

STAFF REPORT
(Revised Final Plat, Overall Preliminary Plat Approved 1/16/03)

CASE NUMBER: SUB 2003-149 -- AVALON PARK THIRD ADDITION

OWNER/APPLICANT: Charles R. and Connie L. Woodard, 4450 N. Maize Road, Maize, KS 67101; Avalon Park L.L.C., 7926 W. 21st St. North, Suite 200, Wichita, KS 67205

SURVEYOR/ENGINEER: Professional Engineering Consultants, Attn: Rob Hartman, 303 S. Topeka, Wichita, KS 67202

LOCATION: North of 37th St. North, East side of Tyler Road

SITE SIZE: 61.8 acres

NUMBER OF LOTS

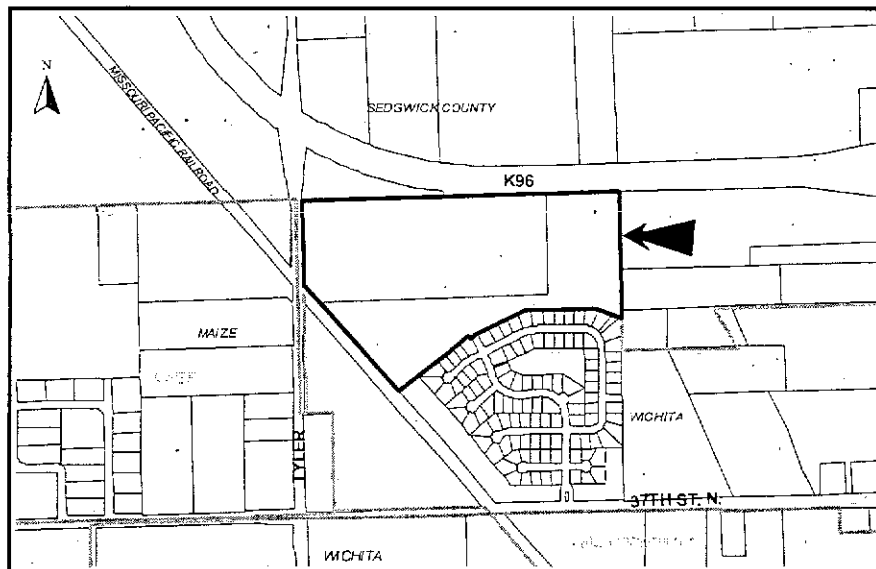
Residential:	85
Office:	
Commercial:	
Industrial:	
Total:	85

MINIMUM LOT AREA: 9,000 sq. ft.

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This final plat is a portion of the overall preliminary plat of the Avalon Park Addition, which was approved for this site on January 16, 2003. This final plat consists of the northern portion of the overall preliminary plat approved for the site and represents the second phase of development. The site is located within the 100-year floodplain. The site adjoins the proposed K-96/Northwest Bypass interchange along the north property line.

This revised final plat has relocated Candlewood Street 150 feet to the north and platted a 100-foot wide Reserve along the north property line. The loop street previously located in the eastern portion of the plat has been replaced with two cul-de-sacs.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan.
- D. The Applicant shall guarantee the paving of the proposed streets. The guarantee shall also provide for sidewalks on at least one side of all through, non cul-de-sac streets.
- E. If any of the intended recreational uses for the reserves includes a swimming pool, a site plan shall be submitted with the final plat, for review and approval by the Planning Director. The site plan shall include the information indicated in the Subdivision Regulations. Otherwise a conditional use and public hearing will be needed in the future.
- F. 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.
- G. For those reserves being platted for drainage purposes, the required covenant that 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 the governing body.
- H. The applicant shall submit a covenant that provides for four (4) off-street parking spaces per dwelling unit on each lot that 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.
- I. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.
- J. GIS needs to comment on the plat's street names. Candlewood Ct in Block 2 needs to be replaced with Candlewood Cir.

- K. Based upon the platting binder, property taxes are still outstanding. Before the plat is scheduled for City Council consideration, proof shall be provided indicating that all applicable property taxes have been paid.
- L. The platting text shall include language that a drainage plan has been developed for the plat and that all *drainage easements*, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- M. The applicant shall install or guarantee the installation of all utilities and facilities that 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.)
- 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. 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 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- P. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- Q. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- R. Perimeter closure computations shall be submitted with the final plat tracing.
- S. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- T. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- U. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov). This will be used by the City and County GIS Department.

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SURVEYOR/ENGINEER: Professional Engineering Consultants, Attn: Rob Hartman, 303 S. Topeka, Wichita, KS 67202

LOCATION: North of 37th St. North, East side of Tyler Road

SITE SIZE: 67.7 Acres

NUMBER OF LOTS

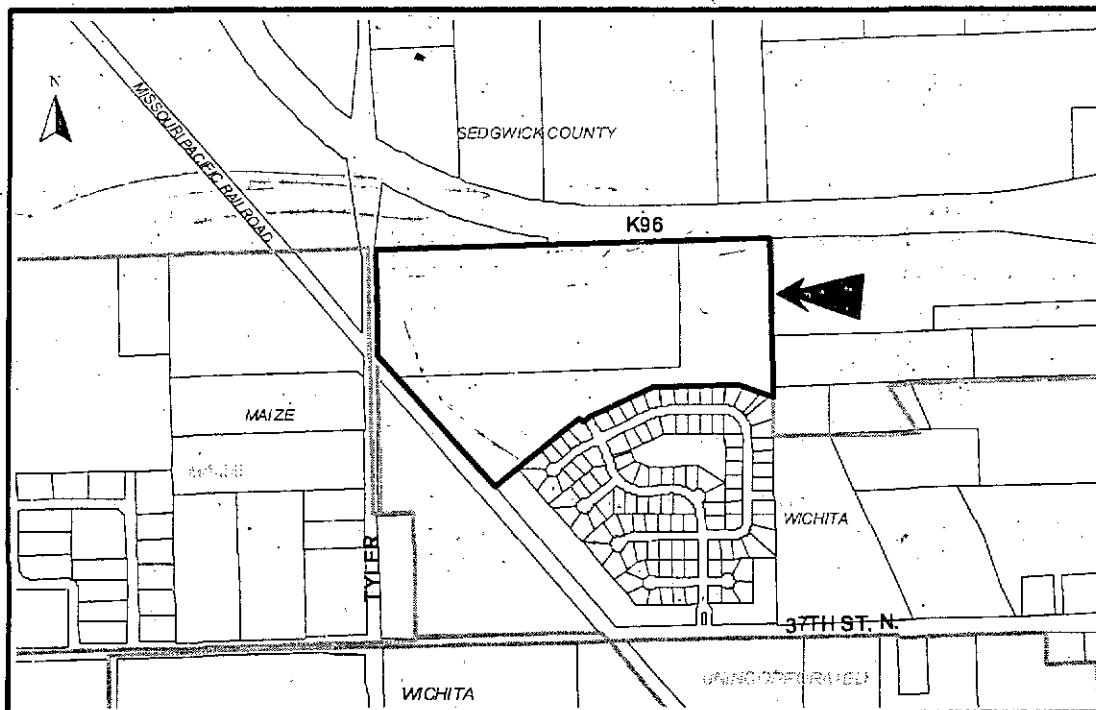
Residential:	97
Office:	
Commercial:	
Industrial:	
Total:	97

MINIMUM LOT AREA: 9,600 Sq. Ft.

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



SUB 2003-149 -- Final Plat of AVALON PARK THIRD ADDITION

January 15, 2004 Page 2

NOTE: This final plat is a portion of the overall preliminary plat of the Avalon Park Addition, which was approved for this site on January 16, 2003. This final plat consists of the northern portion of the overall preliminary plat approved for the site and represents the second phase of development. The site is located within the 100-year floodplain.

~~MAPD requests deferral of this plat until Item D has been resolved.~~

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan.
- D. Traffic Engineering advises that additional right-of-way may need to be acquired by KDOT for a proposed K-96/Northwest Bypass interchange along the north property line. The lot configuration approved with this final plat shall be subject to change based upon a determination by KDOT on this matter.
- E. The Applicant shall guarantee the paving of the proposed streets. The guarantee shall also provide for sidewalks on at least one side of all through, non cul-de-sac streets.
- F. It is recommended that Reserves B and D be extended to the street by narrow strips of Reserve between the lots to increase their accessibility and usefulness for all homeowners in the Addition.
- G. If any of the intended recreational uses for the reserves includes a swimming pool, a site plan shall be submitted with the final plat, for review and approval by the Planning Director. The site plan shall include the information indicated in the Subdivision Regulations. Otherwise a conditional use and public hearing will be needed in the future.
- H. 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.
- I. 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 the governing body.
- J. 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.
- K. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is

SUB 2003-149 -- Final Plat of AVALON PARK THIRD ADDITION

January 15, 2004 Page 3

recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.

- L. GIS needs to comment on the plat's street names. Crown Ridge needs to be revised to a new name.
- M. Based upon the platting binder, property taxes are still outstanding. Before the plat is scheduled for City Council consideration, proof shall be provided indicating that all applicable property taxes have been paid.
- N. The platting text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- O. 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.)
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- U. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- V. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.

W. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov) . This will be used by the City and County GIS Department.

ITEM NO. 3: SUB 2003-149 -- AVALON PARK THIRD ADDITION

Strahl, Neil

From: Corky Armstrong [Corky@ksdot.org]
Sent: Tuesday, January 04, 2005 2:59 PM
To: nstrahl@wichita.gov
Cc: Bob Wandel; David Howard
Subject: Avalon Park 3rd Addition

Mr. Neil Strahl:

Thank you for allowing us the opportunity to review the plat for Avalon Park 3rd Addition. I do have a couple of comments that I would like to share with you concerning the proposed plat.

1. I recommend that the connection of Candlewood to Tyler Rd. be located as far to the south as possible in order to lessen any impacts of a possible grade change on Tyler Rd. If, for any reason, it becomes necessary to replace the Tyler Rd. bridge over K-96, it would very likely result in a raise in the elevation of Tyler Rd. in the vicinity of the proposed Candlewood connection. The farther to the south this connection is located, the smaller the impact on Candlewood should the Tyler Rd. profile be raised.
2. KDOT has recently purchased the north 100' of the SW Quarter of Section 28 from Avalon Park, L.L.C. to accommodate the future construction of the NW Wichita Bypass tie-in to existing K-96. A condition of the warranty deed required the landowner(s) to provide a reserved "greenbelt" across the South 100' of the North 200' of Section 28. This area is designated as "Reserve C" on the proposed plat. While the proposed plat provides for this "greenbelt" across the easterly portion, it does not maintain the required 100' across the west portion of the area. The area of encroachment is shown in red in the attached file. KDOT has compensated the landowner(s) for the "greenbelt" area and it is essential that the entire 100' be dedicated as a "greenbelt" on the plat. The deed has been registered with Sedgwick County and a copy is available upon request.

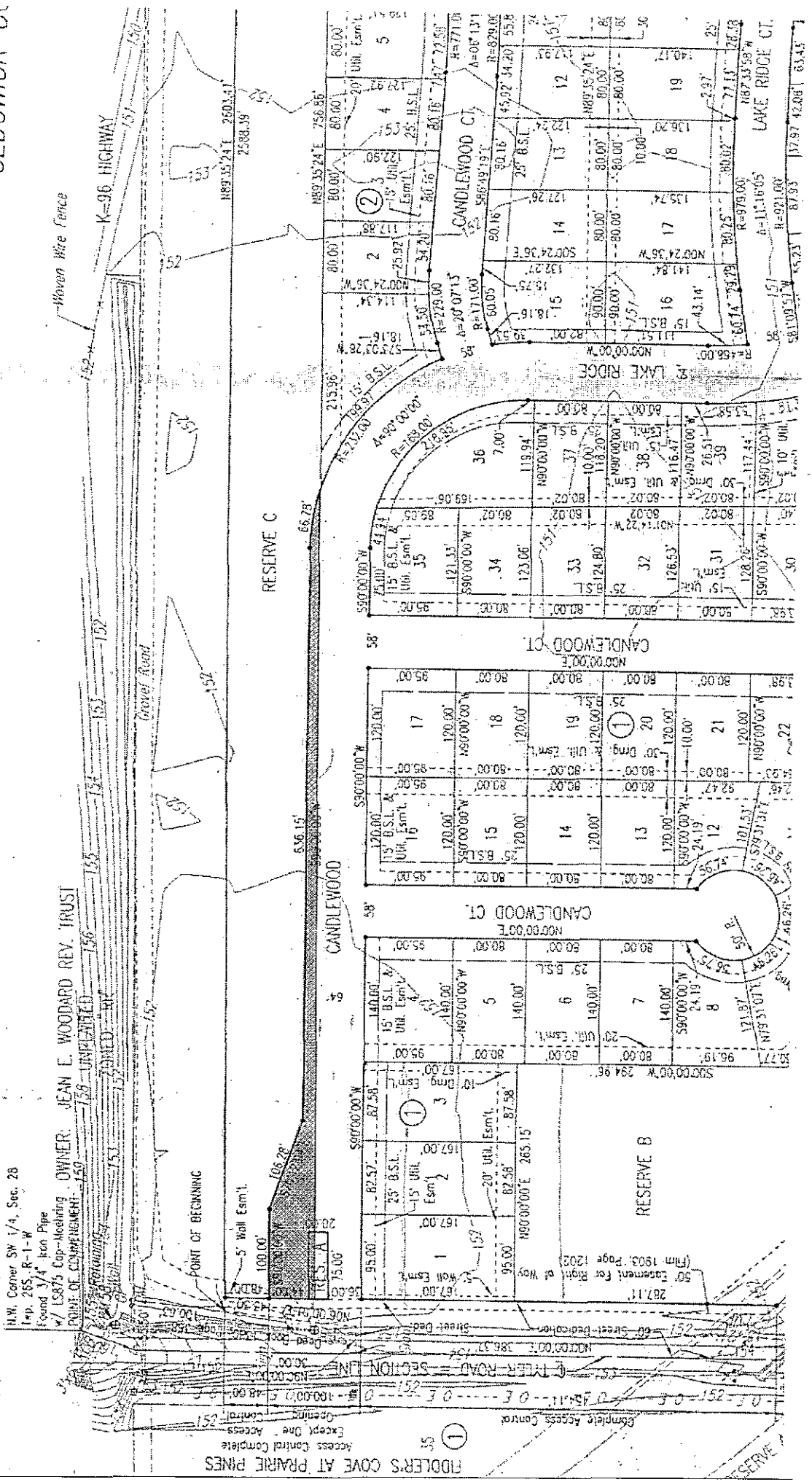
If it is not too much trouble, I would like to be kept informed on the status of the plat and any changes that are made relative to my comments. Thanks again for the opportunity to comment and we look forward to continued cooperation with your office.

Corky Armstrong, P.E.
Road Design Engineer
Bureau of Design
KDOT

1/4/2005

AVALON

AN ADDITION
SEDGWICK CO



H.W. Corner SW 1/4, Sec. 28
Twp. 28S, R-1-W
Found 3/4" Iron Pipe
7/8" Cop-Meeting
OWNER: JEAN E. WOODARD REV TRUST
POINT OF BEGINNING - 150
150 UNPLATTED
150 UNPLATTED

Access Control Complete
Except One Access
Complete Access Control

RIDLER'S COVE AT PRAIRIE PINES

INTER ROAD - SECTION LINE

NOTICE: 286.57

Sheet Bed

50' Encumbrance For Right of Way (From 1903 Page 1202)

267.11

96.19

96.19

590'00"00" W 294.96'

106.28

106.28

5' Wall Estm'l

100.00'

100.00'

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Neil Strahl
Senior Planner
MAPD
City of Wichita
Fax 268-4390

OTHER BUSINESS: DR 2004-10: SUBDIVISION REGULATION AMENDMENTS

This letter is in response to the Subdivision and Utility Advisory Committee Agenda item under Other Business: DR 2004-10: Subdivision Regulations Amendments.

As you are aware, Westar Energy is a public regulated utility governed by the Kansas Cooperation Commission (KCC). We operate under KCC guidelines that state, we are to provide safe reliable electricity at a reasonable cost. After reviewing the Subdivision Regulation Amendments we found that we favor Agenda Item No. 1A (as proposed by MAPD Staff) but have some serious concerns about Agenda item No. 1B (as proposed by M.S. Mitchell). In all due respect to Commissioner Mitchell, Westar Energy has determined that this suggested revision would not only cause a delay in providing electric service but most assuredly increase the cost of providing service.

Associated costs will increase for any project where a lot split or vacation case is already served by existing facilities in easements through this proposal as the additional costs of easements would have to be factored into the total cost of providing electric service. If Westar Energy is required to acquire additional easements from all adjacent properties in an entire block a lengthy delay will result due to time necessary to contact property owners and gain response from property owners. In addition, if only a portion of the property owners agree to an additional easement, we would have to look for an alternative location for our facilities therefore delaying the project further and increasing the associated costs. In many instances there are no alternative routes available for our equipment.

We would ask you consider our position prior to taking action on this agenda item.

Respectively yours, 

James Horton
Manager, Design and Support Services
Westar Energy
261-6251

FINAL BOUNDARY CLOSURE FOR AVALON PARK 3RD

PNT.#

533 North: 12532.8667 East : 10060.0000
Line Course: N89°35'24"E Length: 2,588.39'

534 North: 12551.3886 East : 12648.3228
Line Course: S00°05'39"E Length: 951.50'

395 North: 11599.8914 East : 12649.8866
Line Course: N68°57'41"W Length: 240.03'

361 North: 11686.0598 East : 12425.8616
Line Course: S89°34'48"W Length: 577.02'

236 North: 11681.8300 East : 11848.8527
Line Course: S63°56'27"W Length: 446.77'

146 North: 11485.5664 East : 11447.5050
Line Course: S54°54'34"W Length: 64.00'

138 North: 11448.7747 East : 11395.1374
Curve Length: 36.34' Radius: 968.00'
Delta: 2°09'05" Tangent: 18.17'
Chord: 36.34' Course: N36°09'58"W
Course In: S54°54'34"W Course Out: N52°45'29"E
RP North: 10892.3001 East : 10603.0767

132 End North: 11478.1164 East : 11373.6890
Line Course: S50°37'46"W Length: 728.44'

101 North: 11016.0440 East : 10810.5631
Line Course: N39°22'14"W Length: 1183.24'

535 North: 11930.7563 East : 10059.9969
Line Course: N00°00'00"E Length: 602.12'

533 North: 12532.8719 East : 10059.9969

Perimeter: 7,417.84' Area: 2,691,402 sq. ft. 61.78 acres

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