

**STAFF REPORT**  
**(One-Step Final Plat)**

**CASE NUMBER:** SUB 2005-22 – LOTUS 2nd ADDITION

**OWNER/APPLICANT:** Hoa Nguyen, 3740 Rushwood Court, Wichita, KS 67226

**SURVEYOR/ENGINEER:** Ruggles & Bohm, P.A., Attn: Chris Bohm, 924 N. Main, Wichita, KS 67203

**LOCATION:** North side of 47th Street South, West of Rock Road

**SITE SIZE:** 19.28 Acres

**NUMBER OF LOTS**

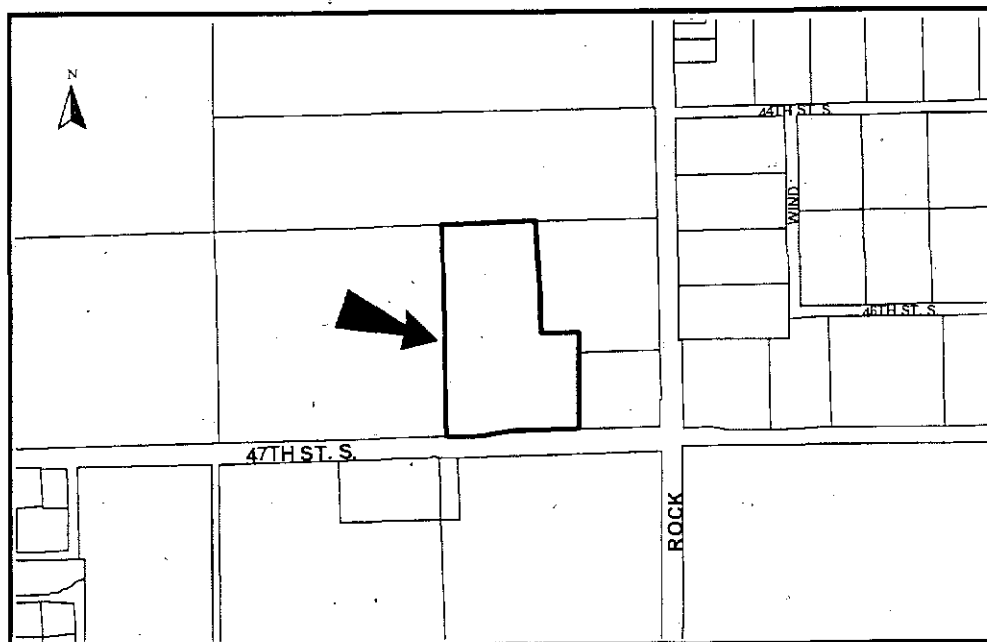
Residential:	5
Office:	
Commercial:	1
Industrial:	
Total:	6

**MINIMUM LOT AREA:** 2 Acres

**CURRENT ZONING:** SF-20, Single-Family Residential, RR, Rural Residential

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

**VICINITY MAP**



**SUB 2005-22 -- One-Step Final Plat of LOTUS 2ND ADDITION**

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**NOTE:** This is a replat of the Lotus Addition. It is located in the County within three miles of Wichita's boundary. It is located in an area designated as "rural" by the Wichita-Sedgwick County Comprehensive Plan. Applicant proposes a zone change from SF-20, Single-Family Residential and RR, Rural Residential to SF-20, Single-Family Residential and LC, Limited Commercial.

**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. Since sanitary sewer is unavailable to serve this property, the applicant shall contact **County Code Enforcement** to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage facilities. A memorandum shall be obtained specifying approval. ***A memorandum shall be obtained specifying approval of the proposed individual alternative sewer system from County Code Enforcement along with a maintenance agreement.***
- C. The site is currently located within the Sedgwick County Rural Water District No. 3. If service is available, feasible and the property is eligible for service, **County Code Enforcement** recommends connection.
- D. **City Water and Sewer Department** requests a petition for future extension of sanitary sewer and City water services.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. **County Engineering** needs to comment on the status of the applicant's drainage plan. ***A drainage plan is needed. A 25-foot triangular drainage easement is recommended on northeast corner of Lot 1 and southwest corner of Lot 6.***
- G. **County Engineering** needs to comment on the access controls. The plat denotes two openings along 47th Street South. ***County Engineering recommends deleting the right-in, right-out opening on Lot 1.***
- H. The applicant shall guarantee the installation of the cul-de-sac to the 36-foot rock suburban street standard.
- I. All access drives shall be in accordance with Sedgwick County Service Drive Code.
- J. In accordance with the KS Wetland Mapping Conventions under the Memorandum of Understanding between the USDA-NRCS; USEPA; USACE; and USF&WS, this site has been identified as one with potential wetland hydrology. The US Army Corps of Engineers (USACE) should be contacted (316-322-8247) to have a wetland determination completed."
- K. 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.
- L. **GIS** needs to comment on the plat's street names. ***The street name is approved.***


- M. To allow for County Commission approval of this plat, the County Commissioner signature block shall be included on the final plat tracing.
- N. 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 County.
- O. 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.
- P. The signature line for the Deputy within the Register of Deeds certificate needs to be revised to reference "Tonya Buckingham".
- 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 that 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.

- 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.

**WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT**

March 16, 2005

**TO:** John Schlegel, MAPD  
Dave Barber, MAPD  
Jamsheed Mehta, MAPD  
Dale Miller, MAPD  
Jim Weber, County Public Works  
Glen Wiltse, County Code Enforcement  
Bob Parnacott, County Legal  
Kevin Holman, County Fire  
**Vicky Huang, City Engineering**  
Paul Gunzelman, City Engineering  
Kurt Schroeder, Central Inspection  
Ed Bricknell, City Fire

**FROM:** Scott Knebel, MAPD 

**SUBJECT:** CUP2005-00013 DP-284 Lotus Second Addition Commercial CUP

Attached for your review and comment is a copy of a new CUP proposed for the northeast corner of 47<sup>th</sup> Street South and Rock Road.

The applicant proposes to develop 6.09 acres with uses permitted in the "LC" Limited Commercial zoning district. A maximum of 64,405 square feet in a maximum of four commercial buildings is proposed. A maximum building height of 80 feet is proposed. Two access points to 47<sup>th</sup> Street South are proposed, with one full-movement drive and one limited to right turns only. Building setbacks of 35 feet are proposed along 47<sup>th</sup> Street South and where adjacent to residential zoning and 20 feet where adjacent to the proposed Serenity Circle. Signs are proposed to be permitted per the Sign Code of the City of Wichita with additional restrictions on off-site and portable signs, window display signs, and flashing, rotating, and moving signs. Ground signs are proposed to be monument type with a maximum height of 20 feet. Landscaping is proposed per the Landscape Ordinance of the City of Wichita. Light poles are proposed to be limited to 24 feet in height. A six-foot high screening wall is proposed where adjacent to residential zoning.

Please review the proposed CUP and forward any comments to me by Friday, March 25, 2005, in order to allow sufficient time to prepare staff's recommendations for the Metropolitan Area Planning Commission. Please call me or e-mail me if you have any questions at 268-4421 or sknebel@wichita.gov.

**RECEIVED**

**MAR 16 2005**

**CITY - ENGINEERING**