

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

March 22, 1990

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 90-14 - WILSON ESTATES SECOND ADDITION

OWNER/APPLICANT: Wilson Estates, 408 Century Plaza Blvd.,
Wichita, KS 67202

SURVEYOR/ENGINEER: Mid-Kansas Engineering Consultants

LOCATION: South of 21st Street and East of Rock Rd.

SITE SIZE: 3.3 Acres

NUMBER OF LOTS

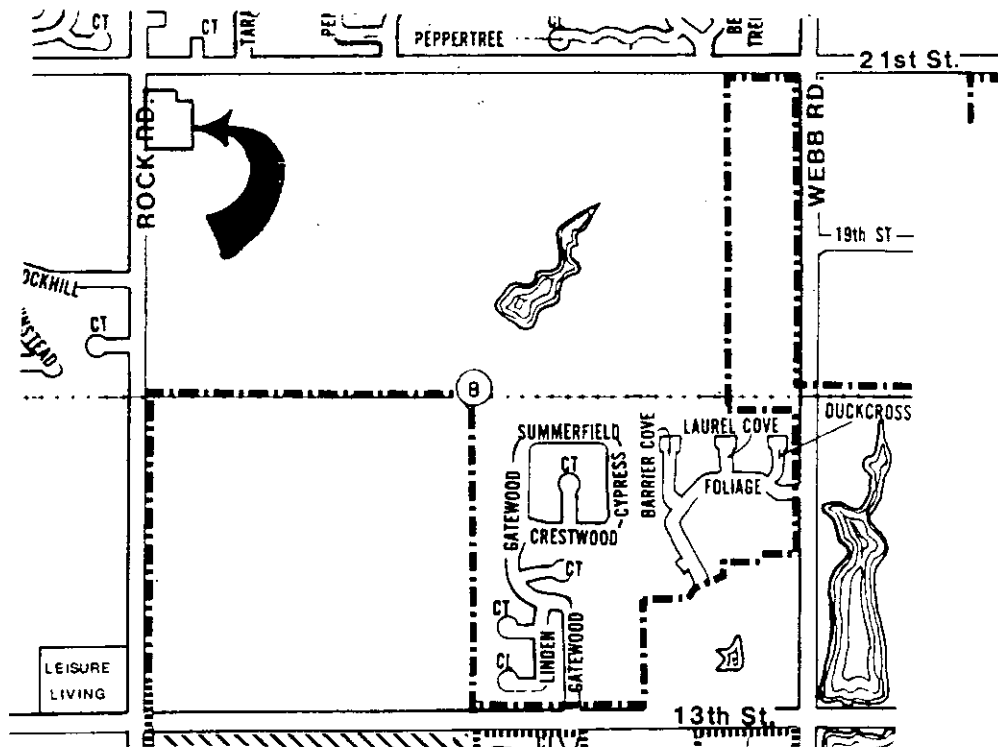
Residential:	
Office:	
Commercial:	2
Industrial:	
Total:	2

MINIMUM LOT AREA: 22,000 sq. ft.

CURRENT ZONING: "LC" Light Commercial & "AA" One Family Dwelling

PROPOSED ZONING: "LC" Light Commercial (Z-2886) (DP-191)

VICINITY MAP:



STAFF COMMENTS:

NOTE: An overall preliminary plat for this general area was reviewed by the Subdivision Committee November 16, 1989. This same area is also covered by the Wilson Property Community Unit Plan (CUP) DP-191. A portion of this site was platted this past January. That plat involved 3-lots, which corresponded to 3-parcels of the C.U.P. This final plat is now replatting what was one of these original lots plus additional area not originally in the first final plat, but a portion of the area within the C.U.P. This plat is resulting in changes where lot lines are significantly different than the C.U.P.'s parcel boundaries. A portion of Lot 2 is also involved in a zone change from "AA" One Family to "LC" Light Commercial (Z-2886).

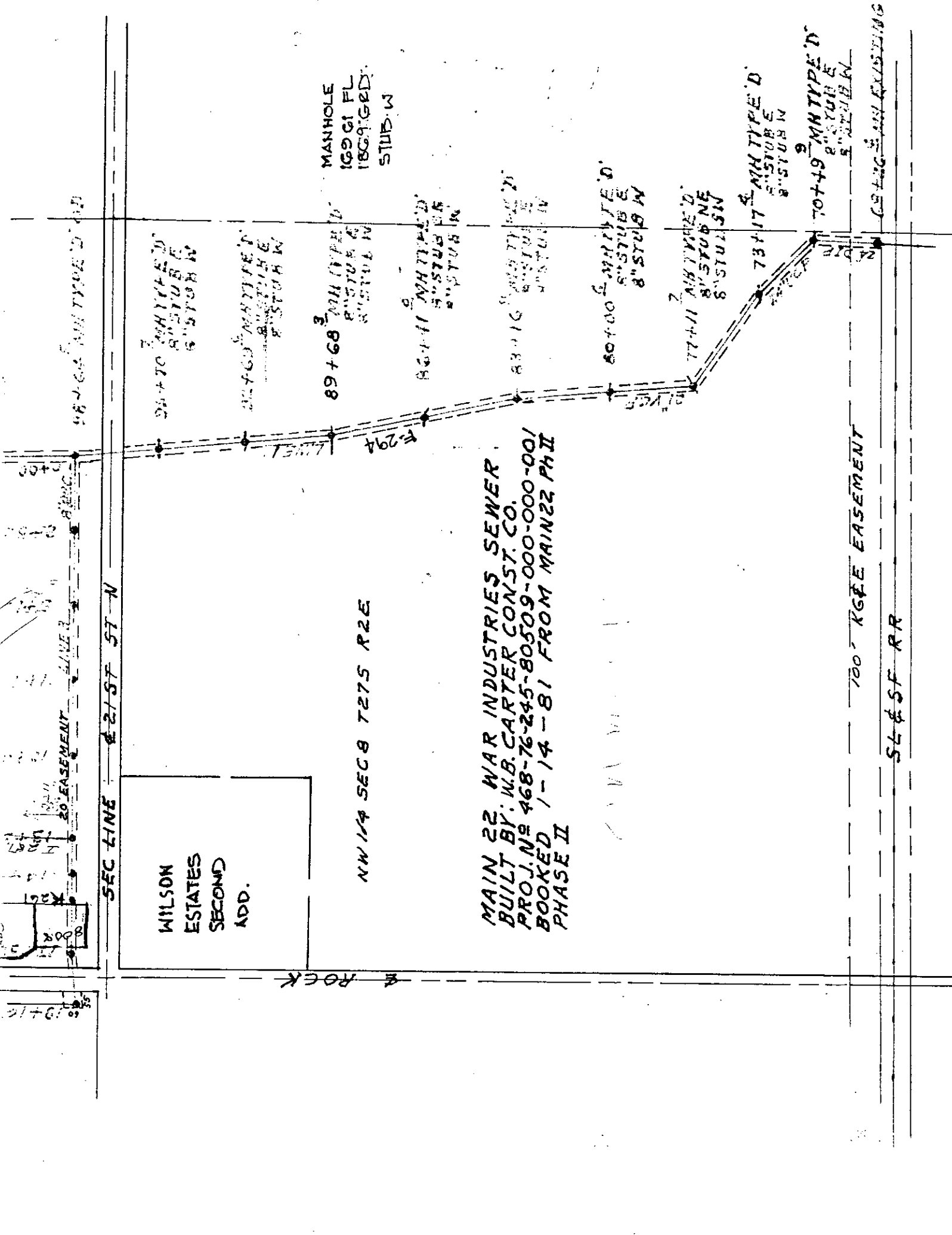
- A. Prior to this plat being scheduled for City Council review, the applicant shall obtain an administrative adjustment to C.U.P. DP-191 to allow the configuration of lots as now being platted. This plat shall be subject to any conditions of this adjustment and any required changes affecting the plat shall be depicted on the final plat tracing.
- B. City Engineering should indicate if new petitions need to be submitted for this plat or if the petitions originally submitted for the first addition are adequate, may be amended. When the first addition was platted a major entrance on Rock Road was not required; however, a guarantee for a major entrance will be required with the platting of this site. Any amending or resubmittal of petitions should therefore also include improvements within public right-of-way for this major entrance.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. The applicant shall submit with the final plat tracing a legal description for the portion of Lot 2 involved in the proposed zone change to "LC" zoning.
- E. Since Lot 1 has no direct access to Rock Road, but will apparently have access across Lot 2, an ingress/egress agreement shall be established for that purpose. A copy of this document shall be provided to the Planning Department for its review. Upon approval, the applicant shall record this agreement. A copy of the recorded document shall be provided to Planning for the plat file and the recording information noted on the final plat tracing.

The present wording on the final plat in regard to this ingress/egress agreement shall be amended. As presently written, it appears an opening is being directly provided for Lot 1, to Rock Road. The applicant should refer to the plattor's text in Wilson Estates "first" Addition where a similar situation is addressed.

- O. The representative from Traffic engineering should be prepared to comment on any traffic improvements that may be required for this plat or changes from any previous plans.

- P. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan. Engineering should also be prepared to comment on the guarantees required by this plat.

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



WILSON
ESTATES
SECOND
ADD.

SEC LINE 27 SF 57 N

NW 1/4 SEC 8 T27S R2E

MAIN 22 WAR INDUSTRIES SEWER
BUILT BY: W.B. CARTER CONST. CO.
PROJ. NO 468-76-245-80509-000-000-001
BOOKED 1-14-81 FROM MAIN 22 PH II
PHASE II

MANHOLE
169.01 FL
186.91 GRD.
STUB W

89+70 MH TYPE D
8" STUB W

89+69 MH TYPE D
8" STUB W

89+68 MH TYPE D
8" STUB W

89+41 MH TYPE D
8" STUB W

83+16 MH TYPE D
8" STUB W

80+00 MH TYPE D
8" STUB W

77+11 MH TYPE D
8" STUB NE

73+17 MH TYPE D
8" STUB W

70+49 MH TYPE D
8" STUB W

100' R.O.E. EASEMENT

27' SF RR

EXISTING

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 268-4561

March 23, 1990

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

Re: S/D 90-14 WILSON ESTATES SECOND ADDITION

Dear Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, March 22, 1990, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. Prior to this plat being scheduled for City Council review, the applicant shall obtain an administrative adjustment to C.U.P. DP-191 to allow the configuration of lots as now being platted. This plat shall be subject to any conditions of this adjustment and any required changes affecting the plat shall be depicted on the final plat tracing.
- B. The applicant shall either resubmit petitions for the improvements associated with the plat and submitted with the Wilson Estates (first) Addition or provide City Engineering with square footage figures in order to redistribute the improvement costs. Also, any improvements associated with the major entrance on Rock Road within public right-of-way, shall be guaranteed at this time if it was not covered by the previous petitions.

A new petition will, however, be required for the extension of sanitary sewer to lot 1 of this plat. The final plat tracing shall also indicate any utility easement needed for the sewer and an off-site easement shall also be provided by separate instrument, for recording with the plat, for this same sewer extension.

- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

- D. The applicant shall submit with the final plat tracing a legal description for the portion of Lot 2 involved in the proposed zone change to "LC" zoning.
- E. Since Lot 1 has no direct access to Rock Road, but will apparently have access across Lot 2, an ingress/egress agreement shall be established for that purpose. A copy of this document shall be provided to the Planning Department for its review. Upon approval, the applicant shall record this agreement. A copy of the recorded document shall be provided to Planning for the plat file and the recording information noted on the final plat tracing.

The present wording on the final plat in regard to this ingress/egress agreement shall be amended. As presently written, it appears an opening is being directly provided for Lot 1, to Rock Road. The applicant should refer to the plattor's text in Wilson Estates "first" Addition where a similar situation is addressed.

- F. The plattor's text shall also be amended in terms of the description of access control for Lot 2 as it involves the joint access agreement for property platted with the first Wilson Estates Addition. This plat cannot dedicate or grant in the plattor's text a condition involving something off site of the plat itself. The text should therefore only reference access as allowed over the northern portion of this lot, or as corresponds to the area involved in the joint opening. The reference to the recorded joint access easement on the face of the plat should be shown and may also be referred to in the plattor's text, but not in such a manner as implies the granting of access control for the adjacent property.
- G. On the final plat tracing, since setbacks between lots may not be required if lots are developed under the same ownership, these setbacks need not be shown on the final plat tracing. The reference in the plattor's text to setbacks correctly notes that additional setback requirements can be found in the C.U.P. This note should also be placed on the face of the plat in the area of the north arrow.
- H. According to a preliminary revision of C.U.P, DP-191, Parcel 4 - of which Lot 2 is only a portion - may have a maximum of three buildings. The applicant shall therefore supply a letter for both the plat and C.U.P. files indicating the number of buildings being proposed for Lot 2 of this plat.
- I. Prior to submitting the final plat tracing, the applicant shall meet with the representative of S.W. Bell telephone to determine if any additional on-site or off-site easements were required for this site. Any such easements shall be shown in the final plat tracing and/or dedicated by separate instrument for recording with the final plat.

- J. As indicated by the drainage plan, this plat will require a cross lot drainage agreement. This agreement shall be provided to the Planning Department for recording with the final 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 is advised that general provision 11 of the C.U.P., requires the provision of fire lanes around main structures constructed on this plat.
- M. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations.
- N. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- O. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- P. Recording of the plat within 30 days after approval by the City Council.

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 29, 1990 at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,



R. Timothy Bickhaus
Associate Planner

RTB:svm
Enclosure

cc: Wilson Estates, 408 Century Plaza Blvd., Wichita, KS 67202
Bill McKinley, Traffic Engineer
Mike Lindebak, City Engineer

Wilson
Estates 2nd

UTILITY EASEMENT

THIS EASEMENT made this 10th day of May, 1990, by and between Wilson Estates of the first part and the City of Wichita, Kansas, of the second part.

WITNESSETH: that the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a perpetual right of way and easement for the purpose of constructing, maintaining and repairing their utilities, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A 20.00 foot strip of land lying South of and adjacent to the South line of Lot 2, Block 1, Wilson Estates Second Addition, an addition to Wichita, Sedgwick County, Kansas, and a 10.00 foot strip of land lying East of and adjacent to the East line of Lot 2, Block 1, of said addition and extending South to the South line of the first above described 20.00 foot strip, said strips of land lying in the Northwest Quarter, Section 8, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining and repairing their utilities.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

WILSON ESTATES, A Partnership

By: Robert G. Wilson
Robert G. Wilson, Managing Partner

STATE OF KANSAS

ss:

SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came Robert G. Wilson, Managing Partner for Wilson Estates, A Partnership, to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated at Wichita this 10th day of May, 1990.



Maribeth R. Nice
Notary Public

My Appointment Expires: 2/3/93