

STAFF REPORT  
(Preliminary Plat)

**CASE NUMBER:** SUB 2004-33 -- HAWTHORNE THIRD ADDITION

**OWNER/APPLICANT:** Twenty-First Growth LLC, 345 N. Riverview St., Suite 610, Wichita, KS 67203

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

**LOCATION:** North side of 21st St. North, East of 127th St. East

**SITE SIZE:** 81.3 Acres

**NUMBER OF LOTS**

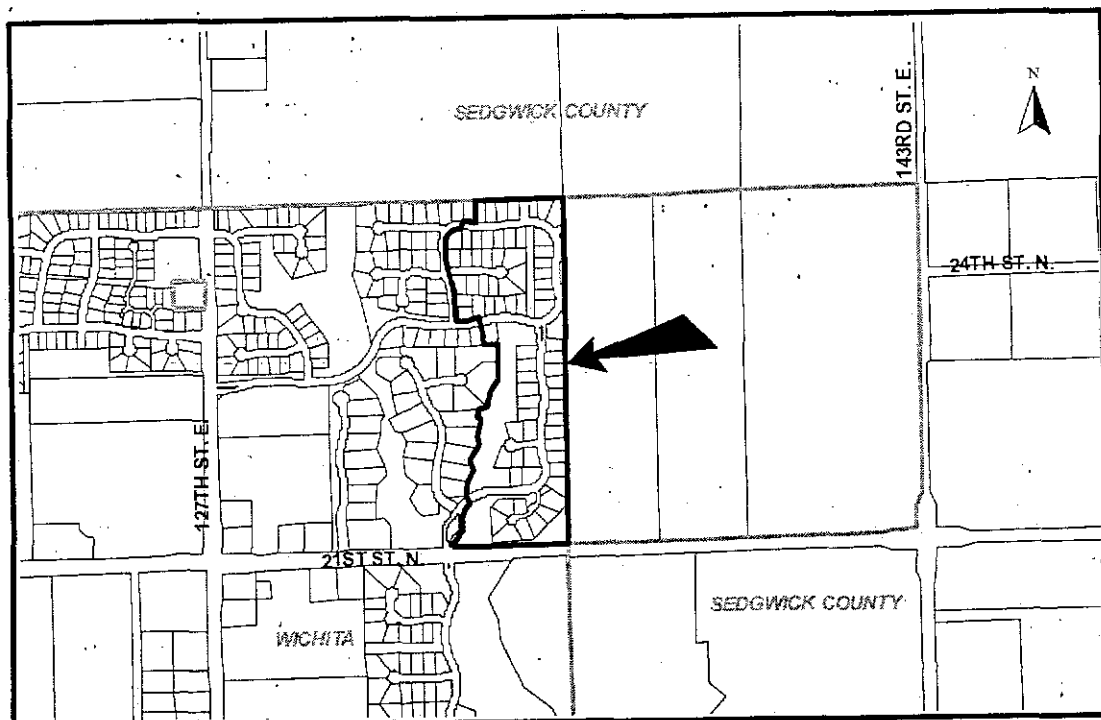
Residential:	144
Office:	
Commercial:	
Industrial:	
Total:	144

**MINIMUM LOT AREA:** 9,600 Sq. Ft.

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

**PROPOSED ZONING:** Same

VICINITY MAP



**SUB 2004-33 -- Preliminary Plat of HAWTHORNE THIRD ADDITION**  
**April 1, 2004 - Page 2**

**NOTE:** This is a replat of a portion of the Hawthorne Addition and Hawthorn Second Addition in addition to unplatted land to the east. The lot sizes have been increased resulting in fewer lots.

**STAFF COMMENTS:**

- A. Petitions have been provided with Hawthorne Addition and Hawthorne 2nd Addition for sewer, water and paving improvements. City Engineering needs to comment on the need for new guarantees.
- B. 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 concept.
- E. The right-of-way of Williamsgate shall be increased to a 66-ft right-of-way from 21st St. North to the Camden Chase intersection.
- F. The parking areas adjoining Williamsgate Court need to be included as "parking easements" within Reserves. The easements need to be at least 20-feet deep and no wider than 50 feet. The parking easements shall be referenced in the plat's text specifying that the easements are granted for residential parking only and that no obstructions shall be constructed or placed within the easements.
- G. Williamsgate Ct. has been platted as a 32-ft narrow local residential street. A 15-ft street drainage and utility easement is needed along the street.
- H. 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.
- I. The final plat shall state in the plat's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- J. 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.
- K. Since this is a replat of a previous Addition involved with the ownership and maintenance of reserves for that Addition, but not being replatted by this Addition, the above covenants and/or other legal documents shall be provided which provides for this Addition to continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.
- L. 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.

- M. 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-ft and 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.
- N. The Applicant has platted various 20-ft building setbacks which represents an adjustment of the Zoning Code standard of 25 feet for the SF-5, Single-Family Residential District. The Subdivision Regulations permit the setback provisions to be modified by the plat upon the approval of the Planning Commission.
- O. GIS needs to comment on the plat's street names. *The courts shall be denoted as Ct. A new name is needed for St. Andrews.*
- 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. 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.
- 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.

**SUB 2004-33 -- Preliminary Plat of HAWTHORNE THIRD ADDITION**  
**April 1, 2004 - Page 4**

- 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.
- 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](mailto:cholloway@wichita.gov)) . This will be used by the City and County GIS Department.

**STAFF REPORT**  
(Final Plat, Preliminary Plat Approved 4/1/04)

**CASE NUMBER:** SUB 2004-33 -- HAWTHORNE THIRD ADDITION

**OWNER/APPLICANT:** Twenty-First Growth LLC, 345 N. Riverview St., Suite 610, Wichita, KS 67203

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

**LOCATION:** North side of 21st St. North, East of 127th St. East

**SITE SIZE:** 81.3 Acres

**NUMBER OF LOTS**

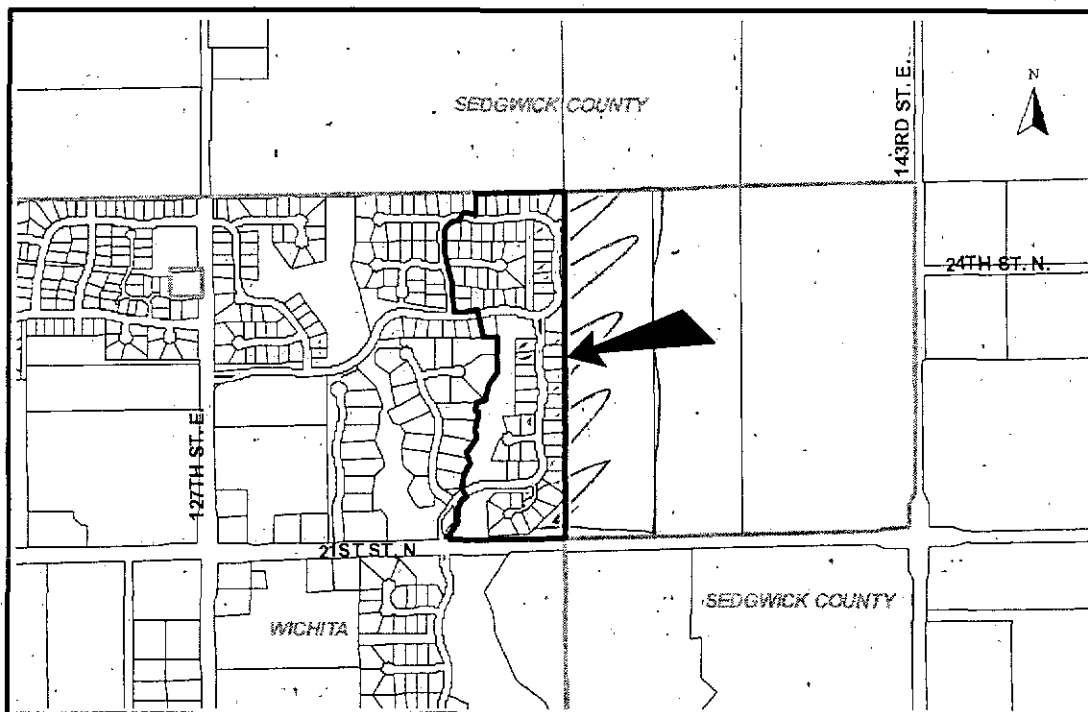
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Total:	<b>144</b>

**MINIMUM LOT AREA:** 9,600 Sq. Ft.

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

**PROPOSED ZONING:** Same

**VICINITY MAP**



**NOTE:** This is a replat of a portion of the Hawthorne Addition and Hawthorn Second Addition in addition to unplatted land to the east. The lot sizes have been increased resulting in fewer lots.

**STAFF COMMENTS:**

- A. Petitions have been provided with Hawthorne Addition and Hawthorne 2nd Addition for sewer, water and paving improvements. City Engineering has requested new petitions. Limitations on sewer connections exist until improvements are made.
- B. Debt Management has required 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.
- E. The paving guarantee shall also provide for sidewalks on at least one side of all through, non cul-de-sac streets in addition to sidewalks on both sides of Williamsgate which functions as a collector.
- F. The parking easements need to be labeled. Their reference in the plat's text as being "hereby granted to the public" needs to be deleted.
- G. Enlargements of various "Details" indicated on the plat need to be included.
- H. Williamsgate Ct has been platted as a 32-ft narrow local residential street. A 15-ft street drainage and utility easement is needed along the street.
- I. 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.
- J. The final plat shall state in the plat's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- 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.
- L. Since this is a replat of a previous Addition involved with the ownership and maintenance of reserves for that Addition, but not being replatted by this Addition, the above covenants and/or other legal documents shall be provided which provides for this Addition to continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.
- M. For those reserves being platted for drainage or sidewalk purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to

maintain the drainage and sidewalk 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.

- N. 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-ft and 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.
- O. The Applicant has platted various 20-ft building setbacks which represents an adjustment of the Zoning Code standard of 25 feet for the SF-5, Single-Family Residential District. The Subdivision Regulations permit the setback provisions to be modified by the plat upon the approval of the Planning Commission. A modification has been approved.
- P. GIS needs to comment on the plat's street names. The street stub extending to the east - Camden Chase - needs to be labeled.
- Q. The signature line for the City Clerk needs to be revised to reference "Karen Sublett".
- R. 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.
- S. The legal description needs to be revised to clarify "Part of Williamsgate, Camden Chase, and Mainsgate".
- T. 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.
- U. 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.)
- V. 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.
- W. 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.
- X. 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.

- Y. 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.
- Z. Perimeter closure computations shall be submitted with the final plat tracing.
- AA. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- BB. 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.
- CC. 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](mailto:cholloway@wichita.gov)). This will be used by the City and County GIS Department.



**MKEC ENGINEERING CONSULTANTS, INC.**

411 North Webb Road  
Wichita, Kansas 67206  
T: 316-684-9600 F: 316-684-5100  
**LETTER OF TRANSMITTAL**

PROJECT: Hawthorne 3<sup>rd</sup> Addition  
PROJECT NO: 02167  
DATE: February 21, 2006

TO: Mr. Jim Armour, P.E.  
City Engineer  
City of Wichita  
455 N. Main – 7<sup>th</sup> Floor  
Wichita, Kansas 67202

We are sending you the following items:  Attached  
 Under separate cover  
 Via  US Mail

Drawings       Specifications       Maps  
 Computer Disks       Petitions       Other

**COMMENTS:**      Sending Certificate of Corrections, Hawthorne 3<sup>rd</sup> Addition, minimum pad elevations.

For Your Signature       As Requested  
 For Your Use       For Your Files  
 Approved As Noted       For Review and Comment

**REMARKS:**      Please call me if you have any questions.

Signed:   
Jeffrey T. Cartwright, P.E.

CC:

**RECEIVED**  
MAR 23 2006  
CITY ENGINEERING

CERTIFICATE OF CORRECTIONS

for

Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas

I, Jeffrey T. Cartwright, P.E., do hereby certify that certain errors exist on the final plat of Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas. (filed PC 166-6B).

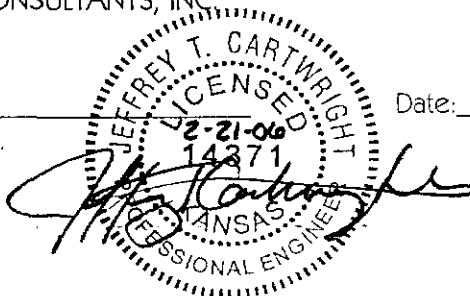
The following table replaces the table on the face of the plat:

MINIMUM PAD ELEVATIONS (LOWEST OPENINGS)								
LOT	BLOCK	ELEVATION (CITY DATUM)	ELEVATION (NGVD)		LOT	BLOCK	ELEVATION (CITY DATUM)	ELEVATION (NGVD)
1	1	168.6	1356.0		33	1	169.6	1357.0
2	1	168.6	1356.0		34	1	169.6	1357.0
3	1	168.1	1355.5		1	3	177.6	1365.0
4	1	168.6	1356.0		6	4	177.6	1365.0
5	1	169.6	1357.0		12	4	177.6	1365.0
6	1	169.6	1357.0		13	4	177.6	1365.0
7	1	169.6	1357.0		23	4	177.6	1365.0
8	1	169.6	1357.0		24	4	177.6	1365.0
9	1	171.1	1358.5		35	4	177.6	1365.0
10	1	171.1	1358.5		36	4	177.6	1365.0
31	1	171.1	1358.5		37	4	177.6	1365.0
32	1	171.1	1358.5		48	4	177.6	1365.0

Submitted by:

MKEC ENGINEERING CONSULTANTS, INC

Jeffrey T. Cartwright, P.E.

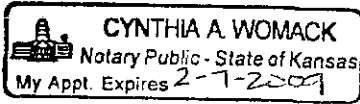


Date: \_\_\_\_\_

STATE OF KANSAS, SEDGWICK COUNTY } ss:

This instrument was acknowledged before me on 21<sup>st</sup> day of February, 2006, by Jeffrey T. Cartwright, P.E., MKEC Engineering Consultants Inc.

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



Cynthia A. Womack  
Notary Public

My Term Expires: February 7, 2009

AFFIDAVIT

STATE OF KANSAS, SEDGWICK COUNTY} ss:

COMES NOW Jim Armour P.E., City Engineer for the City of Wichita, Kansas of lawful age, and being first duly sworn, on oath states:

The final plat of Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas (*filed* PC 166-6B), has certain errors as follows:

The following table replaces the table on the face of the plat:

MINIMUM PAD ELEVATIONS (LOWEST OPENINGS)							
LOT	BLOCK	ELEVATION (CITY DATUM)	ELEVATION (NGVD)	LOT	BLOCK	ELEVATION (CITY DATUM)	ELEVATION (NGVD)
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2	1	168.6	1356.0	34	1	169.6	1357.0
3	1	168.1	1355.5	1	3	177.6	1365.0
4	1	168.6	1356.0	6	4	177.6	1365.0
5	1	169.6	1357.0	12	4	177.6	1365.0
6	1	169.6	1357.0	13	4	177.6	1365.0
7	1	169.6	1357.0	23	4	177.6	1365.0
8	1	169.6	1357.0	24	4	177.6	1365.0
9	1	171.1	1358.5	35	4	177.6	1365.0
10	1	171.1	1358.5	36	4	177.6	1365.0
31	1	171.1	1358.5	37	4	177.6	1365.0
32	1	171.1	1358.5	48	4	177.6	1365.0

FURTHER AFFIANT SAITH NOT.  
City of Wichita, Kansas

Jim Armour  
Jim Armour, P.E., City Engineer  
for the City of Wichita, Kansas

STATE OF KANSAS, SEDGWICK COUNTY} ss:

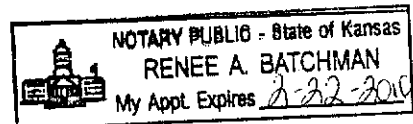
This instrument was acknowledged before me on 7 day of MARCH, 2006, by Jim Armour, P.E., City Engineer for the City of Wichita, Kansas.

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

Renee A. Batchman  
Notary Public

{seal}

My Term Expires: 2-22-2010





**MKEC ENGINEERING CONSULTANTS, INC.**  
 411 North Webb Road  
 Wichita, Kansas 67206  
 T: 316-684-9600 F: 316-684-5100  
**LETTER OF TRANSMITTAL**

**MAR 31 2006**  
**CITY - ENGINEERING**

PROJECT: Hawthorne 3<sup>rd</sup> Addition TO: Mr. Scott Lindebak  
 PROJECT NO: 02167 City of Wichita  
 DATE: March 30, 2006 455 N. Main – 7<sup>th</sup> Floor  
 Wichita, Kansas 67202

We are sending you the following items:  Attached  
 Under separate cover  
 Via  US Mail

Drawings  Specifications  Maps  
 Computer Disks  Petitions  Other

**COMMENTS:** Sending recorded Certificate of Corrections & Affidavit for the above referenced project.

For Your Approval  As Requested  
 For Your Use  For Your Files  
 Approved As Noted  For Review and Comment

**REMARKS:** Please call me if you have any questions.

Signed: Brian Lindebak by cw  
 Brian Lindebak

CC:



Sedgwick County  
Register of Deeds - Bill Meek


DOC.#/FLM-PG: 28765369

Receipt #: 1616215

Pages Recorded: 4

ODH

Cashier Initials: JP

Authorized By: 

Date Recorded: 3/21/2006 11:41:32 AM

Recording Fee: ODH



REFILED TO ADD AFFIDAVIT PAGE

Grantor	WICHITA CITY OF
Grantee	HAWTHORNE THIRD ADDITION
Type of Document	AFFIDAVIT CORRECTING PLAT
Recording Fees	ODH
Mtg Reg Tax	\$0.00
Total Amount	ODH
Return Address	MKEC ENGINEERING CONSULTANTS INC
	411 N WEBB RD
	WICHITA KS 67206

00028765369



Sedgwick County  
Register of Deeds - Bill Meek  
DOC.#/FLM-PG: 28763729  
Receipt #: 1615521  
Pages Recorded: 2  
Recording Fee: \$12.00  
Cashier Initials: LKB  
Authorized By: [Signature]

Date Recorded: 3/14/2006 3:52:39 PM



RE-FILED

### CERTIFICATE OF CORRECTIONS

for

Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas

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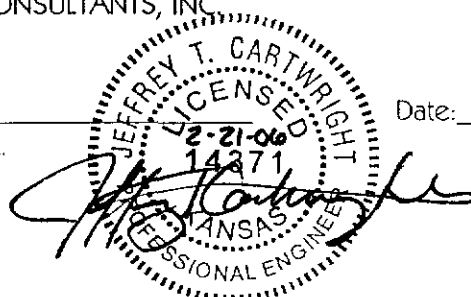
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Submitted by:

MKEC ENGINEERING CONSULTANTS, INC.

Jeffrey T. Cartwright, P.E.



Date: \_\_\_\_\_

12.00

287165369

STATE OF KANSAS, SEDGWICK COUNTY } ss:

This instrument was acknowledged before me on 21<sup>st</sup> day of February, 2006, by Jeffrey T. Cartwright, P.E., MKEC Engineering Consultants Inc.

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



Cynthia A. Womack  
Notary Public

My Term Expires: February 7, 2009

000276300

**AFFIDAVIT**

STATE OF KANSAS, SEDGWICK COUNTY} ss:

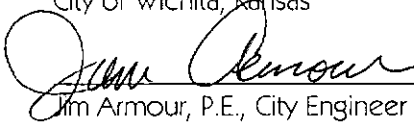
COMES NOW Jim Armour P.E., City Engineer for the City of Wichita, Kansas of lawful age, and being first duly sworn, on oath states:

The final plat of Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas (*filed* PC 166-6B), has certain errors as follows:

The following table replaces the table on the face of the plat:

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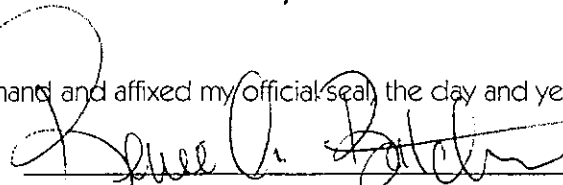
FURTHER AFFIANT SAITH NOT.  
City of Wichita, Kansas

  
Jim Armour, P.E., City Engineer  
for the City of Wichita, Kansas

STATE OF KANSAS, SEDGWICK COUNTY} ss:

This instrument was acknowledged before me on 7 day of MARCH, 2006, by Jim Armour, P.E., City Engineer for the City of Wichita, Kansas.

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

  
Notary Public

My Term Expires: 2-22-2010

