

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

May 14, 1992

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 92-15 - TALLGRASS EAST 7TH ADDITION

OWNER/APPLICANT: Ritchie Associates, 8100 E. 22nd St. N. Blvd.
1000, Wichita, KS 67226

SURVEYOR/ENGINEER: Professional Engineering Consultants, 303
South Topeka, Wichita, KS 67202

LOCATION: Webb Road and 25th St. North

SITE SIZE: 54.9 Acres

NUMBER OF LOTS

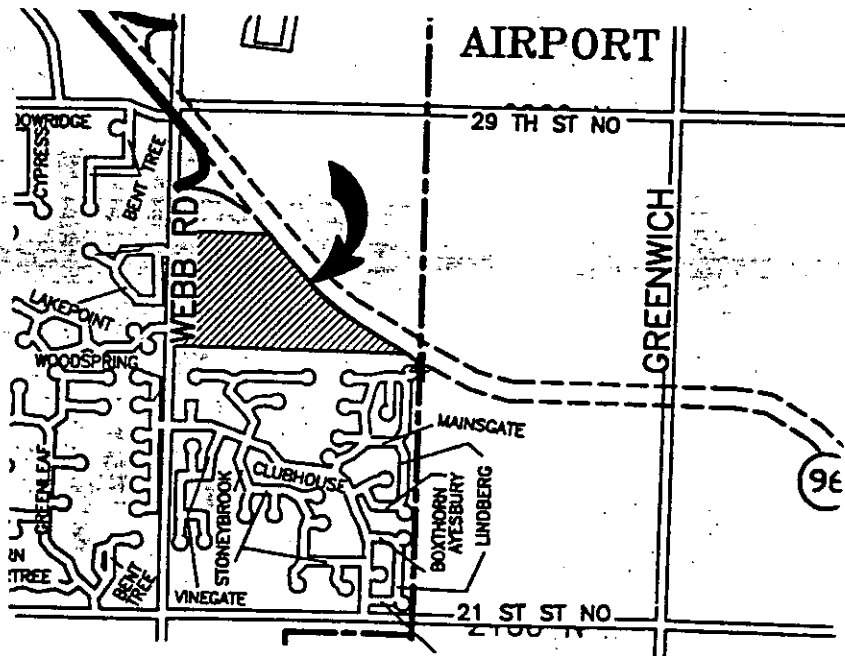
Residential:	108
Office/Commercial:	3
Industrial:	
Total:	111

MINIMUM LOT AREA: 8,400 sq. ft.

CURRENT ZONING: "AA" Single Family

PROPOSED ZONING: "AA" Single Family, "LC" Light Commercial and
"C" Commercial (Z-2952, DP-163, DP-192)

VICINITY MAP:



NOTE: This site is presently involved with two community unit plans, a zone change, and a previously submitted preliminary plat. The plat, however, which is now being submitted hardly corresponds to any of the above indicated plans or proposals. The zone case (Z-2952), which was approved subject to platting allowed "LC" and "C" zoning for all of the approximately northern half of this site. As this plat indicates, much of that area is now being platted for single family development, so the zoning change will only be along the Rock Road frontage. All of this area was also within a commercial CUP, DP-92.

The more or less southern half of this site is within a residential CUP, DP-163 but was depicted on the CUP plan as proposed for apartment development. This CUP does, however, list single family uses as an alternative.

A preliminary plat for the entirety of this site was also submitted in 1990. Eight (8) large lots were being proposed, with commercial and light commercial located north of a central east-west street entering the site from Webb Road and multi-family, townhouses or other high density type uses (with a second point of access from Webb Rd.) located on several lots to the south of this east-west street.

STAFF COMMENTS:

- A. Since zone case Z-2952 was approved for a substantially larger area than is now being shown as intended for "LC" and "C", the applicant shall request that the existing zoning case be amended to reflect the reduced area of "LC" and "C" zoning. Staff in the Planning Department's zoning section should be contacted to determine any requirements for amending the zoning case.
- B. The applicant shall also meet with Planning Department staff to determine if the two CUP's can be adjusted or amended to allow for what is now being platted. Any such adjustment or amendment must be obtained prior to this plat going to the City Council for review. Also approval of this plat shall be subject to any conditions or requirements of such an adjustment or amendment.

Specifically, the adjustment or amendment needs to address the platting of single family lots in the area of the commercial CUP, changes in parcel boundaries, the development plan change for the residential CUP from multi-family to single family development, changes in the street entrance location in Webb Road and associated traffic improvements and the provision of an emergency access easement across the north line of this site.

It should be noted that the platting of lots with 50 foot frontages as is shown along Woodspring Court just east of Webb Road must be provided for in a CUP. Otherwise, this size lot shall not be platted and the final plat shall depict all lots with 60 foot or greater frontages.

- C. The applicant shall submit a letter requesting that the Northgate Business Park plat be closed.

- D. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- E. The applicant shall guarantee the extension of City water to serve the lots being platted.
- F. The applicant shall guarantee any drainage improvements required by the platting of this property.
- G. The applicant shall guarantee construction of the storm sewers required by this plat.
- H. The applicant shall guarantee the paving of the proposed interior streets. As required by the sidewalk ordinance, this guarantee shall provide for a sidewalk on one side of the looped street, Woodspring/Fox Run, and out to Webb Road.
- I. As was indicated in the CUP's for this site, and was requested by Traffic Engineering following review of the revised sketch plat for this site, guarantees shall be provided for a decel lane to serve Woodspring and a decel lane and left turn lane on Webb Road to serve the commercial area.

This guarantee shall also provide for improvements within public right-of-way for the major entrance to the commercial site.

Traffic Engineering should also comment upon any other requirements, such as guarantees for any needed signilization improvements. Further, Traffic engineering needs to indicate the acceptability of the street off-set for Woodspring either side of Webb and for Shannon Woods, and the major entrance to this site. That is, are any improvements needed, beyond those already required, to reduce conflicts with left turning vehicles or other traffic situations that may result from such close off-sets.

- J. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- K. The applicant or his agent should be prepared to discuss several situations effecting this site:
 - 1. Only one street entrance is being proposed to the over 100 single-family lots being platted. Further, this entrance is crossed by a pipeline carrying hazardous materials under high pressure. As a second entrance not just into, but possibly out of this site, a 20 foot emergency access easement across single family lots and the commercial area is being proposed. The applicant needs to explain what type of improvements will be made for this easement, how it will be maintained, how it will be guaranteed that access will never be blocked, and how residents in the area will be made aware of the emergency entrance/exit.

2. When originally shown on the sketch plat, the center portion of block 2 was being proposed as a Reserve for drainage purposes, i.e. a lake. This area is now being shown with portions of lots platted simply as a drainage easement. Not only is it questionable why lots should be encumbered with such unusable drainage areas, but the lot configurations in many cases violate the lot depth to width standard in the Subdivision Regulations. The depth shall not be greater than 2.5 times the width. The applicant again needs to indicate the reason for this lot design.
3. As indicated in the uses proposed for the Reserves, bike and hike trails are among the possible uses. The applicant and City have been discussing the installation of these facilities as public type improvements. The applicant needs to indicate what is being done in this regard. The final plat should also clearly indicate if the Reserves and/or such bike and hike improvements are being dedicated or at least granted to the public. That is, the Reserve areas and/or easements should be established or dedicated for the noted purpose of a public bike and hike path.
- L. 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.
- M. 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.
- N. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- O. As can be noted from the overall preliminary plat, the applicant is proposing to relocate the KANEB pipeline easement existing on this property. This will require the releasing of the existing pipeline easement and the granting of a new easement adjacent to a portion of this subdivision. All costs associated with relocation, lowering or encasement of the pipeline, will not be at the expense of the City.
- P. Since the relocation of the existing KANEB easement effects this plat, the final plat shall indicate the recording information for the relocated pipeline easement. A copy of the easement agreements shall be submitted for the plat file. Typically, the

new easement agreement is the mechanism that will not only establish the location of the new pipeline easement, but also is the means by which the old easement may be relinquished.

- Q. The final plat tracing shall not be submitted for scheduling before the City Council until the applicant can provide a copy of the new easement agreement. Since the old pipeline easement will cease to exist, it shall not be depicted on the final plat, unless a portion still exists in the plat.

If the applicant desires to use this plat as part of the means to establish the new pipeline easement and also to continue to show the old pipeline easement on the final plat tracing, clearance from the City's Law Department is required.

- R. The applicant shall provide proof, by letter from KANEB or by copy of the pipeline easement agreements, that the relocated pipeline easement is sufficient and that if applicable, that utilities may be located adjacent to and within the easement and that the public street, Woodspring, may be located atop extensive sections of the pipeline (easement). Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City. It is the applicant's responsibility to determine any setback requirements from the pipeline by researching the text of the the pipeline easement agreement. If setbacks are involved, such setbacks shall be shown on the plat and appropriately labeled as a pipeline setback.
- S. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-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.
- T. For the commercial Lots 1 and 3, Block 1, access will be provided it appears by a cross-lot type agreement. The applicant will need to prepare such an agreement and submit it to Planning for review and approval. This agreement should subsequently be recorded by the applicant so that a note can be placed on the face of the plat referencing the recording information of the agreement.
- U. The applicant shall contact the Office of Central Inspection to determine if any addressing problems may occur due to the street name pattern shown on this plat. Of particular concern is the extensive north-south and east-west segments for Fox Run.
- V. 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.

- W. The applicant is advised that this site, being immediately south of Jabara Airport is within an area controlled by the Airport Hazard Zoning Ordinance which regulates development both in terms of height restrictions but also other hazards that may be deemed dangerous to an airport's operations.
- X. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- Y. 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.
- 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. 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.
- BB. 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.
- CC. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- DD. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.