

September 19, 1996

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 96-61 - O'REILLY ADDITION

OWNER/APPLICANT: Southwestern Bell Telephone Company, Attn: Shirley North, 220 E. 6th - Room 215, Topeka, KS 66603

CONTRACT PURCHASER: O'Reilly Automotive, Inc., Attn: Kathy Fer, P. O. Box 11567, Springfield, MO 65801

SURVEYOR/ENGINEER: Mark Savoy, Savoy, Ruggles, & Bohm, P.A., 924 N. Main, Wichita, KS 67203

LOCATION: North of Lincoln and east of Oliver

SITE SIZE: 34,600 ± sq. ft. (0.79 acres)

NUMBER OF LOTS

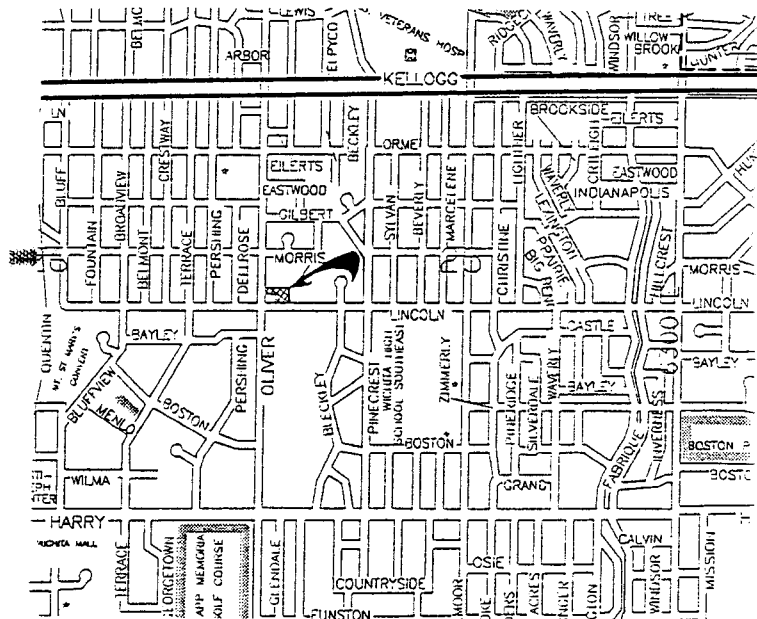
Residential:	
Office:	
Commercial:	1
Industrial:	
Total:	<u>1</u>

MINIMUM LOT AREA: 30,850 ± sq. ft.

CURRENT ZONING: "L.C."

PROPOSED ZONING:

VICINITY MAP:



NOTE: This plat involves a replat of a portion of an existing Addition (Prestridge). Existing uses are occurring on the portion(s) of the original plat not being included in this replat. In early 1995, a plat (QuikTrip 6th) was submitted for approximately the same area included in this plat, but that plat was never completed.

STAFF COMMENTS:

- A. The applicant shall guarantee any drainage improvements required by the platting of this property.
- B. An existing use (building) at the corner of Oliver and Lincoln is being surrounded by this plat. Sanitary sewer service is apparently being provided by a service line crossing abutting properties and covered by a ten (10) foot utility easement. **City Engineering** needs to indicate if this plat should provide a 20-foot public easement at some location to possibly allow for extension of a public sewer line to that site.
- C. **Traffic Engineering** needs to comment on the number of access openings to Lincoln in the vicinity of this plat and if the two openings indicated for this plat are acceptable.
- D. The dedication of right-of-way as a contingent is typically only accepted when the right-of-way area is involved with existing structures. The applicant in this case is requesting to allow the dedication as a contingent in order to preserve several existing parking spaces. The applicant is offering to make the contingency based on any street or street related need. Although such a contingent dedication would appear to assure the City's right to use the right-of-way whenever it is needed, he is advised that contingent dedications, even such as being offered here, does contain or create possible problems. No matter how apparently clear, a contingent may still be argued as not needed. Also, the determination of building setbacks, allowable space for meeting parking requirements, the appropriate area to use for landscaping, sidewalks, installing utilities, etc. becomes uncertain. It is recommended that unless the applicant can show good cause, that such dedications be made outright.
- E. 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.)
- F. 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.
- G. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- H. Recording of the plat within 30 days after approval by the City Council and/or County Commission.

- I. In accordance with Section 16.04.040 - Permit Fees Item 2a,b (Ord. 42-583) and Section 17.12.065 - payment for connection to water system for properties not included in benefit districts (Ord. 42-584), this property may or may not have been included in a benefit district. The applicant/agent should contact Betty Roark, with OCI at 268-4341 and Chuck Steven, Water & Sewer at 268-4555, to determine whether assessments are due.
- J. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- K. The representatives 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.