

STAFF REPORT
(ONE-STEP FINAL PLAT)

CASE NUMBER: SUB 2003-45 -- RICKEN ACRES ADDITION

OWNER/APPLICANT: Larry Don Coleman, 3333 W. Harry, Wichita, KS 67213

SURVEYOR/ENGINEER: Savoy Company, P.A., 535 S. Emporia, Suite 104, Wichita, KS 67202

LOCATION: North side of 47th Street So., East of 231st Street West

SITE SIZE: 31.8 acres

NUMBER OF LOTS

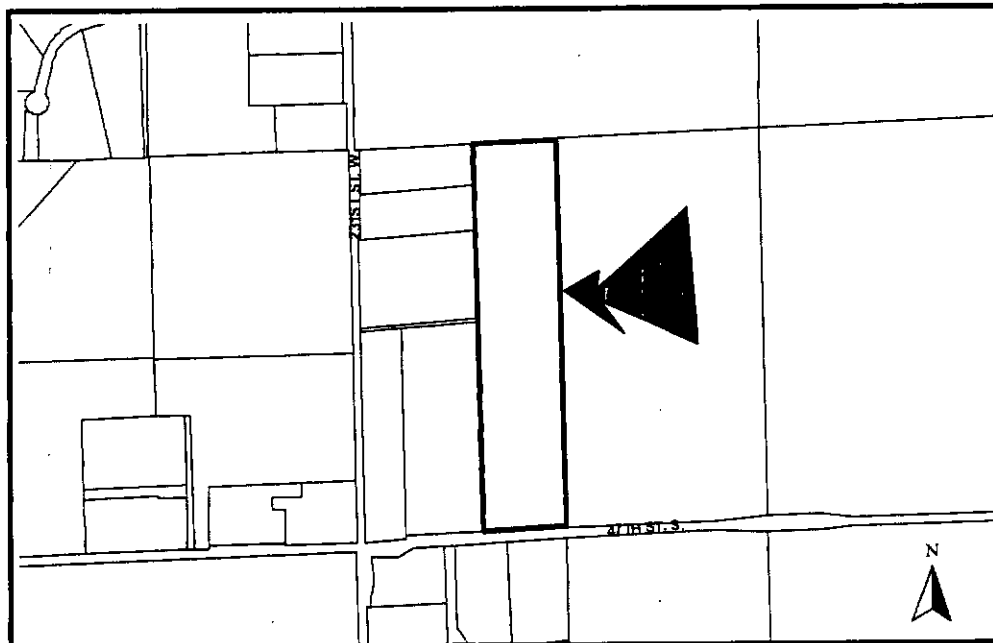
Residential:	27
Office:	
Commercial:	
Industrial:	
Total:	<u>27</u>

MINIMUM LOT AREA: 1 acre

CURRENT ZONING: RR, Rural Residential

PROPOSED ZONING: SF-20, Single-Family Residential

VICINITY MAP



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NOTE: This site is located in the County in an area designated as "rural" by the Wichita-Sedgwick County Comprehensive Plan. The applicant has proposed a zone change (ZON 2003-19) from RR, Rural Residential to SF-20, Single-Family Residential to allow for the lot sizes being platted. The applicant proposes an on-site alternative sewer system for the lots. The site is located within the Goddard Area of Influence.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. 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.
- B. 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.
- C. **County Code Enforcement** and **County Engineering** should comment on the acceptability of the proposed alternative sewage system for these lot sizes and the need for a restrictive covenant addressing maintenance. **The alternative sewage system is approved. A restrictive covenant will be needed.**
- D. The site is currently located within the Rural Water District No. 4. The applicant shall contact this water district to determine the ability of this property being platted to connect to their water line and submit a letter to MAPD and **County Code Enforcement** from the water district in that regard.
- 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 that addresses terraces and offsite drainage coming into the plat from the east.**
- G. The applicant shall guarantee the installation of the proposed street to the 36-foot rock suburban street standard.
- H. **County Surveying** has advised that a complete legend is needed.
- I. **County Engineering** has requested 75 feet of complete access control along 227th Street West Circle from the south line of Lots 1 and 27.
- 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 to have a wetland determination completed.
- K. **County Fire Department** needs to comment on the street length of 227th Street West Circle (2,300 feet) Rural cul-de-sacs over 1,200 feet in length must provide a stub street connection or contingent street dedication providing future access to adjoining tracts. The Applicant has provided a 70-foot contingent dedication of street right-of-way extending to the east line of the

plat in order to provide potential street connection to adjoining properties. **MAPD recommends a street stub extending to the west to the 10-acre undeveloped site. Due to the length of the cul-de-sac, the contingent right-of-way to the east shall be revised to an outright street dedication.**

- L. The signature line for the County Commissioners Chairman needs to reference "Tim R. Norton".
- M. The Applicant is advised that if platted, the building setbacks may be reduced to 25 feet to conform with the Zoning setback standard for the SF-20, Single-Family Residential District.
- N. The **County Fire Department/GIS** needs to comment on the plat's street names. **"227th Street West Circle" shall be revised to "228th Cir W.**
- O. 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.
- P. 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.)
- Q. 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.
- R. 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.
- S. 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.
- T. 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.
- U. Perimeter closure computations shall be submitted with the final plat tracing.
- V. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.

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- W. 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.

- X. 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
(Revised One-Step Final Plat)

CASE NUMBER: SUB 2003-45 -- RICKEN ACRES ADDITION

OWNER/APPLICANT: Larry Don Coleman, 3333 W. Harry, Wichita, KS 67213

SURVEYOR/ENGINEER: Savoy Company, P.A., 535 S. Emporia, Suite 104, Wichita, KS 67202

LOCATION: North side of 47th St. South, East of 231st St. West

SITE SIZE: 31.8 acres

NUMBER OF LOTS

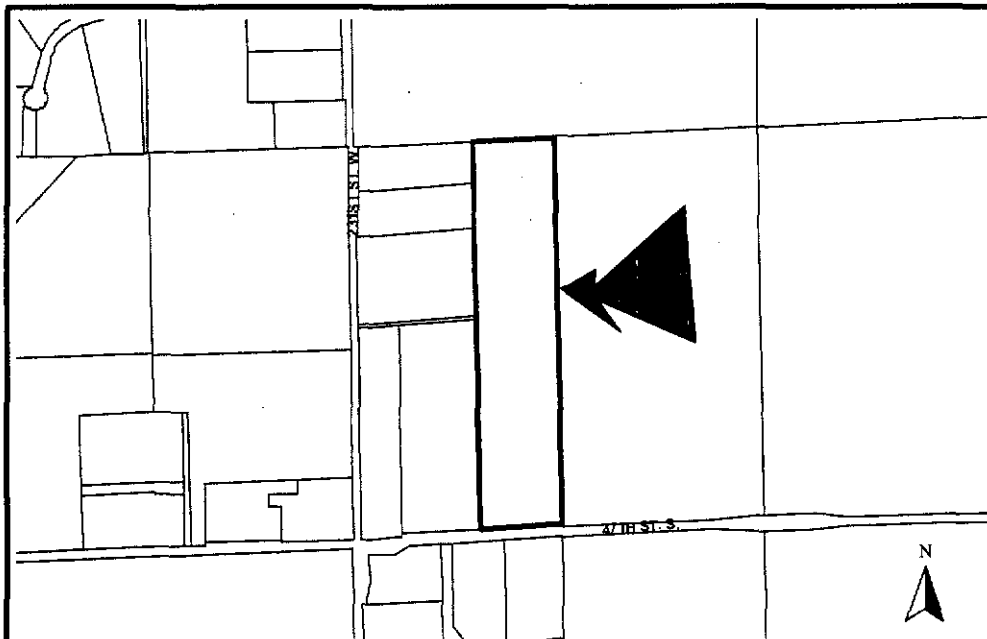
Residential:	14
Office:	
Commercial:	
Industrial:	
Total:	<u>14</u>

MINIMUM LOT AREA: 1.8 acre

CURRENT ZONING: RR, Rural Residential

PROPOSED ZONING: SF-20, Single-Family Residential

VICINITY MAP



SUB 2003-45 -- Revised One-Step Final Plat of RICKEN ACRES ADDITION
July 31, 2003 - Page 2

NOTE: This site is located in the County in an area designated as "rural" by the Wichita-Sedgwick County Comprehensive Plan. The applicant proposes an on-site alternative sewer system for the lots. The site is located within the Goddard Area of Influence. The plat has been revised to increase the size of the lots to two acres resulting in 13 fewer lots.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. 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.
- B. **County Code Enforcement** and **County Engineering** should comment on the acceptability of the proposed alternative sewage system for these lot sizes and the need for a restrictive covenant addressing maintenance. **The alternative sewage system is approved. A restrictive covenant will be needed.**
- C. The site is currently located within the Rural Water District No. 4. The applicant shall contact this water district to determine the ability of this property being platted to connect to their water line and submit a letter to MAPD and **County Code Enforcement** from the water district in that regard.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- E. **County Engineering** needs to comment on the status of the applicant's drainage plan. **A drainage plan is needed that addresses terraces and offsite drainage coming into plat from the east.**
- F. The applicant shall guarantee the installation of the proposed street to the 36-ft rock suburban street standard.
- G. Lots 1, 7, 8 and 14 contain less than the required 2-acre minimum lot size. A zoning adjustment will need to be approved for these lots. This adjustment should be submitted after the MAPC approval.
- H. 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 to have a wetland determination completed.
- I. **County Fire Department** needs to comment on the street length of 227th St. West Circle (2,300 feet) Rural cul-de-sacs over 1,200 feet in length must provide a stub street connection or contingent street dedication providing future access to adjoining tracts. The Applicant has provided a 70-ft contingent dedication of street right-of-way extending to the east line of the plat in order to provide potential street connection to adjoining properties. **MAPD recommends that the contingent street dedication to the west is relocated to the north between Lots 5 and 6.**
- J. The MAPC signature block needs to reference "John L. Schlegel, Secretary".
- K. The **County Fire Department/GIS** needs to comment on the plat's street names. **The street name shall be revised to "228th St W.**

SUB 2003-45 -- Revised One-Step Final Plat of RICKEN ACRES ADDITION
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- L. Per Sedgwick County Fire Department, access drives to any structures in access of 150 feet from the edge of the roadway will need to be installed prior to final framing inspection, preferably before the start of any above grade construction work. Such drive to be installed according to fire department specifications: (1) Twenty feet of drivable surface is provided the entire length of the access drive designed to withstand the weight of fire apparatus in inclement weather with provisions for turning fire apparatus around. (2) To meet fire department specifications, the surface needs to be an all-weather material consisting of rock or gravel, ground asphalt, laid asphalt or concrete. It is to be applied a minimum of 4 inches in depth consistently over the entire width and length of the driving surface. (gravel is prone to problems during extended periods of rain or snow and should be used with caution unless a good solid compacted base has been installed.)
- M. The platlor'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.
- N. 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.)
- O. 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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- R. 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.
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July 31, 2003 - Page 4

- U. 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.
- V. 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.

Wichita-Sedgewick County Subdivision Committee

Case No: Zan 2003-19

Plat: Sub 2003-00045 Ricken Acres Addition

General Location: NORTH of 47th Street South and 200 feet east of 231st Street West.

Adjacent landowner: 560 acres immediately east and south of proposed Ricken Acres.

Craig Farms.
Barbara Craig Queen
56 Stratford Road
Wichita Kansas 67201
316-696-1922

Opposition to this request.

Position: Minimum acreage should be no less than five acres.

Reasons:

1. Maintain the integrity of the area.
 - The proposed plan does not conform to the land use of the Comprehensive Plan which endorses the promotion of agricultural production and open spaces.
2. Constraints of soil types.
 - Northern end - Vanoss silt loam with a 3 to 6% slope and friable clay loam subsoil
 - Southern end - Shellbarger sandy loam with a 3 to 6% slope and is highly erodible.

Argument: Construction of small homesteads will negatively impact the surrounding land and land owners.

1. Sewage seepage impact

- There are no creditable studies of the system effectiveness, longevity or maintenance requirements in this soil type
- There is a compounding effect of a high number of systems releasing into a small, confined area.
- There is a high probability of contamination to adjacent soil, free-flowing creek, spring-based pond and eventually Lake Waiatana.

2. Surface water drainage impact.

- The soil configuration of this site presents concerns.
 - The upper Vanoss has a clay subsoil which results in water collection and slow drainage
 - The lower Shellabarger loam has a sandy loam surface which results in a highly erodible area.
- These conditions augment sewage seepage into surrounding areas and present questionable homestead desirability.

3. Terrace destruction impact.

- The Ricken Acre site and adjacent Craig Farms have been farmed as one land piece for a half a century. The terracing is contiguous between the two properties.
 - Construction of many houses, driveways, patios and sewage systems will destroy the protective, stabilizing value of the terrace and its soil holding function to the Ricken site and 2) be damaging to the agricultural operation to the east, north and south.

Conclusion: Five acre lots are acceptable.

1. Restrict the number of alternate sewage systems from 27 or 15 down to 5 or 6 systems
2. Reduce drainage and erosion problems by retaining natural soil cover.
3. Offer some stability to existing terraces and therefore farm land to north, east and south of site.
4. Since cost of lot and sewage system are borne by buyer, would offer a desirable lot size.
5. Be neighbor friendly.

Wichita-Sedgwick County Metropolitan Planning Commission

Case No: Zon 2003-19

Request: Zone change from 'RR' to 'SF.20'

Location: North of 47th Street South and 800 feet east of 231st Street West

How does the master plan address the following concerns?

1. Sewage

- proposed system is said to be a cross between septic tank and lagoon. per lot site.
- concerns - storage of sewage on property.
 - placement of 27 sewage systems
 - ? what will setback distance be from share property line
 - safeguards
 - ? what safeguard will be in place to prevent contamination to adjoining crop land, pasture land and cattle operation ;
 - prevent pollution of existing running stream, spring based pond and watershed pond.

2. 47th Street South

- at present, 47th Street South is 1 1/2 lane, sand/char surfaced street maintained by x
- concerns - to accommodate additional traffic, 47th Street South will need to be enlarged and resurfaced.
 - how will cost be accessed
 - ? developer - Larry Don Coleman
 - ? township - Afton

- ? county
- ? adjacent land owners.

3. Property line

- at present, the two properties have been co-joined in a grain farming-cattle operation (50+ years)
- as a result, this co-joined property share terraced land.

.. concern - destruction of terraces

... alteration of terraces and new construction surfaces will promote:

- water run-off
 - sewage seepage
- resulting in damage to adjacent farm land.

? does the master plan address the grade of the site to the east property line

• .. concern - property line barrier.

... type, position and maintenance of barrier

? permanent.

? set back from property line

? type & maintenance

? responsibility

? development

? site owner.

? landscape

? set back from property line

? type

.. ... to allow Craig Farms to continue to plant up to property line.

? additional landscaping on east property line of any canopy tree.

? restricted to 10' from line to allow necessary movement of

farm equipment; and to prevent
reduction of farm crop productivity.

... Trespassing.

- potential damage to crops.
- potential damage to cattle barriers
- potential injury to children.
- dogs.

4. Neighboring concerns.

.. Craig Farms is an ongoing farming operation
... concern - creation of dust, chaff,
farm odors ;
noise of farm machinery .

.. construction debris

- .. concern - to prevent possible damage
and contamination to farmland to east
- construction materials be stored
away from east property line
- all construction material be
cleared from area in a timely
manner.

Craig Farms - 560 acres immediately east of Ricken Acres

Barbara Craig Queen

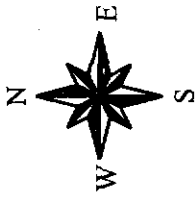
56 Stratford Road

Wichita, Kansas 67207

686-1922



Text Streetnm
AF13parc



Ledgwick

4976w

21512

140m 5

13151



Information: Weigand.

27 one acre lots,
\$14,000 per lot.
rural H₂O, electricity
? gas

surge "new system" - cross between septic & lagoon.

ready to market in June.
construction immediately, or as soon as wheat is
cut.

Set
Allocated
Mug Property

Plot 5.60
Plot 5.22



15 Hours
Total in this portion
which is
1/2 way down

17 Hours
would be put
Behind
Mug 5 Acres
Lot 11, 12, 13, 14, 15, 16 AND 17
on their Plot Map

adgwick



N.W. COR. OF S.W. 1/4,
SEC. 13, T28S, R3W.
30.02'

770.40' (N 88°-08'-30" E)
5.00 ACRE
TRACT SURVEYED #1

770.92'
(S 87°-15'-18" W)
5.22 ACRE
TRACT SURVEYED #2

770.92'
(S 87°-15'-18" W)
5.00 ACRE
TRACT SURVEYED #3

770.92'
(S 87°-15'-18" W)
5.22 ACRE
TRACT SURVEYED #4

S.W. COR. OF S.W. 1/4,
SEC. 13, T28S, R3W.
30.05'

SURVEY OF

TRACTS IN THE WEST 800' OF THE WEST 1/2
OF S.W. 1/4, SEC. 13, T28S, R3W.
SEDGWICK CO., KANSAS

SURVEY BY:
DAVID M. BROWN
SEDGARD, KS.

SURVEY BY:
D.L. WINFREY, A.P.
SEDGARD, KS.

SEPT. 11, 1979

STATE OF KANSAS)
COUNTY OF SEDGARD)

CERTIFICATE OF SURVEY

I, D.L. Winfrey, a licensed professional engineer in the State of Kansas, do hereby certify that on the 11th day of September, 1979, an accurate and faithful survey was made under my supervision of four (4) tracts of land in the West 800 feet of the West-half of the S.W. 1/4, Sec. 13, T28S, R3W, Sedgwick County, Kansas, the metes and bounds descriptions of the tracts surveyed are as follows: