

STAFF REPORT
(PRELIMINARY PLAT)

CASE NUMBER: SUB 2002-56 -- HAWTHORNE ADDITION

OWNER/APPLICANT: 21st Street Growth Property, L.L.C., 816 Terradyne, Andover, KS 67002

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

LOCATION: Northeast corner of 21st Street North and 127th Street East

SITE SIZE: 156.5 Acres

NUMBER OF LOTS

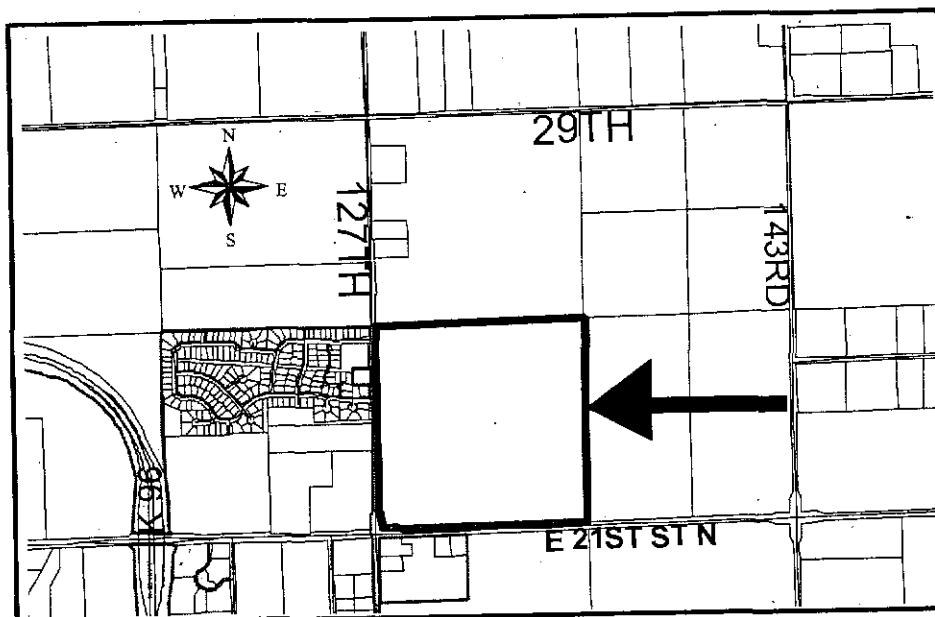
Residential:	208
Office:	5
Commercial:	5
Industrial:	
Total:	<u>213</u>

MINIMUM LOT AREA: 8,679 Sq. Ft.

CURRENT ZONING: SF-20, Single-Family Residential; LC, Limited Commercial

PROPOSED ZONING: SF-5, Single-Family Residential, MF-18, Multi-Family Residential, LC, Limited Commercial

VICINITY MAP



NOTE: This site is located in the County adjoining Wichita's city limits and annexation is required. The southwestern portion of the site has been approved for a zone change (SCZ-0780) from SF-20, Single-Family Residential to LC, Limited Commercial and MF-18, Multi-Family Residential. The site is also subject to the Twenty-First Commercial Community Unit Plan (DP-238) approved March of 1999. The site is located within the 100-year floodplain.

PLANNING STAFF RECOMMENDS APPROVAL OF THE PLAT.

STAFF COMMENTS:

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed. Upon annexation, the portion of the property not contained within the zone change will be zoned SF-5, Single-Family Residential and allow for the lot sizes being platted.
- 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/County Engineering** needs to comment on the status of the applicant's drainage concept. **County Engineering notes that a portion of the plat is located in Zone A floodplain. County Engineering requests submittal of a drainage plan for review. It is noted that a crossroad structure exists at Boxthorn. No drainage easement has been shown at Lindsey.**
- E. **Traffic Engineering** has requested the deletion of Reserves E and K located at the entrances to the Addition.
- F. **Traffic Engineering** needs to comment on the access controls. The access controls have not been platted in accordance with the CUP approval approved in March 1999. The applicant has submitted an administrative adjustment to the CUP reflecting revised access controls. The plat proposes five access openings along 127th Street East, and four openings along 21st Street North. The approved CUP permitted 4 openings along 127th Street East and three openings along 21st Street. The CUP also required joint access openings between Lots 3 and 4, and between Lots 5 and 6. Right turns only were required for the openings closest to the intersection. Distances should be shown for all segments of access control. The final plat shall reference the dedication of access controls in the plat's text.
- G. Any joint access openings shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- H. **County/Traffic Engineering** needs to comment on the need for any improvements to perimeter streets. **County Engineering has required a guarantee for the street paving of 127th Street East up to Lindsey. The CUP required left and right turn lanes constructed for the access to Lot 2, Block 8, from both streets. The CUP also required the Developer to participate in a future traffic signal at the intersection.**

SUB 2002-56 -- Preliminary Plat of HAWTHORNE ADDITION
June 27, 2002 - Page 3

- I. The platator's text shall note the dedication of the street to and for the use of the public.
- J. On the final plat, the platator's text needs to reference Reserves H, J and R as being platted as private streets.
- K. The applicant shall guarantee the installation of the private streets, Peckham Circle, Rosemont Circle and Rosemont Court, to a public street standard. As private improvements, such guarantee shall not be provided through the use of a petition.
- L. A covenant shall be submitted regarding Reserves H, J, and R platted for private street purposes, which sets forth ownership and maintenance of the private street, and future reversionary rights of the reserves to the lots benefiting from the reserves.
- M. **Traffic Engineering** needs to comment on the right-of-way widths platted for the internal streets, particularly the width of the through street (Walden Chase) and the stubs (Rothbury and Hawthorne). No Parking is permitted along the 58-foot segment of Walden Chase extending from 127th Street East to the emergency access easement from Rosemont Circle. The right-of-way width of the segment of Walden Chase east of the emergency access easement from Rosemont Circle shall be labeled as 64 feet. This 64-foot segment shall continue northward to Hawthorne. The right-of-way widths for the stubs Rothbury and Hawthorne shall be labeled as 64 feet.
- N. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks along both sides of Walden Chase which functions as a collector, along one side of the through non-cul-de-sac streets (Lindsay and Williamsgate) and along one side of the loop street.
- O. It is recommended that Reserves C, I and N be extended to the street by access easements or by narrow strips of Reserve between the lots to increase their accessibility and usefulness for all homeowners in the Addition.
- P. The use of Reserve C for utilities located within platted easements should be referenced in the platator's text.
- Q. Since an intended use 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.
- R. Because of the landlocked nature of Reserve M being platted in the southeast corner of the site, a means of access shall be provided to such a Reserve.
- S. The final plat shall state in the platator's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- T. 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.

SUB 2002-56 -- Preliminary Plat of HAWTHORNE ADDITION
June 27, 2002 - Page 4

- U. 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.
- V. The Applicant may need to request a CUP adjustment, unless the access controls are revised to correspond with those imposed by the CUP.
- W. A note shall be placed on the final plat, indicating that this Addition is subject to the conditions of the Twenty-First Commercial Community Unit Plan (DP-238).
- X. 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.
- Y. The wall easement along the east property line of Lots 2 and 6, Block 8, needs to be located. On the final plat, the wall easement shall be referenced in the plat's text.
- Z. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- AA. The City Fire Department/GIS needs to comment on the plat's street names. Rosemont should be renamed Reeds Cove to align with the street in the plat to the south (Reeds Cove). Hawthorne should be renamed Williamsgate to properly align. Peckham Circle should be renamed Woodbridge Court or North 21st Street Court. The east-west segment of Walden Chase should be renamed Boxthorn.
- BB. The applicant shall submit a copy of the instrument that 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.
- CC. 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.
- DD. The recording information for all pipeline easements shall be indicated on the face of the plat.
- EE. 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.
- FF. 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.

- GG. 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.)
- HH. 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.
- II. 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.
- JJ. 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.
- KK. 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.
- LL. Perimeter closure computations shall be submitted with the final plat tracing.
- MM. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- NN. 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.
- OO. 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 6/27/02)

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LOCATION: Northeast corner of 21st St. North & 127th St. East

SITE SIZE: 156.5 Acres

NUMBER OF LOTS

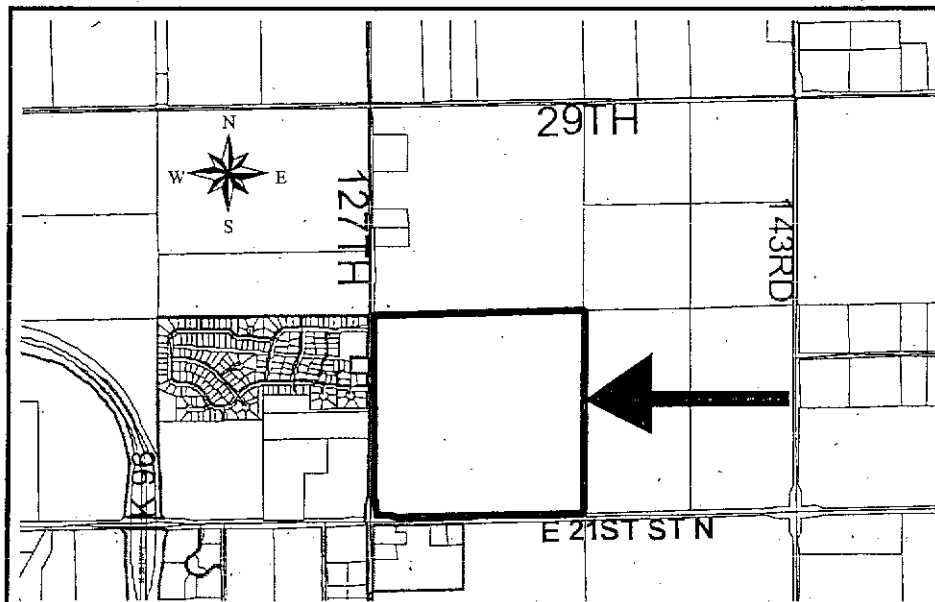
Residential:	191
Office:	
Commercial:	5
Industrial:	
Total:	<u>196</u>

MINIMUM LOT AREA: 8,679 Sq. Ft.

CURRENT ZONING: SF-20, Single-Family Residential; LC, Limited Commercial

PROPOSED ZONING: SF-5, Single-Family Residential, MF-18, Multi-Family Residential, LC, Limited Commercial

VICINITY MAP



NOTE: This site is located in the County adjoining Wichita's city limits and annexation is required. The southwestern portion of the site has been approved for a zone change (SCZ-0780) from SF-20, Single-Family Residential to LC, Limited Commercial and MF-18, Multi-Family Residential. The site is also subject to the Twenty-First Commercial Community Unit Plan (DP-238) approved March of 1999. The applicant has requested a zone change (ZON 2002-40) to GO, General Office for Lot 7, Block 6. The site is located within the 100-year floodplain.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed. Upon annexation, the portion of the property not contained within the zone change will be zoned SF-5, Single-Family Residential and allow for the lot sizes being platted.
- 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. City Engineering may need to impose limitations on sewer capacity.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City/County Engineering needs to comment on the status of the applicant's drainage plan. County Engineering requests submittal of a drainage plan for review.
- E. The approved CUP permitted 4 openings along 127th St. East and three openings along 21st St. The CUP also required joint access openings between Lots 3 and 4, and between Lots 5 and 6. Right turns only were required for the openings closest to the intersection. The access controls on the plat conform with the CUP. The dedication of access controls in the plat's text shall reference Block 6.
- F. Any joint access openings shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- G. County/Traffic Engineering needs to comment on the need for any improvements to perimeter streets. A guarantee has been provided for the street paving of the entire frontage along 127th St. East. The CUP required left and right turn lanes constructed for the access to Lot 2, Block 6, from both streets. The CUP also required the Developer to participate in a future traffic signal at the intersection and a northbound turn lane along 127th St.
- H. The applicant shall guarantee the installation of the private streets, Lindsay Circle, Rosemont Circle and Rosemont Court, to a public street standard. As private improvements, such guarantee shall not be provided through the use of a petition.
- I. A covenant shall be submitted regarding Reserves H and J platted for private street purposes, which sets forth ownership and maintenance of the private streets.

- J. No Parking is permitted along both sides of the 58-ft segment of Camden Chase located north of Lot 1, Block 6.
- K. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks along both sides of Camden Chase/Hawthorne which functions as a collector, along one side of the through non-cul-de-sac streets (Peckham and Williamsgate) and along one side of the loop street.
- L. Since an intended use 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.
- M. Reserves Q and S need to be referenced in plat's text.
- N. Because of the landlocked nature of Reserve M being platted in the southeast corner of the site, a means of access shall be provided to such a Reserve.
- An opening has been platted along 21st Street. This opening needs to be labeled as a "service opening".
- O. 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.
- P. 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.
- Q. 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.
- R. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- S. The City Fire Department/GIS needs to comment on the plat's street names. Hawthorne shall be revised to Williamsgate.
- T. 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.

SUB 2002-56 -- Final Plat of HAWTHORNE ADDITION
August 1, 2002 - Page 4

- U. 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.
- V. The recording information for all pipeline easements shall be indicated on the face of the plat.
- W. 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.
- X. 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.
- Y. 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.)
- Z. 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.
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- BB. 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.
- CC. 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.
- DD. Perimeter closure computations shall be submitted with the final plat tracing.
- EE. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- FF. 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. Westar Energy has requested additional easements.

SUB 2002-56 -- Final Plat of HAWTHORNE ADDITION
August 1, 2002 - Page 5

GG. The applicant is reminded that a disk shall be submitted with the final at tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.