

STAFF REPORT
(One-Step Final Plat)

CASE NUMBER: SUB 2002-15 -- CHADSWORTH PLAZA ADDITION

OWNER/APPLICANT: BCS, Development, LLC, 7921 W. 21st St. North, Wichita, KS 67205

SURVEYOR/ENGINEER: PEC. P.A., Attn: Gary Wiley, 303 S. Topeka, Wichita, KS 67202

LOCATION: North of 21st St. North, East side of Maize Road

SITE SIZE: 5.6 Acres

NUMBER OF LOTS

Residential:	
Office:	3
Commercial:	1
Industrial:	
Total:	4

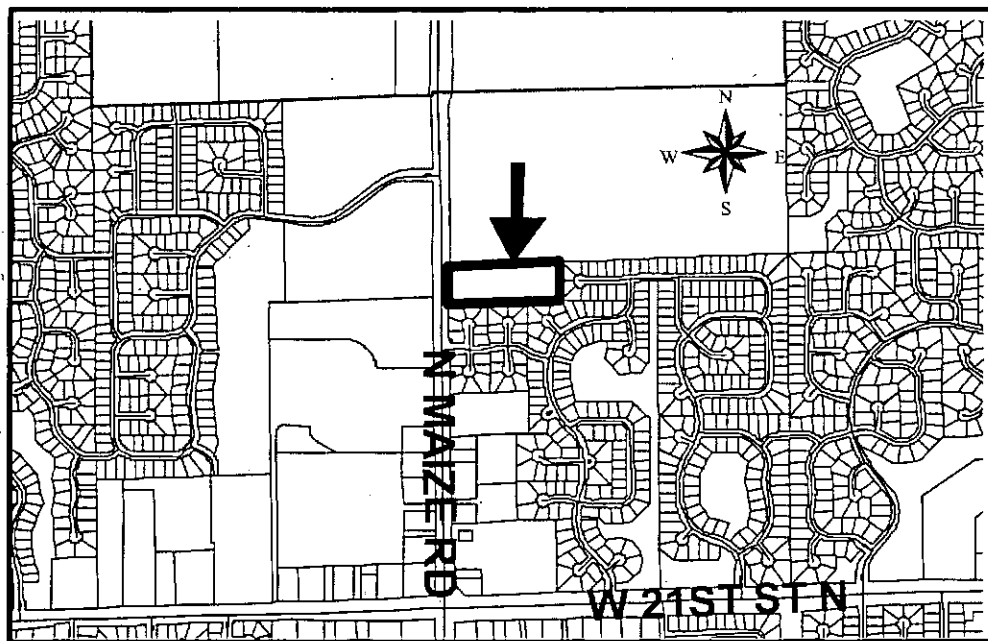
off-site drainage agreement.

MINIMUM LOT AREA: 28,800 Sq. Ft.

CURRENT ZONING: SF-5, Rural Residential

PROPOSED ZONING: NR, Neighborhood Retail (Lot 1); GO, General Office (Lot 2); NO, Neighborhood Office (Lots 3 and 4)

VICINITY MAP



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NOTE: This unplatted site has been approved for a zone change (ZON 2001-47) from SF-5, Single-Family Residential to NR, Neighborhood Retail (Lot 1) and to GO, General Office (Lot 2). A zone change (ZON 2001-62) has also been approved from SF-5, Single-Family Residential to NO, Neighborhood Office (Lots 3 and 4). Both zone changes were approved subject to a Protective Overlay addressing a screening wall. The site is located within the 100-year floodplain.

Planning Staff recommends approval of the plat.

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. Complete access control has been dedicated along Maize Road with one opening for a proposed new street.
- E. The proposed street width does not meet the standard 70-foot right-of-way required for a business/industrial street (130-ft diameter for cul-de-sac bulb).
- F. The plat's text shall note the dedication of the street to and for the use of the public.
- G. The Applicant shall guarantee the paving of the proposed street to the business/industrial street standard.
- H. As commercial lots abutting a non-arterial street, the Subdivision regulations require a sidewalk along Maize Road Court.
- I. 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.
- J. 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.
- K. A Protective Overlay Certificate shall be submitted to MAPD prior to City Council consideration, identifying the two approved Protective Overlays and their special conditions for development on this property.
- L. The **City Fire Department/GIS** needs to comment on the plat's street names. **Maize Road Court should be relabeled as Maize Ct.**

- M. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- 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.)
- P. 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.
- Q. 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.
- R. 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.
- S. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- 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 disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

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COPY

STORM WATER AGREEMENT

THIS AGREEMENT, made and entered into this 20th day of April, 2002, by and between Bruce A. Pearson of the first part and the City of Wichita of the second part.

WITNESSETH:

WHEREAS: Conditions exist requiring the storm water from Reserve "A", Chadsworth Plaza, an Addition to Wichita, Sedgwick County, Kansas to be allowed to discharge surface storm water over the S 1/2, NW 1/4, of Section 5, T27S, R1W of the 6th P.M., Sedgwick County, Kansas, except the west 730 feet thereof;

AND WHEREAS: There is approximately 5.6 acres of proposed development with a detention pond system that drains to the unplatted tract described above;

AND WHEREAS: the detention pond has been designed to limit the storm water runoff going onto the unplatted tract, to pre development conditions.

IT IS, THEREFORE, AGREED BY AND BETWEEN THE PARTIES HERE TO AS FOLLOWS:

1. That the said first party hereby agrees that the said second party may drain surface storm water over and across the above described unplatted tract of land.
2. The agreement shall be binding upon the parties hereto, their respective lessees, successors and assigns.

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

OWNER:

Bruce A. Pearson
Bruce A. Pearson

STATE OF KANSAS)
) ss
SEDGWICK COUNTY)

Personally appeared before me a notary public in and for the County and State aforesaid Bruce A. Pearson to me personally know to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof.

Dated at Wichita, Kansas, this 20th day of April, 2002.

Jessica Potts
Notary Public

My appointment expires: 2/7/04

Notary Public State of Kansas
Jessica Potts
My Appt Exp 2/7/04

FINAL BOUNDARY FOR CHADSWORTH PLAZA

1 North: 4713.8039 East : 5058.9323
Line Course: N 00-12-15 E Length: 287.4730'
2 North: 5001.2751 East : 5059.9567
Line Course: N 88-49-07 E Length: 849.1553'
3 North: 5018.7827 East : 5908.9315
Line Course: S 00-12-33 W Length: 287.3809'
4 North: 4731.4037 East : 5907.8823
Line Course: S 88-48-44 W Length: 849.1321'
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Perimeter: 2273.1414 Area: 243,995 sq. ft. 5.60 acres

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