension of a public road to these properties. This plat indicates a joint access easement to serve those properties.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lot being platted.
- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. Since this site is adjacent to the City of Wichita's City Limits and will be utilizing City facilities, prior to this plat being scheduled for City Council review, the applicant shall request annexation to the City of Wichita.
- E. Several properties to the east of this site do not have direct access to a public street. Rather, over the years it appears that access from these properties to Webb Road has been occurring by means of a drive/road informally established across the north line of the plat and the other involved properties.

In order to continue providing this access for these properties, this plat is proposing to establish a joint access and utility easement across the north 35-feet of this plat. Considering the unique situation of this area, it is recommended that this approach be accepted as the means for providing such needed access and further providing that the following conditions are established.

1. This access easement should extend beyond this plat to all the involved properties. A portion of the area east of this plat is/was under the same ownership as the applicant of this plat.
2. This access easement shall note that an unobstructed, 20-foot wide, all weather driving surface will be constructed and maintained by the owner of this plat, unless those portions across other properties are agreed to be assumed as the responsibility of the involved property owner.
3. The agreement shall clearly indicate which properties are to benefit from the access easement and in no case can any party create an obstruction to this access.
4. The text of the agreement shall specify that the access across these properties runs with the land and is binding on future owners and assigns. All of the involved properties should be included in this condition. However, a condition may be included indicating that if these properties are provided in the future with direct public access or are included in the same ownership as the area now being plat-
ted, that as appropriate, the access easement would terminate.

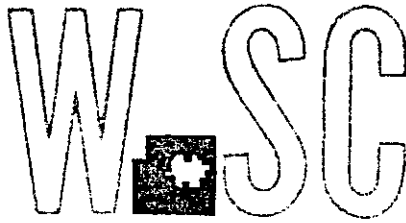
Prior to or at the time of submitting the final plat tracing, the applicant shall submit a copy of this agreement to the Planning Department for review. Subsequently, the applicant shall record this agreement, with the recording information to be shown on the final plat tracing.

- F. 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.
- G. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- H. 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.
- 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 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 the County Engineer's office should be prepared to comment on the status of the applicant's drainage plan.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

March 8, 1991

Greg Allison
Mid-Kansas Engineering Consultants
3500 North Rock Road, #800
Wichita, KS 67226

Re: S/D 91-3 (Final Plat) Webb Road Development Addition

Dear Greg:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, March 7, 1991, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lot being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. Since this site is adjacent to the City of Wichita's City Limits and will be utilizing City facilities, prior to this plat being scheduled for City Council review, the applicant shall request annexation to the City of Wichita.
- D. Several properties to the east of this site do not have direct access to a public street. Rather, over the years it appears that access from these properties to Webb Road has been occurring by means of a drive/road informally established across the north line of the plat and the other involved properties.

In order to continue providing this access for these properties, this plat is proposing to establish a joint access and utility easement across the north 35-feet of this plat. Considering the unique situation of this area, it is recommended that this approach be accepted as the means for providing such needed access and further providing that the following conditions are established.

1. This access easement should extend beyond this plat to all the involved properties. A portion of the area east of this plat is/was under the same ownership as the applicant of this plat.
2. This access easement shall note that an unobstructed, 20-foot wide, all weather driving surface will be constructed and maintained by the owner of this plat, unless those portions across other properties are agreed to be assumed as the responsibility of the involved property owner.
3. The agreement shall clearly indicate which properties are to benefit from the access easement and in no case can any party create an obstruction to this access.
4. The text of the agreement shall specify that the access across these properties runs with the land and is binding on future owners and assigns. All of the involved properties should be included in this condition. However, a condition may be included indicating that if these properties are provided in the future with direct public access or are included in the same ownership as the area now being platted, that as appropriate, the access easement would terminate.

Prior to or at the time of submitting the final plat tracing, the applicant shall submit a copy of this agreement to the Planning Department for review. Subsequently, the applicant shall record this agreement, with the recording information to be shown on the final plat tracing.

- E. 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.
- F. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- G. The applicant shall submit to County Engineering, for their files, a copy of the drainage plan for this site.
- H. 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.
- I. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).

S/D 91-3 Webb Road Addition
Page 3

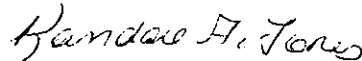
- J. Recording of the plat within 30 days after approval by the City Council.
- K. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable Letter of Credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, March 14, 1991 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

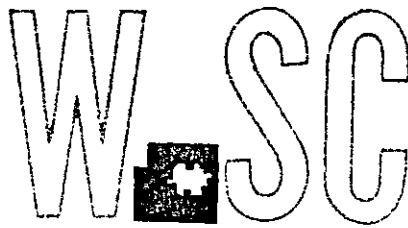


Kandace A. Jones
Associate Planner

KJ:sm
Enclosure

cc: Bill G. Yung Design, 4912 E. 29th St. N., Suite 1, Wichita,
KS 67220
Webb Road Development & Les Rudd, P.O. Box 782257, Wichita,
KS 67278
Mike Lindebak, City Engineer

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

March 15, 1991

Greg Allison
Mid-Kansas Engineering Consultants
3500 North Rock Road, #800
Wichita, KS 67226

Re: S/D 91-3 - Webb Road Development

Dear Greg:

At the regular meeting of the Metropolitan Area Planning Commission on March 14, 1991, the above captioned plat was considered. The action of the Planning Commission was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of March 8, 1991.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the City Council for consideration:

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. Submission of a check, made out to the Register of Deeds, covering the costs of any documents to be recorded as a requirement of platting.

Please call if you have any questions.

Sincerely,

Kandace A. Jones

Kandace A. Jones
Associate Planner

KJ:sm

cc: Bill G. Yung Design, 4912 E. 29th St. N., Suite 1, Wichita,
KS 67220
Webb Road Development & Les Rudd, P.O. Box 782257, Wichita,
KS 67278
Mike Lindebak, City Engineer