

STAFF REPORT  
(PRELIMINARY PLAT)

**CASE NUMBER:** SUB 2002-132 -- GRACE PARK ADDITION

**OWNER/APPLICANT:** Pinnacle Construction Group, Attn: Mike Frey, 1223 N. Rock Road,  
Wichita, KS 67206

**SURVEYOR/ENGINEER:** Baughman Company, P.A., Attn: Phil Meyer, 315 Ellis, Wichita, KS 67211

**LOCATION:** North of Harry, East of Greenwich

**SITE SIZE:** 10.5 acres

**NUMBER OF LOTS**

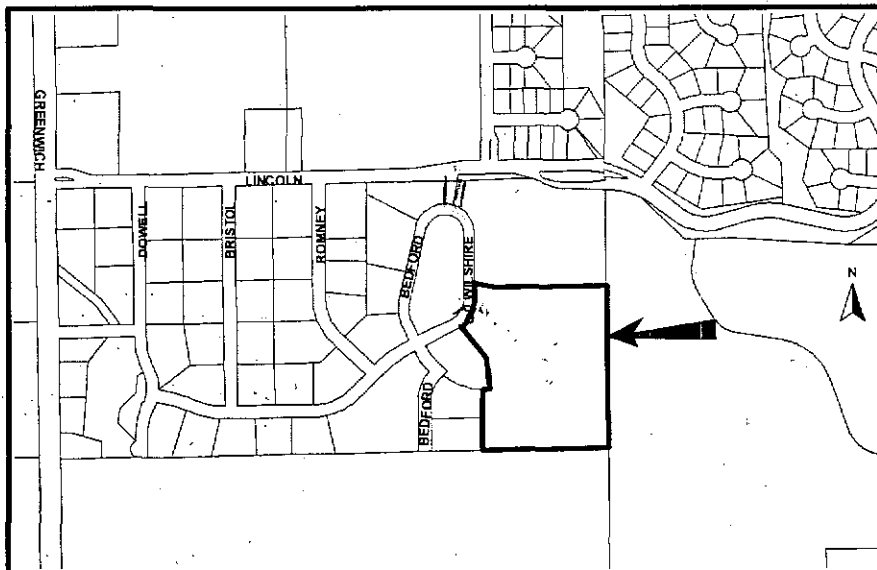
Residential:	33
Office:	
Commercial:	
Industrial:	
Total:	<u>33</u>

**MINIMUM LOT AREA:** 7,800 sq. ft.

**CURRENT ZONING:** SF-5, Single-Family Residential

**PROPOSED ZONING:** Same

**VICINITY MAP**



NOTE: This is a replat of a portion of the Windsor Park Addition.

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. City Engineering needs to comment on the need for other guarantees or easements.
- 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 concept.
- D. The applicant shall guarantee the paving of the proposed interior streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.
- E. MAPD recommends the extension of Bayley to the east line of the plat and the extension of Wiltshire Ct to the south line of the plat in order to provide for potential subdivision of the abutting properties.
- F. 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.
- G. 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.
- H. Approval of this plat will require a waiver of the lot depth to width ratio of the Subdivision Regulations for Lot 17, Block A. The Subdivision Regulations state that the maximum depth of all residential lots shall not exceed 2.5 times the width.
- I. The City Fire Department/GIS needs to comment on the plat's street names. *GIS has requested that Bedford Ct be revised to Wilshire Ter, Wilshire and Richfield be revised to Lynnrae Ln, and Wilshire Ct be revised to Lynnrae Ct.*
- J. 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.
- K. 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.
- L. For any lots with existing tree rows that may be impacted by the installation of utilities, it is recommended that 30-ft utility easements be platted in order to allow for the installation of the utilities without damage to such tree rows.

**SUB 2002-132 – Final Plat of GRACE PARK ADDITION**  
**January 16, 2003 - Page 3**

- 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.
- N. 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.
- O. For any lots with existing tree rows that may be impacted by the installation of utilities, it is recommended that 30-ft utility easements be platted in order to allow for the installation of the utilities without damage to such tree rows.
- P. 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.
- Q. 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.)
- R. 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.
- S. 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.
- T. 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.
- U. 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.
- V. Perimeter closure computations shall be submitted with the final plat tracing.
- W. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- X. 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.

**SUB 2002-132 – Final Plat of GRACE PARK ADDITION**  
**January 16, 2003 - Page 4**

- Y. 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.

**SUB 2002-132 -- Preliminary Plat of GRACE PARK ADDITION**  
**December 12, 2002 - Page 3**

- 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.)
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- 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.

STAFF REPORT  
(FINAL PLAT, PRELIMINARY PLAT APPROVED 12/12/02)

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Wichita, KS 67206

**SURVEYOR/ENGINEER:** Baughman Company, P.A., Attn: Phil Meyer, 315 Ellis, Wichita, KS  
67211

**LOCATION:** North of Harry, East of Greenwich

**SITE SIZE:** 10.5 acres

**NUMBER OF LOTS**

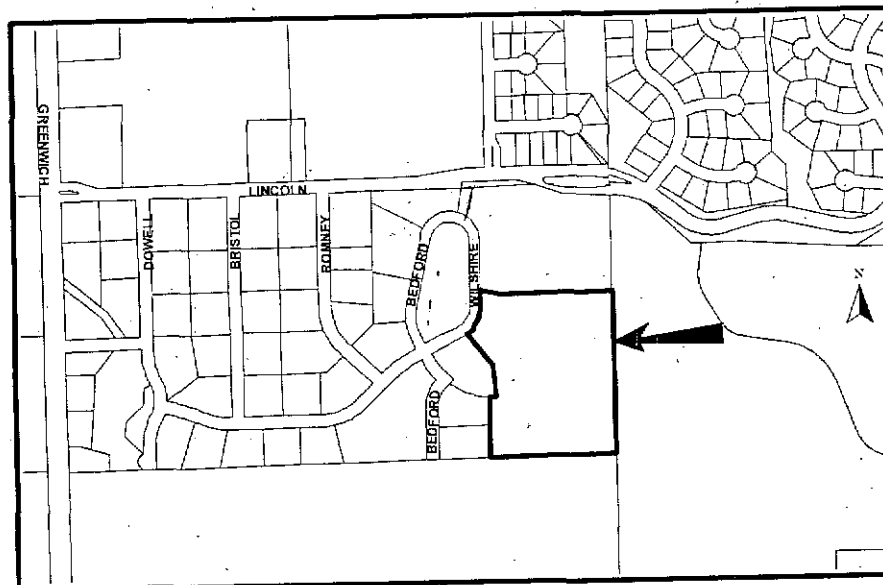
Residential:	29
Office:	
Commercial:	
Industrial:	
Total:	<u>29</u>

**MINIMUM LOT AREA:** 7,800 sq. ft.

**CURRENT ZONING:** SF-5, Single-Family Residential

**PROPOSED ZONING:** Same

**VICINITY MAP**



**NOTE:** This is a replat of a portion of the Windsor Park Addition. This final plat contains four fewer lots than the preliminary plat due to the platting of Reserve D.

**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. **The applicant has obtained an off-site right-of-way to connect Bedford Ct with Lincoln. The Subdivision Committee encouraged the applicant to investigate an alternative opening to Lincoln.**
- D. **City Engineering** needs to comment on the status of the applicant's drainage plan. **An off-site drainage easement is needed.**
- E. The applicant shall guarantee the paving of the proposed interior streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.
- F. 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.
- G. 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.
- H. The Blocks shall be relabeled as A and B.
- I. 20'x20' gas lease area needs located on plat.
- J. Approval of this plat will require a waiver of the lot depth to width ratio of the Subdivision Regulations for Lot 8, Block A. The Subdivision Regulations state that the maximum depth of all residential lots shall not exceed 2.5 times the width. **The Subdivision Committee has approved the modification.**
- K. The **City Fire Department/GIS** needs to comment on the plat's street names. **GIS has requested that Bedford Ct be revised to Wilshire Ter.**
- L. The platting binder indicates a party holding a mortgage on the site. This party's name must be included as a signatory on the plat, or else documentation provided indicating that such mortgage has been released.

**STAFF REPORT**

(FINAL PLAT DEFERRED 1/16/03; PRELIMINARY PLAT APPROVED 12/12/02)

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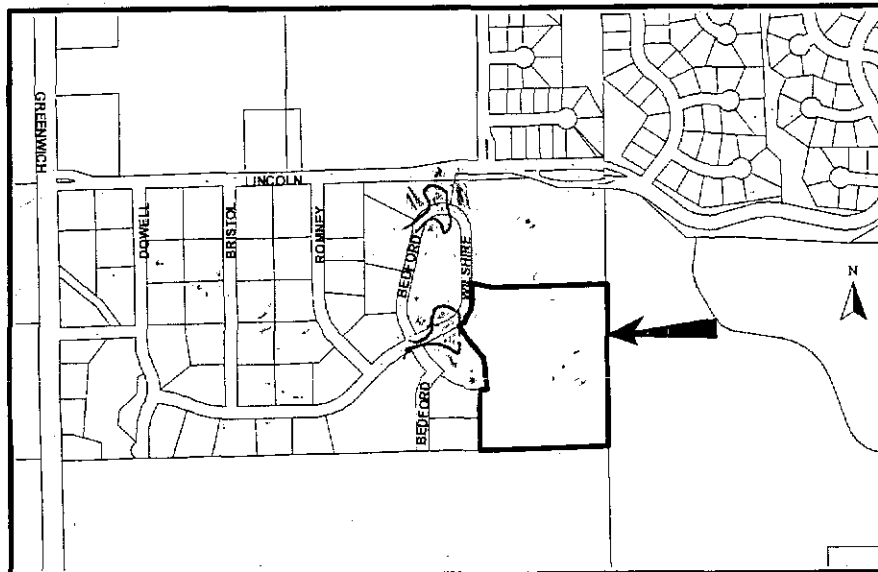
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**PROPOSED ZONING:** Same

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*not*
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- L. The platting binder indicates a party holding a mortgage on the site. This party's name must be included as a signatory on the plat, or else documentation provided indicating that such mortgage has been released.

**SUB 2002-132 -- Final Plat of GRACE PARK ADDITION**

**January 30, 2003 - Page 3**

- 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.
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City of Wichita  
 City Council Meeting  
 June 3, 2003

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** SUB 2002-132 -- Plat of Grace Park Addition, Located North of Harry, East of Greenwich Road. (District II)

**INITIATED BY:** Metropolitan Area Planning Department *DM*

**AGENDA ACTION:** Planning

**Staff Recommendation:** Approve the plat.

**MAPC Recommendation:** Approve the plat. (9-0)

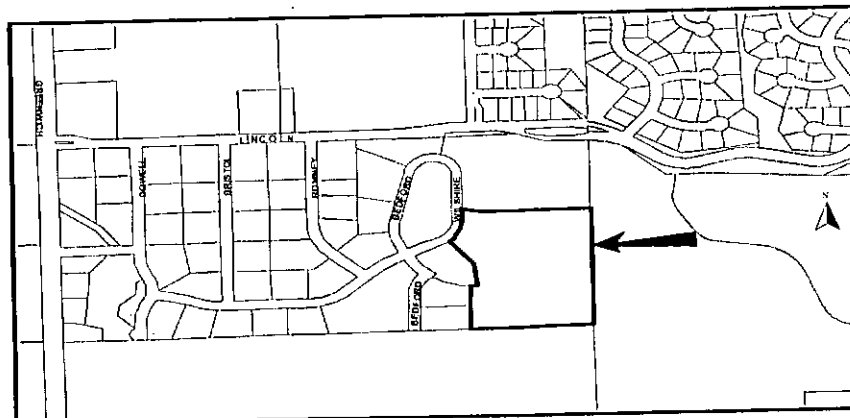
**Background:** This 10.5 acre site, consisting of 29 lots, is a replat of a portion of the Windsor Park Addition and is located in the City. The zoning is SF-5, Single-Family Residential District.

**Analysis:** Petitions, all 100%, for sewer, water and paving improvements, and a Certificate of Petitions was submitted. A Restrictive Covenant has been submitted to provide for off-street parking for lots adjacent to narrow streets, requiring that four (4) off-street spaces be provided for each such lot. Since this plat proposes platting of narrow street right-of-way with adjacent 15-foot street drainage and utility easements, a Restrictive Covenant was submitted outlining restrictions for lot-owner use of these easements. Also, a Restrictive Covenant was submitted to provide for the ownership and maintenance of the reserves. An off-site right-of-way Dedication was also submitted in order to provided access to Lincoln.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

**Legal Considerations:** The Certificate of Petitions, Restrictive Covenants and Dedication will be recorded with the Register of Deeds.

**Recommendations/Actions:** Approve the documents and plat, authorize the necessary signatures and adopt the Resolutions.



**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Heartland Community Church Of Wichita, a Kansas not-for-profit corporation, being the owner(s) of the following described real estate in Wichita, Sedgwick County, Kansas, to wit:

A tract lying within Lot 7, Block 4, Windsor Park Addition, Sedgwick County, Kansas described as: Commencing at the SW corner thereof; thence north along the eastern most west line of said Lot 7, to the P.C. of a curve to the left, for a point of beginning; thence north and northwesterly along said curve having a radius of 139.60 feet, a central angle of 70°52'37", and an arc length of 172.69 feet to a corner of said Lot 7; thence north along the western most west line of said Lot 7, 126.76 feet to the NW corner of said Lot 7; thence east along the north line of said Lot 7, 78.15 feet; thence south 257.34 feet to the point of beginning.

does hereby dedicate the above-described real estate to the public for street right-of-way purposes.

Executed this 19th day of May, 2003

Heartland Community Church Of Wichita,  
a Kansas not-for-profit corporation

By: George S. Granberry, Sr.  
George S. Granberry, Sr. Teaching Elder  
and Trustee

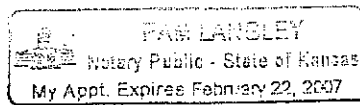
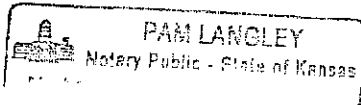
STATE OF KANSAS            )  
COUNTY OF SEDGWICK    )       SS:

BE IT REMEMBERED, that on this 19<sup>th</sup> day of May, 2003, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came George S. Granberry, as Senior Teaching Elder and Trustee of Heartland Community Church Of Wichita, a Kansas not-for-profit corporation, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same, for and on behalf, and as the act and deed of said not-for-profit corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Pam Langley  
Notary Public

(My Appointment Expires: \_\_\_\_\_)



GRACE PARK CLOSURE

POINT 1: North: 3620.2381 East : 10550.6312  
Line Course: S 89-02-49 W Length: 607.68  
POINT 2: North: 3610.1305 East : 9943.0352  
Line Course: N 01-51-11 E Length: 292.74  
POINT 3: North: 3902.7174 East : 9952.5013  
Curve Length: 29.64 Radius: 343.01  
Delta: 4-57-01 Tangent: 14.83  
Chord: 29.63 Course: N 89-22-00 E  
Course In: N 01-50-31 E Course Out: S 03-06-30 E  
RP North: 4245.5502 East : 9963.5265  
POINT 4: North: 3903.0449 East : 9982.1295  
Line Course: N 03-08-11 W Length: 149.21  
POINT 5: North: 4052.0314 East : 9973.9658  
Line Course: N 40-27-34 W Length: 191.99  
POINT 6: North: 4198.1100 East : 9849.3816  
Curve Length: 153.60 Radius: 174.34  
Delta: 50-28-52 Tangent: 82.19  
Chord: 148.68 Course: N 24-26-32 E  
Course In: N 40-19-02 W Course Out: N 89-12-06 E  
RP North: 4331.0397 East : 9736.5804  
POINT 7: North: 4333.4651 East : 9910.9018  
Line Course: N 00-48-45 W Length: 87.50  
POINT 8: North: 4420.9563 East : 9909.6610  
Line Course: S 74-03-26 E Length: 99.40  
POINT 9: North: 4393.6534 East : 10005.2377  
Line Course: N 89-08-12 E Length: 535.32  
POINT 10 North: 4401.7193 East : 10540.4970  
Line Course: S 00-44-34 E Length: 781.54  
POINT 1: North: 3620.2450 East : 10550.6285