

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 1

October 27, 1994

**STAFF REPORT
(Preliminary Plat)**

CASE NUMBER: S/D - 94-76 THE SHOPS AT TALLGRASS

OWNER/APPLICANT: Slawson Investment Corporation, c/o Larry A. Chambers, 104 S. Broadway - Suite 200, Wichita, KS 67202

SURVEYOR/ENGINEER: P.E.C., P.A., c/o Gary Wiley, 303 S. Topeka, Wichita, KS 67202

OTHER: Frank Sisson & Company, Inc., c/o Mr. Frank E. Sisson, II, P. O. Box 781282, Wichita, KS 67278

LOCATION: North of 21st and east of Rock

SITE SIZE: 6.49 Acres

NUMBER OF LOTS

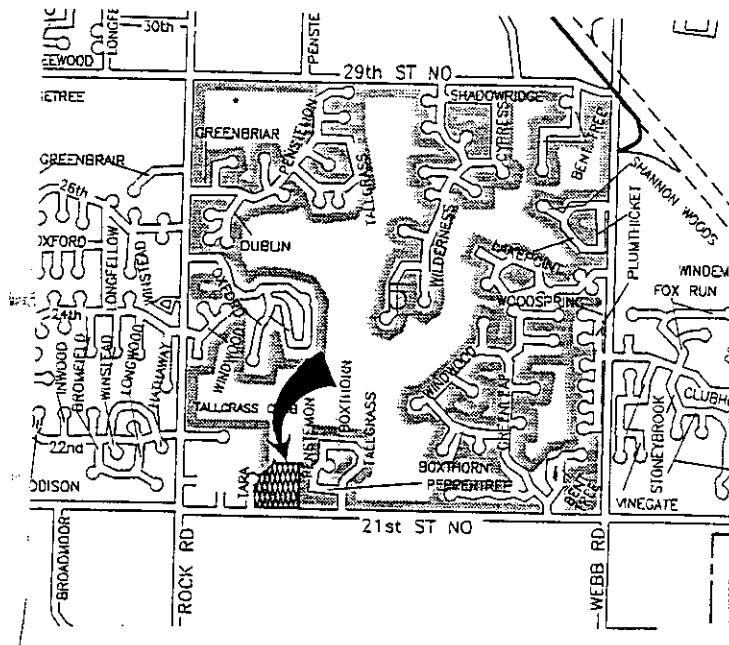
Residential:	
Office:	
Commercial:	2
Industrial:	
Total:	2

MINIMUM LOT AREA: 1.06 acres

CURRENT ZONING: "BB" and "LC"

PROPOSED ZONING: "OC" & "LC" (Z-3111) CUP DP-92 Amend. No. 8

VICINITY MAP:



NOTE: This site has been involved in a number of plats or replats. Originally, this site was platted as part of the Tallgrass Inn Addition. Subsequently, it was replatted as several lots (7) in the Tallgrass Commercial Addition. This plat is now reducing the number of lots to two (2). This site is also covered by a CUP, DP-92, Amendment #8 and corresponds to Parcel 6A of this CUP. Finally, a zone change (Z-3111) was approved for this site early in 1994. This zone change is for "LC" zoning for approximately the western 2/3rds of the site, with the remaining eastern portion (150 feet) being approved for "OC" zoning.,

STAFF COMMENTS:

- A. City Engineering needs to indicate if any new or revised guarantees are needed for this site or if any costs need to be recovered for any projects being abandoned due to this replat. That is, are new or revised guarantees needed for sanitary sewer, water, drainage, major entrance(s) in public right-of-way, etc. improvements.
- B. DP-92, Amendment 8 indicated that various traffic improvements adjacent to this site and/or serving Tara Circle need to be considered at the time of platting. Specifically, a short decel lane was indicated adjacent to this site to serve westbound traffic turning into Tara Circle and left-turn lane improvements were to be considered in 21st for eastbound traffic turning into this site. Traffic Engineering needs to indicate the status of these improvements and/or the need for this plat to guarantee any such improvements.
- C. Based upon the zoning adjacent to Tara Circle and the uses adjacent to or in the vicinity of Tara Circle, sidewalk should be provided along both sides of this street. A Sidewalk Certificate shall therefore be submitted requiring the installation of sidewalk along Tara Circle, adjacent to the west line of this plat. It is recommended that the applicant also extend such sidewalk along the Reserve or private road adjacent to the west and north lines of the plat.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. As was platted for the Commercial 5th Addition and since there are no conditions in the CUP that allow for the use of different setbacks, all building setbacks noted on the CUP, shall also be platted. In particular a 50-foot building setback needs to be drawn along the plat's east line, the 35-foot setback continued along the northwest line, and since the 40' easement along the north line is greater than the setback in the CUP, on this plat this easement shall also be labeled a building setback.
- F. A copy of the access road easement along the plat's north line shall be submitted with the final plat. This easement shall also be clearly indicated on the final plat.
- G. 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.
- H. The applicant shall install or guarantee the installation of all utilities and facilities which are

applicable and described in Article 8 of the MAPC Subdivision Regulations.

- I. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- J. 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.
- K. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- L. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- M. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

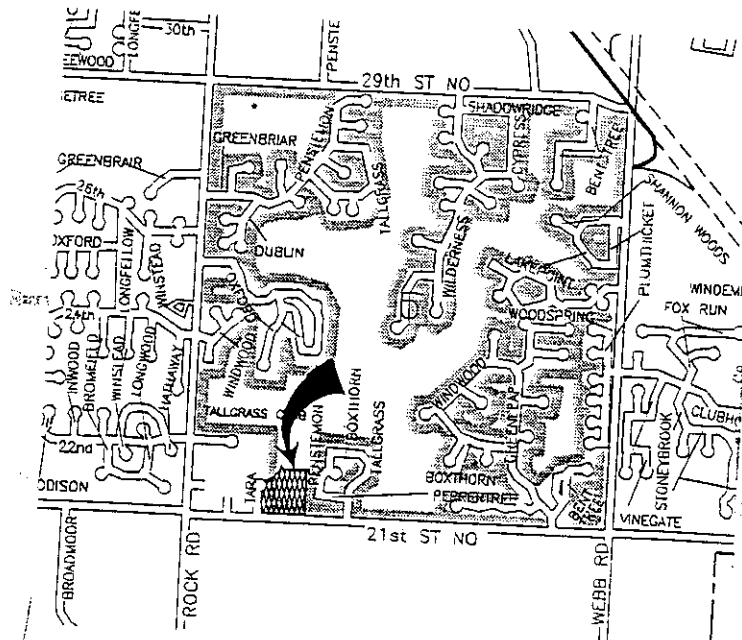
December 8, 1994

STAFF REPORT

(Final Plat, Preliminary Plat Approved 10/27/94)

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- NUMBER OF LOTS
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| Office: | |
| Commercial: | 2 |
| Industrial: | |
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STAFF COMMENTS:

- A. As indicated by City Engineering, new or revised guarantees for sanitary sewer, water, drainage, major entrance(s) in public right-of-way, etc. improvements need to be submitted or an agreement provided to redistribute the existing assessments.
- B. As indicated by Traffic Engineering, guarantees shall be provided for a decel lane and left-turn improvements to serve this site's access from Tara Circle. Also, 10-feet of additional right-of-way shall be provided for 21st Street adjacent to this site in order to provide for such improvements (final plat is showing the additional dedication).
- C. Based upon the zoning adjacent to Tara Circle and the uses adjacent to or in the vicinity of Tara Circle, sidewalk should be provided along both sides of this street. A Sidewalk Certificate shall therefore be submitted requiring the installation of sidewalk along Tara Circle, adjacent to the west line of this plat.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. On the final plat tracing, since this site is within the City of Wichita, the plat's text shall be amended to indicate that access control is being dedicated to the City of Wichita.
- F. Based on the platting binder, taxes for 1993 are still due for this site. This plat will not be released for recording until proof that both 1993 and 1994 taxes have been paid for this site.
- G. As indicated by the platting binder, a sign easement and joint access easement for access to 21st St. North were created for the previous plat(s). These are privately created easements and cannot be vacated by virtue of a replat. Such easements need to either be shown on the final plat tracing or copies of recorded releases, indicating that the benefitting parties no longer require these easements, need to be submitted with the final plat tracing.
- H. 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.
- I. 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.
- J. 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.

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