

STAFF REPORT

(Preliminary Plat)

English Country

CASE NUMBER:

SUB 2003-96 - ~~COTTAGE GARDENS ADDITION~~

OWNER/APPLICANT:

Jay Russell Communities, 12602 W. 13th, Wichita, KS 67235

SURVEYOR/ENGINEER:

Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION:

East of Tyler, North of 13th St. North

SITE SIZE:

26.63 Acres

NUMBER OF LOTS

Residential: 101
Office:
Commercial:
Industrial:
Total: 101

MINIMUM LOT AREA:

6,300 Sq. Ft.

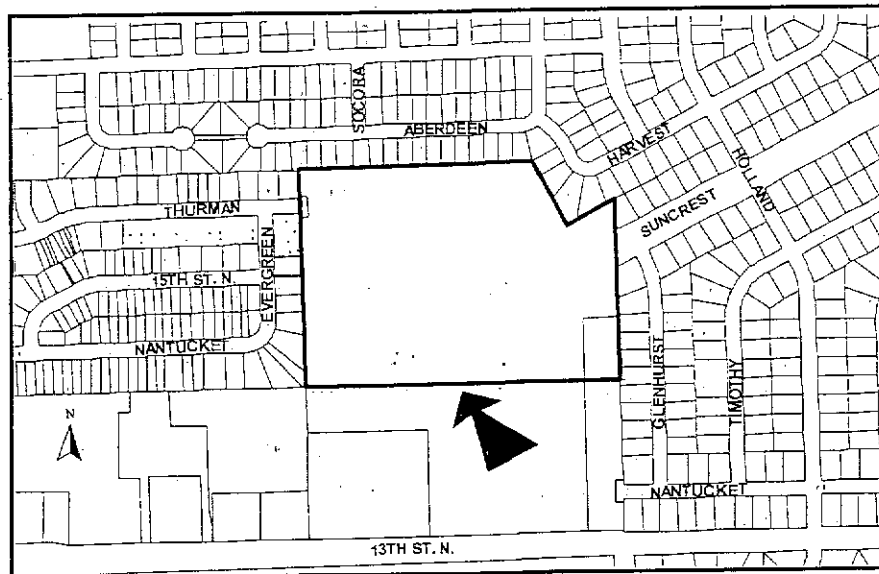
CURRENT ZONING:

B, Multi-Family Residential; LC, Limited Commercial

PROPOSED ZONING:

SF-5, Single-Family Residential

VICINITY MAP



SUB 2003-96 -- Preliminary Plat of COTTAGE GARDENS ADDITION
September 11, 2003 - Page 2

NOTE: This is a replat of a portion of the Wesley West Addition. The Applicant proposes a zone change from B, Multi-Family Residential and LC, Limited Commercial to SF-5, Single-Family Residential.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. This plat will be subject to approval of the associated zone change and any related conditions of such a change. Prior to this plat being considered by MAPC, the zone change will need to be approved.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. City Engineering needs to comment on the need for other guarantees or easements.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage concept.
- E. Traffic Engineering needs to comment on the 32-ft right-of-way widths platted for the internal streets. The Subdivision regulations state that streets of this type are not intended for street patterns subjected to through traffic and limits 32-ft loop streets to 48 lots.
- F. City Fire Department needs to comment if the 32-ft street intersections allow for a proper turning radius for fire vehicles.
- G. The Applicant shall guarantee the paving of the proposed streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.
- 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 needs to request a CUP adjustment as the CUP parcel boundaries do not correspond with the area being platted, building setbacks need to be revised, and single-family residential uses need to be added as a permitted use.
- K. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.

SUB 2003-96 -- Preliminary Plat of COTTAGE GARDENS ADDITION
September 11, 2003 - Page 3

- L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-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.
- M. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City of Wichita.
- N. The recording information for all pipeline easements shall be indicated on the face of the plat.
- O. The Subdivision regulations discourage the inclusion of pipeline easements within the perimeter of residential lots. It is recommended that the pipeline easement crossing the plat be included within a Reserve, or in the alternative a restrictive covenant provided identifying the pipeline easement.
- P. 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.
- Q. GIS needs to comment on the plat's street names. *Revised street names are needed. Thurman shall extend to Suncrest (through Block A, Lot 4). Suncrest between Thurman & Nantucket needs to be renamed as "Nantucket". The unlabeled north/south street along the western portion of the site shall be Reca.*
- R. The final plat shall be submitted with a revised name as an Addition now within Wichita exists with the name "Cottage Gardens Addition". *The applicant will be renaming this plat "English Country Gardens Addition".*
- S. The plat's 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.
- T. 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.)
- U. 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.
- V. 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.

- W. 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.
- X. 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.
- Y. Perimeter closure computations shall be submitted with the final plat tracing.
- Z. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- AA. 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.
- BB. 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.

Strahl, Neil

From: Paul Nank [pnank@hotmail.com]
Sent: Tuesday, October 14, 2003 10:31 AM
To: nstrahl@wichita.gov

To: Wichita Sedgwick Co. Subdivision committee.

Re: SUB 2003-96 English Country Gardens Addition.

From: Paul Nank, 1543 Glenhurst, Wichita, KS. 67212

After reviewing the plans for this addition, it was noted that the the two street outlets for this appear to overly burden the established neighborhoods with traffic. Suncrest will especially see increased traffic for commutting because it allows east access. This will result in to much traffic on Glenhurst and Holland for access to thirteenth. I have discussed this with several of my neighbors and we have thought of several options that would help this situation.

1. Access through Wesley's property to 13th street.
2. No access to suncrest.
3. If Suncrest accessed, no new crossover between the north and south lanes.

Lastly, we would like to request that the final approval of this addition be delayed two weeks. The neighborhood would like a better chance to organize and have input to minimize the impact this addition would have on the lives of people who presently live in the surrounding neighborhoods.

Get a FREE computer virus scan online from McAfee.
<http://clinic.mcafee.com/clinic/ibuy/campaign.asp?cid=3963>

STAFF REPORT

(Final Plat, Preliminary Plat Approved 9/11/03)

CASE NUMBER: SUB 2003-96 -- ENGLISH COUNTRY GARDENS ADDITION Formerly Cottage Gardens Addition)

OWNER/APPLICANT: Jay Russell Communities, 12602 W. 13th, Wichita, KS 67235

SURVEYOR/ENGINEER: Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: East of Tyler, North of 13th St. North

SITE SIZE: 26.63 Acres

NUMBER OF LOTS

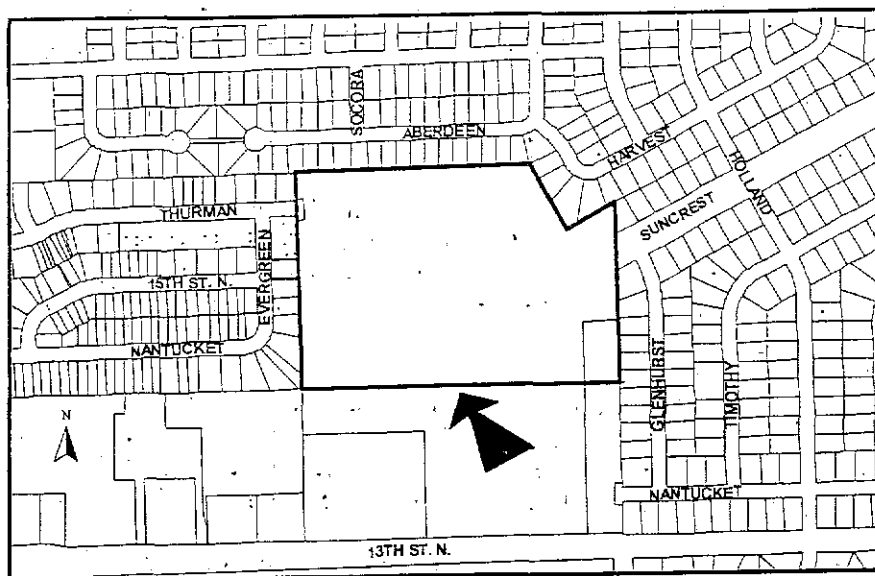
Residential:	101
Office:	
Commercial:	
Industrial:	
Total:	<u>101</u>

MINIMUM LOT AREA: 6,300 Sq. Ft.

CURRENT ZONING: B, Multi-Family Residential; LC, Limited Commercial

PROPOSED ZONING: SF-5, Single-Family Residential

VICINITY MAP



NOTE: This is a replat of a portion of the Wesley West Addition. The Applicant proposes a zone change (ZON 2003-49) from B, Multi-Family Residential and LC, Limited Commercial to SF-5, Single-Family Residential. A CUP Amendment (DP-217, CUP 2003-51) has also been requested.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. This plat will be subject to approval of the associated zone change and any related conditions of such a change. Prior to this plat being considered by MAPC, the zone change will need to be approved.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. The applicant shall contact Debt Management regarding the submission of a respread agreement for special assessments due to the lot reconfiguration.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage plan. A guarantee is needed for drainage improvements.
- E. Traffic Engineering needs to comment on the 32-foot right-of-way widths platted for the internal streets. The Subdivision regulations state that streets of this type are not intended for street patterns subjected to through traffic and limits 32-foot loop streets to 48 lots. Traffic Engineering has requested that Thurman be increased to a 64-foot right-of-way. The Subdivision Committee has approved a 64-ft right-of-way for Thurman with a 20-foot building setback.
- F. City Fire Department needs to comment if the 32-foot street intersections allow for a proper turning radius for fire vehicles. City Fire Department has approved the intersections.
- G. The Applicant shall guarantee the paving of the proposed streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.
- 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. A CUP amendment needs to be approved as the CUP parcel boundaries do not correspond with the area being platted, building setbacks need to be revised, and single-family residential uses need to be added as a permitted use.

- K. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 32-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.
- M. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the City of Wichita.
- N. The recording information for all pipeline easements shall be indicated on the face of the plat.
- O. The Subdivision regulations discourage the inclusion of pipeline easements within the perimeter of residential lots. It is recommended that the pipeline easement crossing the plat be included within a Reserve, or in the alternative a restrictive covenant provided identifying the pipeline easement. The applicant will be providing a restrictive covenant.
- P. GIS needs to comment on the plat's street names. The stub at the southwest corner of the plat shall be named Reca. The street north of Reserve B shall be named Suncrest.
- Q. The plat's 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.
- R. 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.)
- S. 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.
- T. 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.
- U. 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.

- V. 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.
- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- Y. 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. Aquila, SBC and Westar Energy have requested additional easements.
- Z. 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.

CLOSURE - ENGLISH COUNTRY GARDENS ADDITION

PT 01	North: 4317.1601	East :	6490.8284
Line	Course: N 01-32-08 E	Length:	921.3200
PT 02	North: 5238.1492	East :	6515.5173
Line	Course: S 88-40-23 E	Length:	973.5000
PT 03	North: 5215.6054	East :	7488.7562
Line	Course: S 25-31-34 E	Length:	310.5500
PT 04	North: 4935.3685	East :	7622.5792
Line	Course: N 64-23-33 E	Length:	230.2800
PT 05	North: 5034.8964	East :	7830.2402
Line	Course: S 01-31-41 W	Length:	763.2900
PT 06	North: 4271.8778	East :	7809.8859
Line	Course: N 88-02-01 W	Length:	1319.8400
PT 01	North: 4317.1658	East :	6490.8231