

STAFF REPORT

(Final Plat, Preliminary Plat Approved 1/21/99)

CASE NUMBER: S/D 99-5 - FOUNTAIN SQUARE ADDITION

OWNER/APPLICANT: Koch Properties, Inc., 4111 E. 37th St. North, Wichita, KS 67220

AGENT: Classic Real Estate, 8200 E. 32nd St. North, Wichita, KS 67226

SURVEYOR/ENGINEER: Mid-Kansas Engineering Consultants, Inc., 411 N. Webb Road, Wichita, KS 67206

LOCATION: Northwest corner of K-96 and Webb Road

SITE SIZE: 45.1 acres

NUMBER OF LOTS

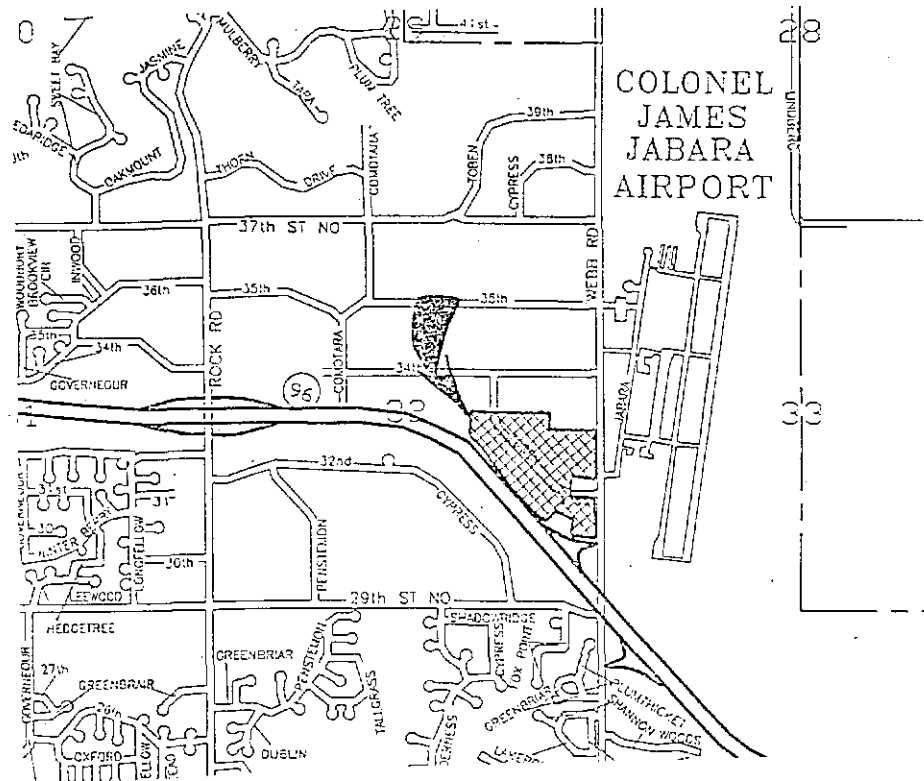
Residential:	
Office:	
Commercial:	
Industrial:	<u>16</u>
Total:	<u>16</u>

MINIMUM LOT AREA: 27,878 sq. ft.

CURRENT ZONING: LI, Limited Industrial

PROPOSED ZONING: Same

VICINITY MAP



Note: This is a replat of the Mediterranean Plaza Addition, which is subject to a proposed Community Unit Plan (DP-240). The replat consists of the vacation of Tobin Street, which provided a connection between 34th St. North and 31st St. North.

STAFF COMMENTS:

- A. This plat will be subject to approval of the associated CUP and any related conditions.
- B. Existing municipal services appear to be available to serve this site. City Engineering needs to verify if any other additional guarantees are required.
- 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.
- E. The applicant shall submit an avigational easement covering all of the 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.
- F. The plat denotes three access openings to Webb Road, including one joint access opening between lots 1 and 2. Distances shall be shown for all segments of access control. Traffic Engineering has approved three access openings along Webb Road.
- G. 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. The final plat tracing shall also indicate the recording information for the pipeline easement.
- H. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat and further noted that the setback is a building setback line for the Cities Service Company pipeline.
- J. A cross-lot access and circulation agreement should also be established by separate instrument to insure access to and between the lots. The Applicant intends to submit a blanket access easement for the interior lots.
- K. 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.
- M. 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 a method similar to special assessments.

- N. It should be indicated that Reserve A is also intended for utilities confined to easements.
- O. Traffic Engineering needs to comment on the need for any improvements to Webb Road. Traffic Engineering requires an additional through lane on Webb Road, a continuous left turn lane added from the south K-96 ramp to the north edge of the site, a dual left turn lane at the major access to this development (at 31st Street North), an additional lane added to the K-96 off ramps to Webb Road to provide capacity and which will need to be signalized, and the signalization of the intersection at Webb and 29th St. North.
- P. A CUP Certificate shall be submitted for recording with the Register of Deeds prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- Q. A turnaround shall be provided for Toben or in the alternative, a vacation request shall be submitted.
- 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 316-729-0102) 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 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.
- 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. ***KG&E and Southwestern Bell have requested additional easements which have not been entirely depicted on the final plat..***
- Z. 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 Release 13 version of Autocad. This will be used by the City and County GIS Department.

STAFF REPORT
(One-Step-Final Plat)
Preliminary

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SITE SIZE: 45.1 acres

NUMBER OF LOTS

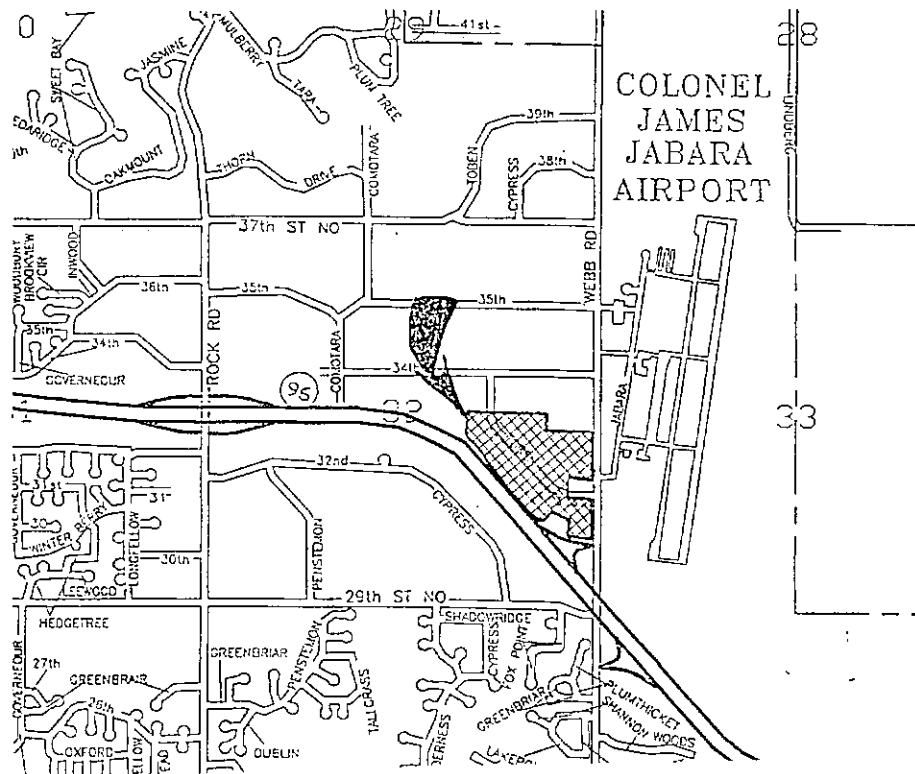
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PROPOSED ZONING: Same

VICINITY MAP



Note: This is a replat of the Mediterranean Plaza Addition and will be subject to a proposed Community Unit Plan. The replat consists of the vacation of Tobin Street, which provided a connection between 34th St. North and 31st St. North.

STAFF COMMENTS:

- A. This plat will be subject to approval of the associated CUP and any related conditions.
- B. Existing municipal services appear to be available to serve this site. City Engineering needs to verify if any other additional guarantees are required.
- 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.
- E. The applicant shall submit an avigational easement covering all of the 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.
- F. The plat denotes four access openings to Webb Road, including one existing joint access opening. Traffic Engineering needs to comment on the acceptability of the access controls. Distances should be shown for all segments of access control.
- G. 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. The final plat tracing shall also indicate the recording information for the pipeline easement.
- H. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat and further noted that the setback is a building setback line for the Cities Service Company pipeline.
- I. The bearings of the drainage easement needs to be indicated.
- J. Access easements need to be indicated on the plat for the interior lots and established by separate instrument. A cross-lot circulation agreement should also be established by separate instrument to insure access between the lots.
- K. The second paragraph of surveyor's certification needs to reference Block 3 of the Mediterranean Plaza Addition which encompasses the replatted lots. "Southwest" corner should be revised to read "southeast" corner in the first line of the second paragraph.
- L. 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.

- M. 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 a method similar to special assessments.
- N. It should be indicated that Reserve A is also intended for utilities confined to easements.
- O. Traffic Engineering needs to comment on the need for any improvements to Webb Road.
- P. A CUP Certificate shall be submitted for recording with the Register of Deeds prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- Q. A turnaround shall be provided for Toben or in the alternative, a vacation request shall be submitted. This plat shall also include the vacation of 31st St. North.
- 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.)
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