

S/D No.: 85-2 Name: DEER RUN ADDITION (Formerly Deerwood, formerly Deerfield)

2nd Rev. Prelim. Appr.: 5/8/86
1st Rev. Prelim. Appr.: 4/11/85
1st Prelim. Approved: 1/17/85
Scheduled S/D Meeting: 6/5/86

DESCRIPTION

General Location: On the west side of Webb Road, in an area south of 29th Street North.
Owner: Tallgrass Company, 8100 E. 22nd St. No., Bldg. 1900, Wichita, KS 67226
Surveyor/Engineer: Mid-Kansas Engineering Consultants, P.A.

1. Gross Acreage of Plat: 16.6 Acres ±
2. Number of Lots:
 - Residential: 42
 - Office:
 - Commercial:
 - Industrial:
 - Total: 42
3. Minimum Lot Area: 9,350 Sq. Ft.
4. Existing Zoning: "AA" with DP-96
5. Proposed Zoning: "AA" with DP-96

STAFF COMMENTS:

NOTE: This plat is subject to the provisions of the Tallgrass Community Unit Plan (DP-96) and represents the platting of Parcel 4.

- A. The applicant shall guarantee extension of sanitary sewer to serve all the lots being platted.
- B. The applicant shall guarantee extension of municipal water to serve all the lots being platted.
- C. The applicant shall guarantee the paving of the proposed interior streets.
- D. The applicant shall guarantee all drainage improvements required by the platting of this property.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The applicant shall guarantee the paving of the private street proposed to serve Lots 14 through 20, Block 1 to the 21-foot public street paving standard.
- G. On the final plat tracing, the platator's text shall be amended to include Reserve "J" in the sentence which plats the reserves for "the construction and maintenance of public utilities and drainage."
- H. The representative from the City Engineer's office should be prepared to comment on the acceptability of platting Reserve "E" for drainage and permanent recreational structures (e.g., swimming pool and related structures). Utility easements have been defined within this reserve.
- I. On the final plat tracing, the face of the plat shall be corrected to label Reserve "J" as a private street, not a private drive.
- J. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.

- K. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- L. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.
- M. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat. 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.
- N. 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 structure constructed on subject property.
- N. On the final plat tracing, the granting of the private street easement shall be referenced in the plattor's text.
- O. The applicant shall provide proof, by letter from the pipeline company or by providing a copy of the pipeline easement agreement, that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement.
- P. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- Q. The applicant shall submit a copy of the instrument which establishes the Co-Op Refinery and Cities Service easement on this property.
- R. The applicant shall obtain, by separate instrument, a 20-foot wide off-site utility easement adjacent to the westerly line of this plat.
- S. On the final plat tracing, the difference between the bearing indicated on the face of the plat, for the east line of the plat, and the plattor's text shall be eliminated.
- T. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(C).
- U. Recording of the plat within 30 days after approval by the Board of City Commissioners.
- V. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan. Specifically, what drainage improvements need to be guaranteed with this plat?
- W. At the time of preliminary plat approval, a requirement was made for a proposed paving layout plan for the Deer Run/Webb Road intersection. The City Engineer's representative and the Traffic Engineer should be prepared to comment on the acceptability of this plan.

T. 26 S.

T. 27 S.

29TH

STREET

1402

1399

1408



1400

Lot 18
Block 1
Shannon
Woods

408

5

1412

GOLF COURSE

4177

ROAD

ROAD

WICHITA

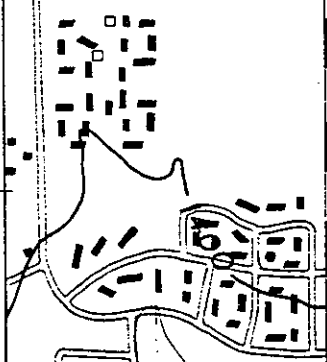
21ST

1403

1378

139

4176



BM

BURLINGTON

WEBB

1385

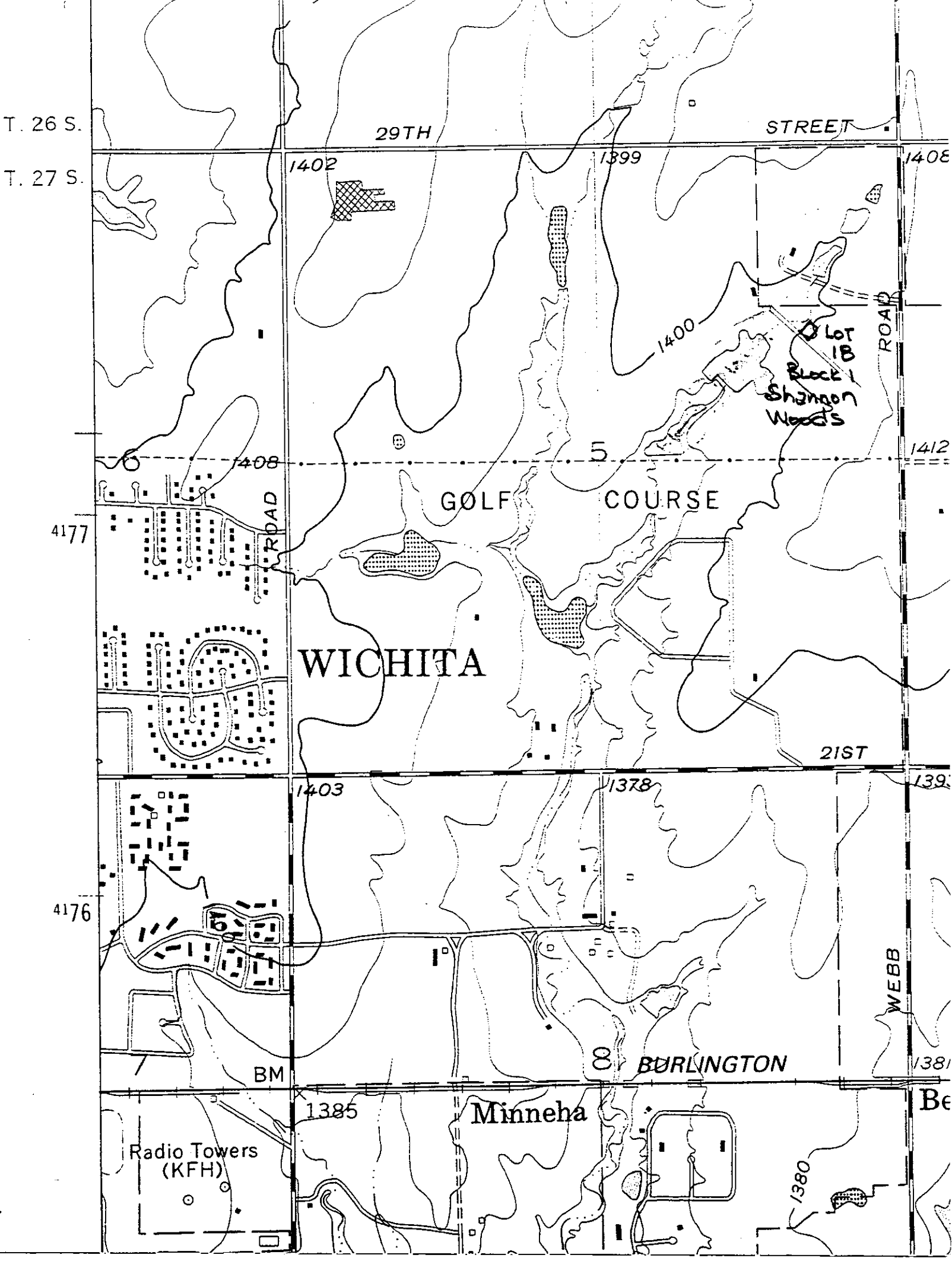
Minneha

1381

Be

Radio Towers
(KFH)

1380



29TH

STREET

ZONE A

ZONE D

SHADOWRIDGE

TALLGRASS

PENSIEMON

WILDFERNSS

1400

GREENBRIAR

ZONE C

ZONE A

LIMITS

CORPORATE

ZONE C

WINDWOOD

BOXTHORN

GREENLEAF

ZONE A
BOXTHORN

Middle Branch
Gypsum Creek

PENSIEMON

STREET

21ST

1376
1374

1373

1372

ZONE A3

ZONE B

1371

1369

1366

ZONE B

1365

ZONE C

ZONE A3

1364

1363

SUMMERFIELD

ZONE C

Middle Branch
Gypsum Creek

1362

ZONE B

CRESTWOOD

GATEWOOD

CYPRESS

LIMITS

LINDEN

GATEWOOD

CORPORATE

MIT OF
FILED STUDY

West Branch
Gypsum Creek

STONEGATE

June 1, 1989

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 89-34 - SHANNON WOODS AT TALLGRASS ADDITION

OWNER/APPLICANT: Jay W. Russell, 443 N. Maize Road, Wichita, KS 67212

SURVEYOR/ENGINEER: Mid Kansas Engineering Consultants, P.A.

LOCATION: West of Webb Road in an area south of 29th St. N.

SITE SIZE: 16.42 Acres

NUMBER OF LOTS

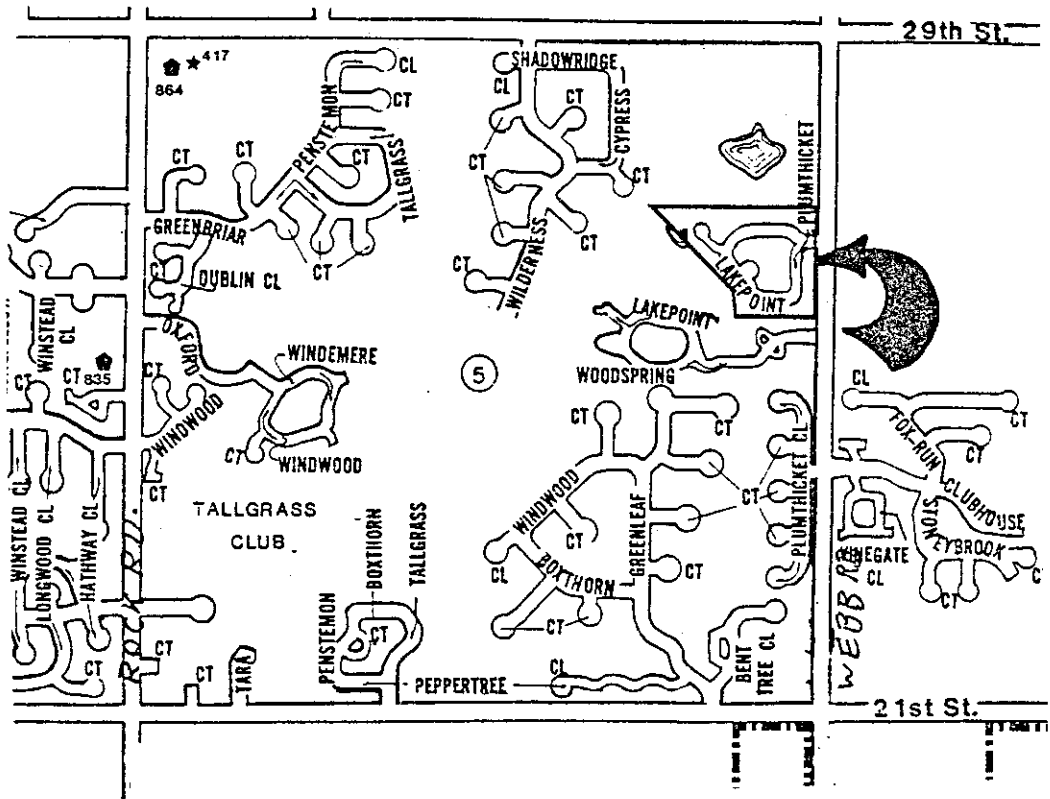
Residential:	46
Office:	
Commercial:	
Industrial:	
Total:	46

MINIMUM LOT AREA: 7,800 sq. ft.

CURRENT ZONING: "AA" (DP-96)

D - 81
K 226
~~226~~

VICINITY MAP:



STAFF COMMENTS:

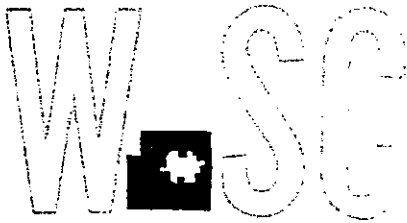
- NOTE: Although this plat would not qualify for submission as a final form only plat, it has been accepted as such. This is a replat of the Deer Run plat approved in 1986. Only minor changes have been made in this site's street layout. However, additional lots are now being platted which has altered both the configurations of the lots and Reserves originally platted for the Deer Run Addition. This site is subject to the provisions of the Tallgrass Community Unit Plan (DP-96).
- A. The applicant shall ~~either abandon or amend~~ the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments ~~and petitions~~ may be ~~amended~~. *replaced*
- 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. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- E. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- F. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.

- G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat. 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.
 - H. The applicant shall submit a copy of the instruments which establishes the Cities Service and Coop Refinery Pipeline Easements on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreements.
 - I. The applicant shall provide proof, by letter from the pipeline companies or by providing a copy of the pipeline easement agreements, that utilities and buildings may be located adjacent to the easements without restriction of an established setback from the easements.
 - J. Any relocation, lowering or encasement of the pipelines, made necessary by this development, will not be at the expense of the City.
 - 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. Since this plat indicates a swimming pool as a use for Reserve D, the applicant is advised that before this plat can be scheduled for City Council review the applicant will need to obtain approval for this pool by either amending the C.U.P. or obtaining a Special Permit as specified in section 28.04.182 of the Zoning Ordinance of the City of Wichita.
 - M. On the final plat tracing, Reserve "A: shall be shortened so as not to project into the street right-of-way for Plumthicket.
 - N. If utilities are expected to cross any of the wall easements, the plattor's text shall be amended to indicate that "utilities may cross wall easements."
 - O. If as indicated on the Deer Run plat, the Cities Service Easement along Webb Road overlaps the Reserves being platted here, then this area on the plat should be clearly indicated and dimensioned.
 - P. Since the side yards of the corner lots of Lot 1, Block 1 and Lot 10, Block 2 are adjacent to 10-foot sections of Reserves, and such lots should plat 15-foot setbacks to adjacent streets, a 5-foot setback shall be shown for these lots adjacent to Deer Run (5-foot from the lot/reserve property line).
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- Q. A 20-foot building setback shall be indicated to Deer Run Circle for Lots 17, 18 and 19, Block 1.
- R. The applicant is advised that the corner lots in Block 3 (lots 5, 7, 12 and 17) by showing a 15-foot setback along one side is limiting the positioning of homes on these lots. If a 20-foot setback is indicated along both sides of these lots, homes may be fronted to either street frontage. The size and shape of these lots appears to be such that such setbacks will not adversely restrict buildable areas.
- S. The final plat tracing shall more clearly label and dimension the easements along Reserves C and B and the rear lot lines of Lots 9 and 10, Block 2 and Lots 1 thru 6, Block 1.
- T. The final plat tracing shall indicate that the 20-foot easement along the plat's south line and the 30-foot easement along the plat's north line, are exclusive of the 3-foot wall easements also indicated in these areas.
- U. Additional dimensions, from lot corners, shall be indicated for the easement crossing the rear of Lots 10, 11 and 12 Block 1.
- V. On the final plat tracing the mayor's signature block shall be amended to indicate the "Council" instead of Commission and the Mayor's signature as "Bob Knight."
- W. 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.
- X. 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.
- Y. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Z. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- AA. Recording of the plat within 30 days after approval by the City Council.
- BB. 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.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

June 2, 1989

Mid-Kansas Engineering Consultants, P.A.
3500 N. Rock Road, Bldg. 800
Wichita, KS 67226

Re: S/D 89-34 - SHANNON WOODS AT TALLGRASS

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, June 1, 1989, 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 either abandon or amend the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments and petitions may be amended.
- 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. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.

- E. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
 - F. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.
 - G. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat. 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.
 - H. The applicant shall submit a copy of the instruments which establishes the Cities Service and Coop Refinery Pipeline Easements on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreements.
 - I. The applicant shall provide proof, by letter from the pipeline companies or by providing a copy of the pipeline easement agreements, that utilities and buildings may be located adjacent to the easements without restriction of an established setback from the easements.
 - J. Any relocation, lowering or encasement of the pipelines, made necessary by this development, will not be at the expense of the City.
 - 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.
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- L. As requested by City Engineering on the final plat tracing, 20-foot, instead of 15-foot, utility and/or drainage easements shall be shown between lots 2 and 3, 9 and 10, 15 and 16, 18 and 19, of Block 1; and 11 & 12 of Block 3.
 - M. Since a swimming pool is no longer being proposed, reference to the pool shall be deleted as one of the uses indicated on the plat for the involved RESERVE.
 - N. On the final plat tracing, Reserve "A: shall be shortened so as not to project into the street right-of-way for Plumthicket.
 - O. If utilities are expected to cross any of the wall easements, the plattor's text shall be amended to indicate that "utilities may cross wall easements."
 - P. If as indicated on the Deer Run plat, the Cities Service Easement along Webb Road overlaps the Reserves being platted here, then this area on the plat should be clearly indicated and dimensioned.
 - Q. Since the side yards of the corner lots of Lot 1, Block 1 and Lot 10, Block 2 are adjacent to 10-foot sections of Reserves, and such lots should plat 15-foot setbacks to adjacent streets, a 5-foot setback shall be shown for these lots adjacent to Deer Run (5-foot from the lot/reserve property line).
 - R. A 20-foot building setback shall be indicated to Deer Run Circle for Lots 17, 18 and 19, Block 1.
 - S. The final plat tracing shall more clearly label and dimension the easements along Reserves C and B and the rear lot lines of Lots 9 and 10, Block 2 and Lots 1 thru 6, Block 1.
 - T. The final plat tracing shall indicate that the 20-foot easement along the plat's south line and the 30-foot easement along the plat's north line, are exclusive of the 3-foot wall easements also indicated in these areas.
 - U. Additional dimensions, from lot corners, shall be indicated for the easement crossing the rear of Lots 10, 11 and 12 Block 1.
 - V. On the final plat tracing the mayor's signature block shall be amended to indicate the "Council" instead of Commission and the Mayor's signature as "Bob Knight."
 - W. 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.
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- X. 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.
- Y. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Z. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- AA. Recording of the plat within 30 days after approval by the City Council.

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

This matter will be forwarded to the Planning Commission for its consideration on Thursday after the Subdivision meeting, June 8, 1989. If you have any questions concerning this matter, please call.

Sincerely,



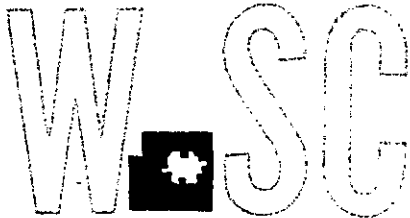
R. Timothy Bickhaus
Associate Planner

RTB:svm

Enclosure

cc: Jay W. Russell, 443 N. Maize Road, Wichita, KS 67212
Mike Lindebak, City Engineer

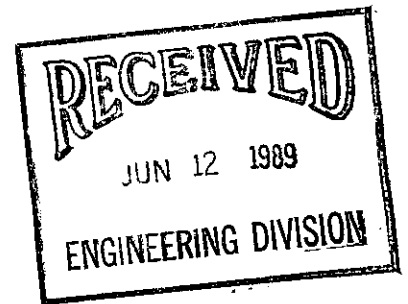
WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

June 8, 1989



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

Re: S/D 89-34 - SHANNON WOODS AT TALLGRASS

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on June 8, 1989, the above captioned plat was considered. The action of the Committee was to recommend that the plat be approved as recommended by the Subdivision Committee subject to the conditions stated in our letter of June 2, 1989.

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

1. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
2. 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.
3. Certification that all real estate taxes for the first half of 1988 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

R. Timothy Bickhaus
Associate Planner

RTB:sm

cc: Jay W. Russell, 443 N. Maize Road, Wichita, KS 67212
Mike Lindebak, City Engineer

June 29, 1989

STAFF REPORT
(Revised Final Plat; Final Plat approved 6/1/89)

CASE NUMBER: S/D 89-34 - SHANNON WOODS AT TALLGRASS ADDITION

OWNER/APPLICANT: Jay W. Russell, 443 N. Maize Road, Wichita, KS 67212

SURVEYOR/ENGINEER: Mid Kansas Engineering Consultants, P.A.

LOCATION: West of Webb Road in an area south of 29th St. N.

SITE SIZE: 16.42 Acres

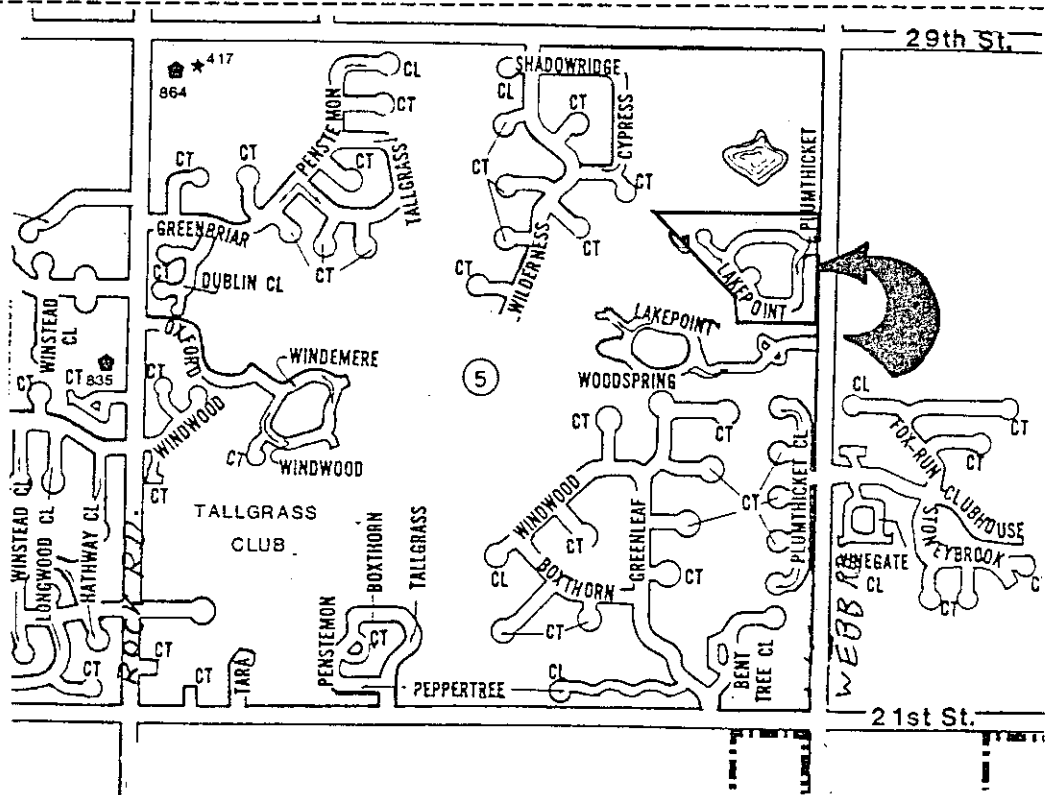
NUMBER OF LOTS

Residential:	45
Office:	
Commercial:	
Industrial:	
Total:	45

MINIMUM LOT AREA: 7,800 sq. ft.

CURRENT ZONING: "AA" (DP-96)

VICINITY MAP:



STAFF COMMENTS:

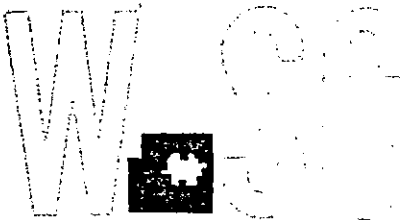
- NOTE: This is a revised final plat. Shannon Woods at Tallgrass was previously heard by this committee on June 1, 1989, and approved by MAPC on June 8, 1989. Only minor changes have been made except that what was Lot 17, Block 3, is now being platted as a reserve for a swimming pool. This site is subject to the provisions of the Tallgrass Community Unit Plan (DP-96).
- A. This plat is attempting to be approved under regulations relating to permitting swimming pools in platted reserves that as of yet have not been adopted by the governing body. Therefore, this plat shall not be scheduled to City Council until said regulations are adopted.
 - B. The applicant shall either abandon or amend the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments and petitions may be amended.
 - 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. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
 - F. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
 - G. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.
 - H. The applicant shall submit a covenant which provides for four (4)

- S. A 20-foot building setback and utility easement shall be indicated to Shannon Woods Circle for Lots 14 thru 19, Block 1.
 - T. The final plat tracing shall more clearly label and dimension the easements along Reserves C and B and the rear lot lines of Lots 9 and 10, Block 2 and Lots 1 thru 6, Block 1.
 - U. The final plat tracing shall indicate that the 20-foot easement along the plat's south line is exclusive of the 3-foot wall easement also indicated in this area.
 - V. Additional dimensions, from lot corners, shall be indicated for the easement crossing the rear of Lots 10, 11 and 12 Block 1.
 - W. On the final plat tracing the mayor's signature block shall be amended to indicate the "Council" instead of Commission and the Mayor's signature as "Bob Knight."
 - X. 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.
 - Y. 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.
 - Z. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
 - AA. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
 - BB. Recording of the plat within 30 days after approval by the City Council.
 - CC. The representatives from the utility companies should be prepared to comment on the need for utilities.
 - DD. The representative from the Fire Department is requested to comment on the acceptability of Shannon Woods as a street name.
 - EE. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.
-

off-street parking spaces per dwelling unit on each lot within this plat. 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.

- I. The applicant shall submit a copy of the instruments which establishes the Cities Service and Coop Refinery Pipeline Easements on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreements.
- J. The applicant shall provide proof, by letter from the pipeline companies or by providing a copy of the pipeline easement agreements, that utilities and buildings may be located adjacent to the easements without restriction of an established setback from the easements.
- K. Any relocation, lowering or encasement of the pipelines, made necessary by this development, will not be at the expense of the City.
- 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 final plat tracing shall dimension the area between the right-of-way line and the utility easement at the common lot line of Lots 16 and 17, Block 1.
- N. The 15-foot street drainage, and utility easement shall be defined within Reserve "E" adjacent to the cul-de-sac on the final plat tracing.
- O. The cul-de-sac shall also be termed as a "circle" on the final plat tracing.
- P. If utilities are expected to cross any of the wall easements, the plattor's text shall be amended to indicate that "utilities may cross wall easements."
- Q. The Cities Service Easement along Webb Road overlaps the Reserves being platted, his area on the plat should be clearly indicated and dimensioned with arrows.
- R. Since the side yards of the corner lots of Lot 1, Block 1 and Lot 10, Block 2 are adjacent to 10-foot sections of Reserves, and such lots should plat 15-foot setbacks to adjacent streets, a 5-foot setback shall be shown for these lots adjacent to Deer Run (5-foot from the lot/reserve property line).

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

July 3, 1989

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

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

Re: S/D 89-34 - SHANNON WOODS AT TALLGRASS

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, June 29, 1989, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. This plat is attempting to be approved under regulations relating to permitting swimming pools in platted reserves that as of yet have not been adopted by the governing body. Therefore, this plat shall not be scheduled to City Council until said regulations are adopted. Revised site plans shall also be provided encompassing all of the area designated as Reserve D.
- B. The applicant shall either abandon or amend the existing petitions on file for this property. If projects are to be abandoned as a result of this replat, the applicant shall pay off the charges against the abandoned projects. Square footage figures shall be provided for the lots within this plat so existing special assessments and petitions may be amended.
- 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. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.

- F. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
 - G. Since this plat proposes the platting of narrow street rights-of-way with adjacent "15-foot public drainage, utility and private street easement," 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. Any planting within this easement shall be reviewed by the City Forestry Division prior to installation.
 - H. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot within this plat. 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.
 - I. The applicant shall submit a copy of the instruments which establishes the Cities Service and Coop Refinery Pipeline Easements on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreements.
 - J. The applicant shall provide proof, by letter from the pipeline companies or by providing a copy of the pipeline easement agreements, that utilities and buildings may be located adjacent to the easements without restriction of an established setback from the easements.
 - K. Any relocation, lowering or encasement of the pipelines, made necessary by this development, will not be at the expense of the City.
 - 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 final plat tracing shall dimension the area between the right-of-way line and the utility easement at the common lot line of Lots 16 and 17, Block 1.
-

- N. The 15-foot street drainage, and utility easement shall be defined within Reserve "E" adjacent to the cul-de-sac on the final plat tracing.
 - O. The cul-de-sac shall also be termed as a "circle" on the final plat tracing.
 - P. If utilities are expected to cross any of the wall easements, the plat's text shall be amended to indicate that "utilities may cross wall easements."
 - Q. The Cities Service Easement along Webb Road overlaps the Reserves being platted, this area on the plat should be clearly indicated and dimensioned with arrows.
 - R. Since the side yards of the corner lots of Lot 1, Block 1 and Lot 10, Block 2 are adjacent to 10-foot sections of Reserves, and such lots should plat 15-foot setbacks to adjacent streets, a 5-foot setback shall be shown for these lots adjacent to Deer Run (5-foot from the lot/reserve property line).
 - S. A 20-foot building setback and utility easement shall be indicated to Shannon Woods Circle for Lots 14 thru 19, Block 1.
 - T. The final plat tracing shall more clearly label and dimension the easements along Reserves C and B and the rear lot lines of Lots 9 and 10, Block 2 and Lots 1 thru 6, Block 1.
 - U. The final plat tracing shall indicate that the 20-foot easement along the plat's south line is exclusive of the 3-foot wall easement also indicated in this area.
 - V. Additional dimensions, from lot corners, shall be indicated for the easement crossing the rear of Lots 10, 11 and 12 Block 1.
 - W. On the final plat tracing the mayor's signature block shall be amended to indicate the "Council" instead of Commission and the Mayor's signature as "Bob Knight."
 - X. 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.
 - Y. 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.
-

- Z. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- AA. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- BB. Recording of the plat within 30 days after approval by the City Council.

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, July 6, 1989 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,

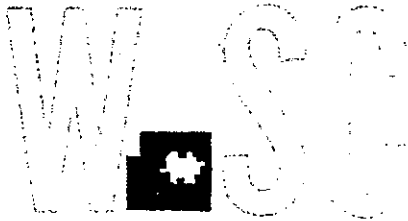
Tim Bickhaus D.2.

R. Timothy Bickhaus
Associate Planner

RTB:sm

cc: Jay W. Russell, 443 N. Maize Road, Wichita, KS 67212
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

July 7, 1989

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

Re: S/D 89-34 - SHANNON WOODS AT TALLGRASS

Dear Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on July 6, 1989, 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 July 3, 1989.

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 title report by an abstract or title insurance company or an attorney's opinion that fee title is vested in the plattor.
3. Certification that all real estate taxes for the second half of 1988 and all prior years have been paid.

Please call if you have any questions.

Sincerely,

R. Timothy Bickhaus
Associate Planner

RTB:sm

cc: Jay W. Russell, 443 N. Maize Road, Wichita, KS 67212
Mike Lindebak, City Engineer

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT


DATE: September 26, 1989

TO: Vicky Huang, Subdivision Engineer

FROM: Douglas J. Moshier, Senior Assistant City Attorney

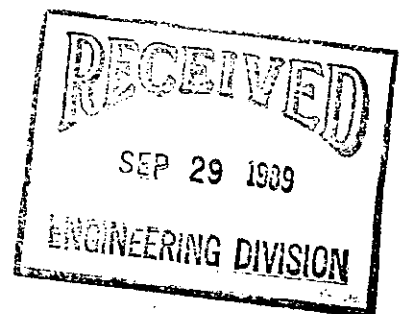
SUBJECT: Agreement for Respread
Assessments

The attached Agreement for resreading assessments in Shannon
Wood at Tallgrass Addition is approved as to form.


Douglas J. Moshier
Senior Assistant City Attorney

DJM:cdh

Attachment



AGREEMENT
BY AND BETWEEN

THE CITY OF WICHITA, KANSAS,
Party of the First Part

And

J.W. RUSSELL CONSTRUCTION, INC.
Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal improvements in the area South of 29th St. North and West of Webb Road, within the City Limits of the City of Wichita; and

WHEREAS, Party of the Second Part is the landowner of all or part of the improvement district; and

WHEREAS, portion of the improvement district of said improvements has been platted and/or replatted; and

WHEREAS, Party of the Second Part desires that a reassessment be made to reflect the changes in platting; and

WHEREAS, the Party of the First Part and Party of the Second Part are both desirous of accomplishing such a reassessment.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties agree as follows:

1. Lots 5 through 11 inclusive, Block 1, DEER RUN, an addition to Wichita, Sedgwick County, Kansas.

was part of the improvement district for the following City project(s):

Lat 21 main 22 War Industries

(Project No. 468-76-245-81270-000-000-001

Said property was replatted in Shanon Woods at Tallgrass.

2. The Parties agree to make a reassessment for said project in the following manner:

Lots 6 through 13 inclusive, Block 1, Shannon Woods at Tallgrass shall each pay 1/8 of the costs apportioned to the property described above.

3. The Party of the Second Part is the owner of the property described in section one above and said Party of the Second Part hereby waives the notice and hearing requirements of K.S.A. 12-6a12(b) with respect to the reassessment herein described.

4. The Party of the Second Part further waives his right to appeal the special assessments for the above mentioned projects (including this described reassessment) and agrees that no suit to set aside said assessment shall be brought by him nor shall he in any other way bring an action to question the validity of the proceedings taken by the Party of the First Part in constructing this project and levying the special assessments therefore.

5. The Party of the Second Part further agrees that he will indemnify the party of the First Part against any and all costs, expenses, claims and judgments for which the Party of the First Part is held responsible or which are entered against the Party of the First Part arising out of or as a result of the reassessment herein described.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement the _____
of _____, 19 ____.

THE CITY OF WICHITA, KANSAS

BY: _____
Mayor
Party of the First Part

Approved as to form:

Thomas R. Powell
Director of Law

Attest:

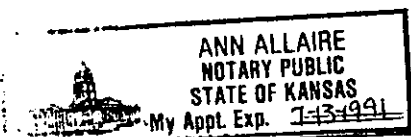
City Clerk

J.W. Russell
BY: _____
J.W. Russell Construction, Inc.
Party of the Second Part

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 7 day of August,
1988, before me, the undersigned, a Notary Public in and for the County and
State aforesaid, came J.W. Russell, personally known to me to be the same
person who executed the within instrument of writing and such person duly
acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal, the day and year last above written.



Ann Allaire
Notary Public

My Appointment Expires:


July 13, 1991

THE CITY OF WICHITA
OFFICE OF PUBLIC WORKS - ENGINEERING

TO: Dale Rea, Deputy City Clerk

DATE: October 5, 1989

FROM: Steve Lackey, Director of Public Works


SUBJECT: Agreement for Respread
of Special Assessments:
Lateral 21, Main 22,
WIS (Shannon Woods at
Tallgrass Addition)

Please place the attached agreement on the Consent Agenda. The purpose of the agreement is to respread special assessments to reflect the recent platting activity. The Law Department has approved the document as to legal form.

Recommendation/Action: Approve the agreement and authorize the Mayor to sign.

:wt
Attach.

Chris
file

May 14, 1991

Office of the City Engineer
City Hall - Seventh Floor
455 North Main Street
Wichita, KS 67202

Attention: Mr. Mike Lindebak, City Engineer

Dear Mike:

Transmitted with this letter is a file copy of the memorandum regarding the flood hazard status of Lot 18, Block 1, Shannon Woods Estates. Attached to the memorandum are the following exhibits supporting my request for determination:

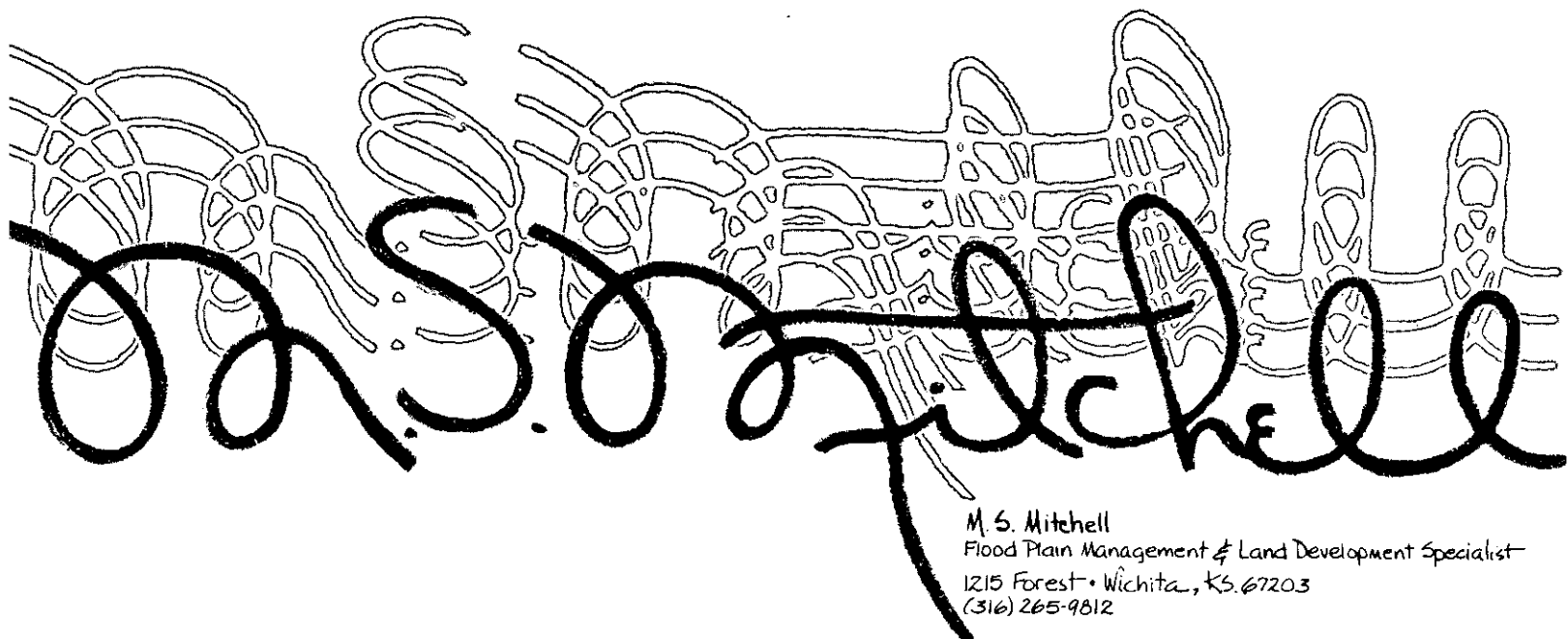
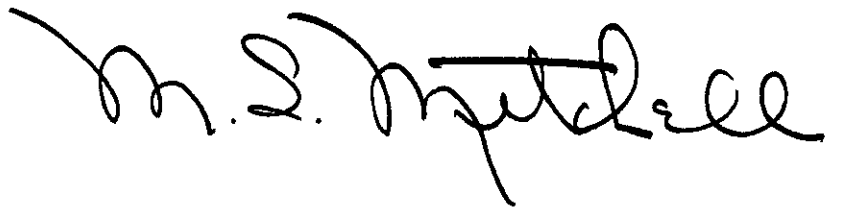
1. Staff comments for final plat of Deer Run Addition (which was replatted as Shannon Woods). There are no elevation controls required on any of the lots, and no indication that any of the lots were subject to flood hazard regulations.
2. Print of MKEC topographic map of the area on which Lot 18 is highlighted.
3. Print of MKEC plan and profile drawing on which their calculated 100-year frequency flood discharge of 300 cfs and flood profile of the channel upstream from the Golf Cart Path bridge is shown to range from 209 to 209.5 city datum elevation.
4. Print of Building Application and Permit form for Lot 18 on which CID staff marked the flood plain area box "N" indicating that Lot 18 was not in the flood plain and on which the floor elevation block was left blank.
5. Copy of Survey by Armstrong Land Survey P.A. showing ground elevations on Lot 18, the lowest opening to the house and lowest floor elevation, all above the MKEC calculated elevation upstream from the Golf Cart bridge.
6. Print of excerpt from FIRM Panel 15 on which the outline of the lake and 1400 contour taken from the current edition of the USGS Andover Quadrangle map is shown. Note that the north line of Shannon Woods (south line of NE1/4, NE1/4, Section 5) is incorrectly located which led to Mike Greene's determination that part of Lot 18 is in the mapped flood hazard zone.

7. Print of enlargement of excerpt from Andover Quad map on which the west line of Shannon Woods is plotted in the correct relationship to the southwest corner of the the NE1/4, NE1/4, Section 5. Based on that plot, Lot 18 is not in the special flood hazard zone as traced from Firm Panel 15. Also not that Lot 18 plots on the 1400 contour which equals City Datum elevation 212.6 which is compatible with the ground elevations shown on MKEC topo and Armstrong's survey.
8. Copy of page 14 of City of Wichita Flood Plain Management Ordinance on which subsection (h) is shown. The language of that subsection clearly gives the City Engineer the authority to make an interpretation of flood hazard where there is a conflict between the mapped flood plain and the actual field conditions.
9. Copy of FEMA model ordinance Article 4, Section C (9) from which the language in the City Ordinance cited above was directly taken.

Mike, I appreciate the time and patience it took to make the requested determination on Lot 18 and I am certain that the future owners of the property will also.

encl as noted

Yours truly,



M. S. Mitchell
Flood Plain Management & Land Development Specialist
1215 Forest • Wichita, KS 67203
(316) 265-9812