

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 6

March 16, 1995

**STAFF REPORT
(Final Plat)**

CASE NUMBER: S/D 95-20 STEVE KELLEY 5TH ADDITION

OWNER/APPLICANT: John H. Baker, 1661 Cheryl, Wichita, KS 67212

CONTRACT PURCHASER: Steve Kelley, 11825 W. Alderny Ct., Wichita, KS 67212

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

LOCATION: South of Kellogg Avenue and east of 119th Street West

SITE SIZE: 2.94 Acres

NUMBER OF LOTS

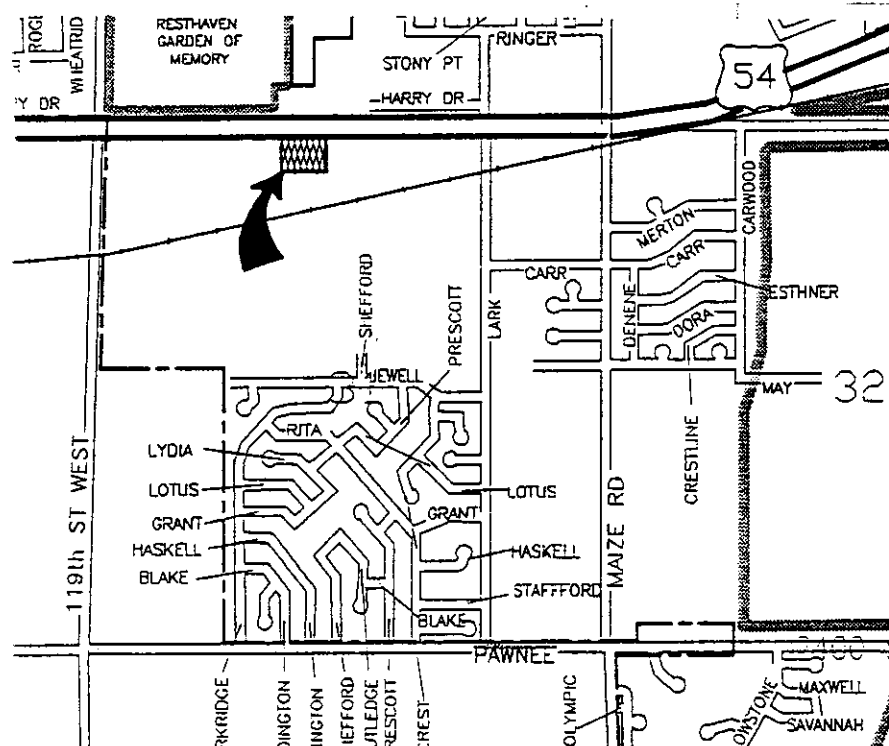
Residential:
Office:
Commercial:
Industrial: 3
Total: 3

MINIMUM LOT AREA: 31,250 sq. ft.

CURRENT ZONING: "E"

PROPOSED ZONING:

VICINITY MAP:



Note: Although municipal sanitary sewer and water are not now directly adjacent to this site, major developments are underway in this area, particularly to the south. Further, almost all of the area along Kellogg will now be platted and under the "E" Light Industrial zoning that predominates in this area along Kellogg, the use of municipal services is imperative. This site is within Wichita's City Limits and is no longer rural in nature.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. The applicant shall guarantee the paving of Harry (Kellogg) Drive adjacent to this site.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The final plat shall indicate the platting of the 35-foot building setback from Kellogg (Harry Drive) 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.
- G. City Engineering needs to indicate if the right-of-way indicated adjacent to this plat for Kellogg and the Drive is adequate.
- H. Prior to this plat being released for recording, proof shall be provided that this site is in the ownership of the parties shown on the plat. The platting binder presently indicates a different ownership.
- J. Proof shall also be provided that all applicable taxes have been paid on this site. In particular, the platting binder indicates that the second half of 1994 taxes are due.
- J. The applicant's agent also needs to indicate the nature of an easement and pipeline "order" listed in the platting binder. The applicant needs to explain if the easement is being vacated and/or covered by some other dedication and if the pipeline "order" in any way effects the site's use, especially if any form of easement should be shown on the property in regard to this order.
- K. 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.)

- 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. Perimeter closure computations shall be submitted with the final plat tracing Section 5-101(c).
- N. Recording of the plat within 30 days after approval by the City Council.
- O. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

Note: This plat has been submitted in final form only.

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: SUB 2003-93 -- STEVE KELLEY FIFTH ADDITION

OWNER/APPLICANT: Steve Kelley, 11825 W. Alderney Ct., Wichita, KS 67212; Jack Amburgey, 1325 Smith, Wichita, KS 67212

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

LOCATION: South side of 13th Street North, East of Hoover

SITE SIZE: 7.78 Acres

NUMBER OF LOTS

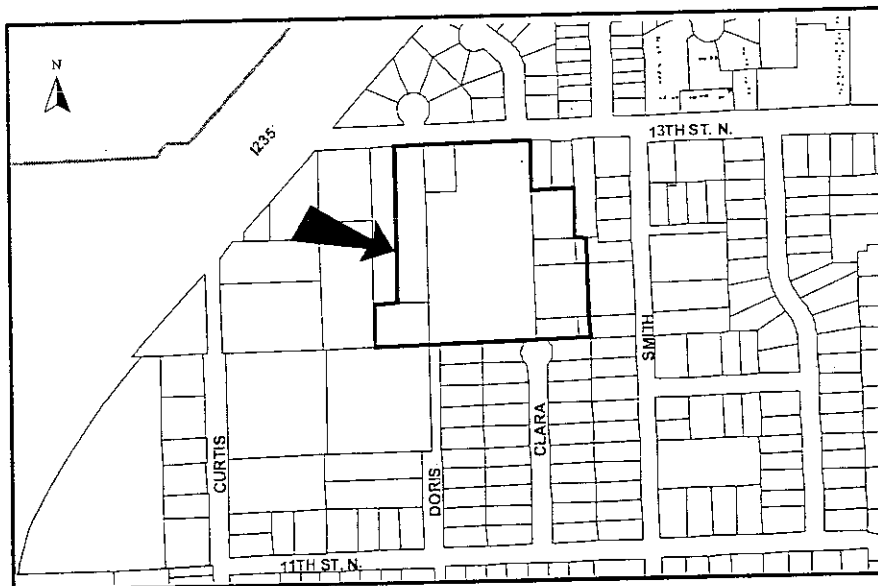
Residential:	32
Office:	
Commercial:	
Industrial:	
Total:	<u>32</u>

MINIMUM LOT AREA: 7,440 Sq. Ft.

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This is a replat of a portion of the R.A. Morris Tracts and the Amburgey 3rd Addition.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. City Engineering needs to comment on the need for other guarantees or easements.
- B. A temporary easement by separate instrument should be submitted to cover the existing sewer line to be relocated/abandoned unless the sewer line is relocated/abandoned before the plat is recorded.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage concept.
- E. Traffic Engineering requests the alignment of Doris Street with 13th Street N. Ct. across 13th Street.
- F. Traffic Engineering needs to comment on the need for additional right-of-way along 13th Street. *A 10-foot sidewalk and utility easement is requested.*
- G. Traffic Engineering needs to comment on the need for access controls. *Complete access control is needed along 13th Street for Lot 1, Block B and Lots 2 and 3, Block A. A 20-foot access easement between Lots 3 and 4, Block A is needed to serve Lot 2, Block A.*
- H. The Applicant shall guarantee the paving of the proposed streets.
- I. The paving guarantee shall include the installation of a temporary turnaround at the terminus of Doris at the plat's south line. The plat's text should indicate that the vacation of the temporary turnaround area will be effective upon the extension of the street southward.
- J. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-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.
- L. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.

SUB 2003-93 -- Preliminary Plat of STEVE KELLEY FIFTH ADDITION
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- M. The applicant shall submit an avigational easement covering all of the 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.
- N. The building setback for Lots 9-18, Block A shall be labeled correctly as 20 feet.
- O. GIS needs to comment on the plat's street names. *The street names are approved.*
- P. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- Q. The platator's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- R. 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.)
- S. 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.
- T. 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 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- U. 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 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.
- V. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.

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- Y. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- Z. The applicant is reminded that a compact disk (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.

L-23
J. 118

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

**AGENDA ITEM NO. 7
OCTOBER 30, 2003**

STAFF REPORT
(Final Plat, Preliminary Plat Approved 8/28/03)

CASE NUMBER: SUB 2003-93 -- STEVE KELLEY FIFTH ADDITION

OWNER/APPLICANT: Steve Kelley, 1250 N. Clara, Wichita, KS 67212; Jack Amburgey, 1325 Smith, Wichita, KS 67212

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

LOCATION: South side of 13th St. North, East of Hoover

SITE SIZE: 7.78 Acres

NUMBER OF LOTS

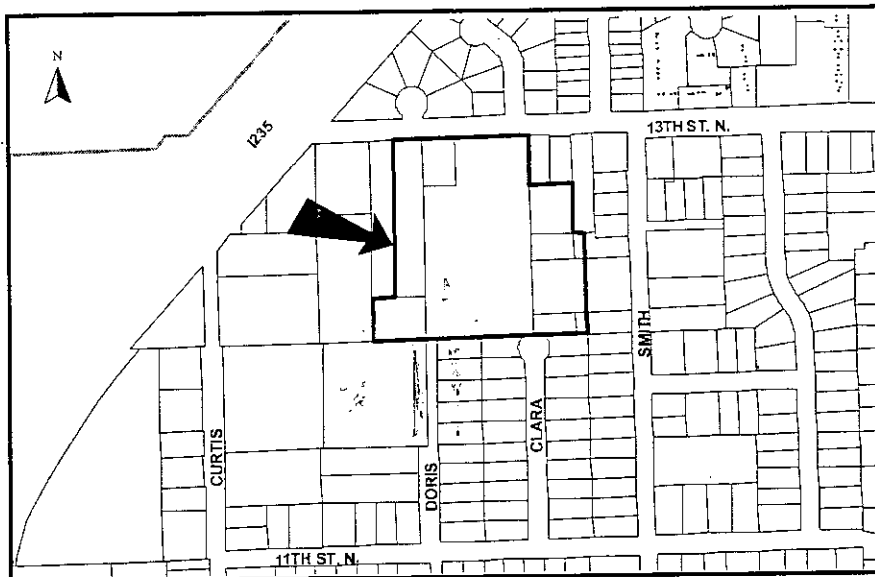
Residential:	32
Office:	
Commercial:	
Industrial:	
Total:	<u>32</u>

MINIMUM LOT AREA: 7,440 Sq. Ft.

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



S-55#22

NOTE: This is a replat of a portion of the R.A. Morris Tracts and the Amburgey Third Addition.

Planning Staff recommends approval of the plat .

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. City Engineering needs to comment on the need for other guarantees or easements.
- B. A temporary easement by separate instrument should be submitted to cover the existing sewer line to be relocated/abandoned unless the sewer line is relocated/abandoned before the plat is recorded.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage plan.
- E. Traffic Engineering requests the alignment of Doris St with 13th St. N. Ct across 13th St. *The Subdivision Committee did not approve this request.*
- F. Traffic Engineering needs to comment on the need for additional right-of-way along 13th Street. *A 10-ft sidewalk, utility and sign easement is requested.*
- G. *The Subdivision Committee approved a joint access opening for Lots 1 and 2, Block A. A temporary opening is permitted for Lot 1 which shall be closed upon removal of the house.*
- H. The joint access opening shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- I. The Applicant shall guarantee the paving of the proposed streets.
- J. The paving guarantee shall include the installation of a temporary turnaround at the terminus of Doris at the plat's south line. The plat's text should indicate that the vacation of the temporary turnaround area will be effective upon the extension of the street southward.
- K. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-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.

- M. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.
- N. The applicant shall submit an avigational easement covering all of the 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.
- O. GIS needs to comment on the plat's street names. Whitehall needs revised to Clara.
- P. Several lot dimensions need to be corrected
- Q. The plattor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- R. 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.)
- S. 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.
- T. 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 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- U. 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 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.
- V. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.

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October 30, 2003 - Page 4

- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- Y. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- Z. The applicant is reminded that a compact disk (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.

Closure

CLOSURE - STEVE KELLEY 5TH ADDITION

PT 01	North: 5598.6598	East :	7129.5662
Line	Course: N 89-46-55 E	Length:	419.5100
PT 02	North: 5600.2563	East :	7549.0732
Line	Course: S 00-02-58 E	Length:	157.5000
PT 03	North: 5442.7564	East :	7549.2091
Line	Course: N 89-43-06 E	Length:	132.0300
PT 04	North: 5443.4054	East :	7681.2375
Line	Course: S 00-02-02 W	Length:	156.8900
PT 05	North: 5286.5155	East :	7681.1447
Line	Course: N 89-43-02 E	Length:	33.1400
PT 06	North: 5286.6790	East :	7714.2843
Line	Course: S 00-01-21 E	Length:	315.0700
PT 07	North: 4971.6091	East :	7714.4080
Line	Course: S 89-38-50 W	Length:	134.8600
PT 08	North: 4970.7787	East :	7579.5506
Line	Course: S 89-53-38 W	Length:	59.9700
PT 09	North: 4970.6676	East :	7519.5807
Line	Course: S 89-39-28 W	Length:	464.7900
PT 10	North: 4967.8915	East :	7054.7990
Line	Course: N 00-02-25 E	Length:	131.8200
PT 11	North: 5099.7115	East :	7054.8917
Line	Course: N 89-39-28 E	Length:	74.8400
PT 12	North: 5100.1585	East :	7129.7303
Line	Course: N 00-01-04 W	Length:	498.5000
PT 01	North: 5598.6585	East :	7129.5757