

STAFF REPORT  
(Preliminary Plat)

**CASE NUMBER:** SUB 2003-105 -- REDMOND ESTATES ADDITION

**OWNER/APPLICANT:** Coleman & Kelley Partnership, 1218 Northshore Ct., Wichita, KS 67212

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

**LOCATION:** West side of 119th St. West, South of 31st St. South

**SITE SIZE:** 78.12 Acres

**NUMBER OF LOTS**

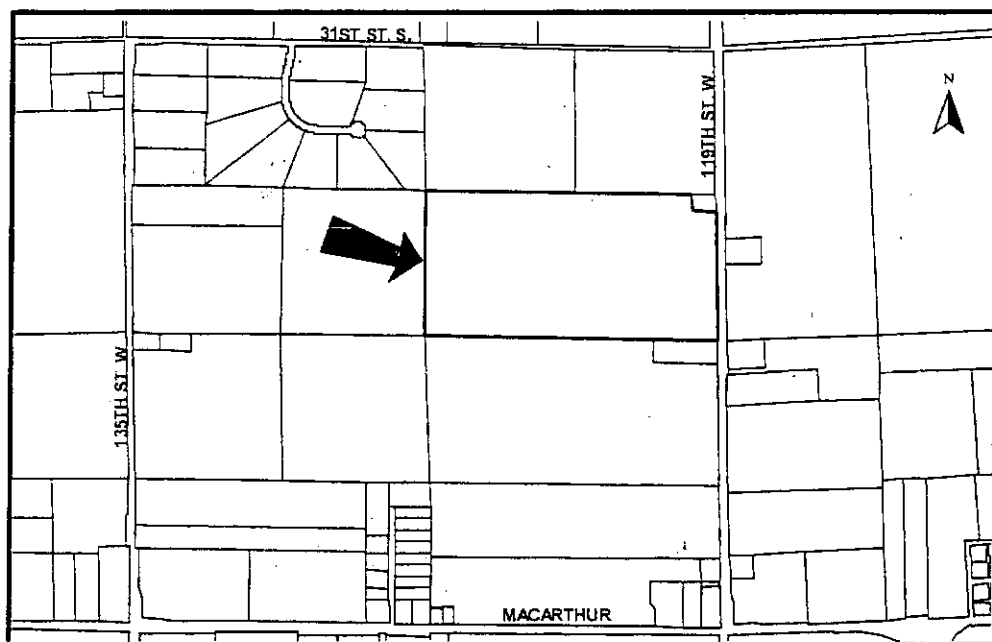
Residential:	53
Office:	
Commercial:	
Industrial:	
Total:	<u>53</u>

**MINIMUM LOT AREA:** 1.02 Acres

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

**PROPOSED ZONING:** Same

**VICINITY MAP**



NOTE: This unplatted site 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.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. Since neither sanitary sewer nor municipal water is available 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 and water wells. A memorandum shall be obtained specifying approval of the proposed individual alternative sewer system from County Code Enforcement along with a maintenance agreement.
- B. City Water and Sewer Department requests a petition for future extension of sanitary sewer and City water services.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. County Engineering needs to comment on the status of the applicant's drainage concept. Drainage and lot grading plans are required. Flood study is required to analyze drainage across west end of plat from off site sources. Drainage easements and minimum pads may be required across west end of plat based on flood study results.
- E. County Engineering needs to comment on the access controls. The plat denotes complete access control along the plat's frontage to 119th St. West. In accordance with Access Management Regulations, complete access control is required for rural arterials intersecting with local/collector streets. Complete access control of 150 feet is needed along W. 33rd St and W 34th St from 119th St. West, with the exception of Lot 1, Block F which is recommended to be 100 feet of complete access control. The access controls along 119<sup>th</sup> St. need to be revised to only include property being platted.
- F. The applicant shall guarantee the closure of any driveway openings located in areas of complete access control or that exceed the number of allowed openings. The guarantee for relocation of the drive on Lot 7, Block F to 34<sup>th</sup> St. may be at time of street construction
- G. City Traffic Engineering requests a petition for future left turn lanes.
- H. Per Sedgwick County Fire Department, access drives to any structure in excess 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 will need 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)

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- I. The applicant shall guarantee the installation of the proposed streets. 33<sup>rd</sup> St. S. Courts need to be 36-foot rock standard. This guarantee shall include the installation of a temporary turnaround at the terminus of Firefly Drive at the plat's north line. The plat's text should indicate that the vacation of the temporary turnaround area will be effective upon the extension of the street northward.
- 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 is reminded that this site is located within three miles of the City Limits of Wichita and will be heard by City Council. Therefore, the City Council signature block needs to be included on the final plat.
- L. The signature line for the City Clerk needs to be revised to reference "Karen Schofield".
- M. The MAPC signature block needs to reference "Ronald L. Marneli, Chair".
- N. GIS needs to comment on the plat's street names.
- O. 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.
- 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.

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- U. 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.
- 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.
- Y. 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 9/25/03)

**CASE NUMBER:** SUB 2003-105 -- REDMOND ESTATES ADDITION

**OWNER/APPLICANT:** Coleman & Kelley Partnership, 1218 Northshore Ct., Wichita, KS 67212

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**LOCATION:** West side of 119th St. West, South of 31st St. South

**SITE SIZE:** 78.12 Acres

**NUMBER OF LOTS**

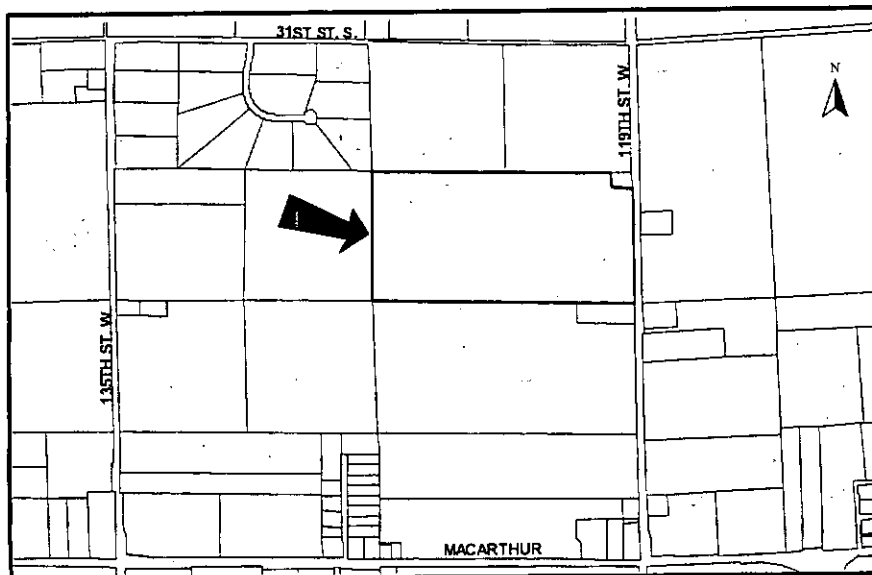
Residential:	53
Office:	
Commercial:	
Industrial:	
Total:	<u>53</u>

**MINIMUM LOT AREA:** 1.02 Acres

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

**PROPOSED ZONING:** Same

**VICINITY MAP**



**NOTE:** This unplatted site 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.

**Planning Staff recommends approval of the plat.**

**STAFF COMMENTS:**

- A. Since neither sanitary sewer nor municipal water is available 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 and water wells. **A memorandum shall be obtained specifying approval of the proposed individual alternative sewer system from County Code Enforcement along with a maintenance agreement.**
- B. **City Water and Sewer Department** requests a petition for future extension of sanitary sewer and City water services. **The Subdivision Committee required the submittal of a No Protest Agreement of an unlimited duration for future extension of water and sewer services. The Agreement shall specify that 50% of the costs of the future sewer line along 119<sup>th</sup> Street shall be assessed on an equal per-lot basis. Utility easements for future city services are requested.**
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **County Engineering** needs to comment on the status of the applicant's drainage plan. **Minimum pads need to be reviewed.**
- E. The plat denotes complete access control along the plat's frontage to 119<sup>th</sup> St. West. In accordance with Access Management Regulations, complete access control is required for rural arterials intersecting with local/collector streets. **Complete access control of 150 feet is needed along W. 33<sup>rd</sup> St and W 34<sup>th</sup> St from 119<sup>th</sup> St. West, with the exception of Lot 1, Block F which is recommended to be 100 feet of complete access control. The access controls along 119<sup>th</sup> St. need to be revised to only include property being platted.**
- Access controls have been platted as requested.
- F. The applicant shall guarantee the closure of any driveway openings located in areas of complete access control or that exceed the number of allowed openings. The guarantee for relocation of the drive on Lot 7, Block F to 34<sup>th</sup> St. may be at time of street construction
- G. **City Traffic Engineering** requests a petition for future left turn lanes.
- H. Per Sedgwick County Fire Department, access drives to any structure in excess 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

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**October 30, 2003 - Page 3**

provisions for turning fire apparatus around. (2) To meet fire department specifications, the surface will need 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)

- I. The applicant shall guarantee the installation of the proposed streets. The cul-de-sacs need to be a 36-foot rock standard. The 32-ft standard is needed for the other streets. This guarantee shall include the installation of a temporary turnaround at the terminus of Firefly Drive at the plat's north line. The temporary turnaround should be denoted on the face of the plat and the plat's text should indicate that the vacation of the temporary turnaround area will be effective upon the extension of the street northward.
- 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. GIS needs to comment on the plat's street names. The street names are approved.
- L. The plat needs an onsite benchmark.
- 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 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.
- 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.)
- P. 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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**SUB 2003-105 -- Final Plat of REDMOND ESTATES ADDITION**  
**October 30, 2003 - Page 4**

- R. 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.
- S. 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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- 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 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.

**Warren, David**

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**From:** Schlegel, John  
**Sent:** Friday, January 16, 2004 11:33 AM  
**To:** Warren, David; Blain, Jerry  
**Cc:** Strahl, Neil ; Miller, Dale; Holloway, Cheryl  
**Subject:** Show time - Redmond Estates

**Sensitivity:** Private

The Redmond Estates Plat is being scheduled to be heard by the City Council at its February 3 meeting. The applicant has submitted petitions for future **sewer and water main** improvements. They have submitted a No Protest Agreement for future extension of water and sewer services to serve the lots.

The MAPC vote was close, you'll recall, 7-5. Normally plats are treated as consent items on our portion of the Council agenda, but if you would like the Council to consider not approving this plat let me know and we'll remove it from consent. If you do want to challenge this plat, we'll want to change the green sheet to include your reasons for challenging it.

## Warren, David

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**From:** Schlegel, John  
**Sent:** Tuesday, January 20, 2004 8:32 AM  
**To:** Holdeman, Catherine  
**Cc:** Warren, David  
**Subject:** RE: Oct Workshop

**Sensitivity:** Private

The enbanc meeting was proposed by City staff as a means of getting a resolution to the many issues that accompany new development proposals within the City's identified future growth area that do not meet urban standards. The proposal was made in the hope that it might bring the issues to a head by alerting the Council to the issues.

I don't know what, if any, efforts Chris was able to make to try to arrange that meeting, but I do know that there isn't much appetite on the north side of Central for the meeting. The County is struggling internally to develop a cohesive set of policies on these issues, in part because of the lack of clear consensus on any one approach among the Commissioners and also because of the way the County staff is handling it. The enbanc meeting would serve to expose the lack of consensus, so I doubt that Bill would let it happen. I don't know that for a fact, but that would be my guess based on comments I've heard.

David has gained a small toe hold in the County dialogue since Irene Hart has allowed him to provide comments on the County's draft proposals. WABA continues to press its agenda, but at least it's becoming more of a three-way dialogue (County, City, WABA). I don't see any resolution in sight because these three major parties are not being brought to the table together.

One of the plats that exemplifies the issues (Redmond Estates) is coming before the Council on February 3. That may be another opportunity for the Council to address the issue. The County Legal Department agrees with the City's that the City Council has approval authority over plats within three miles of the City's border under the Unified Subdivision Code. David and I will be talking about whether he wants to use that authority to have changes made in the plat that will make provision of sewer and water by the City easier in the future.

-----Original Message-----

**From:** Holdeman, Catherine  
**Sent:** Saturday, January 17, 2004 9:42 AM  
**To:** Schlegel, John; Warren, David  
**Subject:** Oct Workshop  
**Sensitivity:** Private

In Oct. you presented on no protest agreements and sewer system policy issues. My notes say that this was to go to a City County Enbanc meeting -- Hilltop acres and Redmond Estates were the examples -- where are we on these issues?

## Warren, David

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**From:** Blain, Jerry  
**Sent:** Friday, January 16, 2004 4:56 PM  
**To:** Warren, David  
**Subject:** RE: Show time - Redmond Estates

**Sensitivity:** Private

David,

I think we should still urge the City Council to not approve this plat. It is in the sewer service area for the Midland plant, and it is only 1/2 mile from existing (under design) water and sewer. They also agreed only to pay for a sewer main in 119th, and we will never build a sewer main in 119th, meaning that when we extend sewer mains, they will participate in those costs as we extend the main past the addition. Attached is the testimony that was given to the MAPC.



Testimony-Redmond Estates.doc

*Jerry Blain*

System Planning Engineer (268-4578)

-----Original Message-----

**From:** Schlegel, John  
**Sent:** Friday, January 16, 2004 11:33 AM  
**To:** Warren, David; Blain, Jerry  
**Cc:** Strahl, Neil ; Miller, Dale; Holloway, Cheryl  
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The MAPC vote was close, you'll recall, 7-5. Normally plats are treated as consent items on our portion of the Council agenda, but if you would like the Council to consider not approving this plat let me know and we'll remove it from consent. If you do want to challenge this plat, we'll want to change the green sheet to include your reasons for challenging it.

Testimony Concerning Redmond Estates Addition  
David Warren, Director of Water and Sewer Department

City of Wichita

November 6, 2003

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The Wichita Water and Sewer Dept. appreciates that opportunity to comment on the proposed Redmond Estates Addition, located south of 31<sup>st</sup> St. S. and 119<sup>th</sup> St. W. The City of Wichita has strong concerns about this proposed development. This proposed plat will be located just over one mile from existing water lines, and only 1 mile from the City's sanitary sewer system. The water and sewer lines currently being designed for the Harvest Ridge Addition located at K-42 and Maize Rd. will bring water and sewer lines within ½ mile of this proposed addition.

The Subdivision Committee recommends that the lots be served with individual sewage disposal units, and that "no protest agreements" be used to allow the City to "order in" water and sewer service in the future. We continue to believe that the enforcement of those agreements would be extremely difficult to execute in the future, especially when there is no precedence that the City Council is successful in ordering in utilities at this time.. The Subdivision Committee also specified that 50% of the cost of future sewer line along 119<sup>th</sup> St. shall be assessed on an equal per lot basis, but it makes no such guarantees for any water mains or any other sewer mains if they are installed in any other location. Without the assurance that the water and sewer lines can be assessed to this area, it will dramatically increase the cost of the water and sewer systems for other future developments in that area. If the City does order in water and sewer services, the size of these lots will cause them bear a substantial financial burden for the installation of the new lines.

We addressed this body about Hilltop Acres Estates only two weeks ago. That development was approximately 1 and ½ miles from water and sewer services. We asked if a development was located ¼ mile from water and sewer service, would this body approve it if it did not include providing water and sewer service, or if it made a difference if it was ½ mile, or 1 mile? This plat is only ½ miles from the City limits, and only ½ mile from water and sewer service. Where is the point at which you, as a planning entity, are willing to forego providing essential public services? There is absolutely no doubt that this plat will be inside the City's growth pattern in only a few years. By approving this development, and its individual water and sewer systems, you are stating that you are willing to sentence the future residents of this plat to substandard water and sewer systems, and also inadequate fire protection, while located within the City.

At your last meeting we stated that we doubted that the type of plat represented by Hilltop Acres would be the only proposed plat of this kind that will come before this body that will be on the "fringe" of the City's growth area. Now, only two weeks later we are back before you, not on another 40-acre plat, but an 80-acre plat. This body needs to recognize that by establishing the ability of developers to exempt themselves from the expansion of City services, you can essentially strangle the growth of the City, while "exceptions" proliferate.

We recognize that developers can sometimes buy land at a lower cost slightly farther out from the current growth ring of the City, as this plat demonstrates. We also recognize the higher cost to extend services to those more remote locations. The Department is willing to consider alternative means of funding those extensions that would reimburse a developer for additional costs to extend a line as the land is developed along the new line. While there is a significant amount of work needed to implement such a policy, we think it is worth exploring, and we have asked WABA to help shape this additional development tool. Such a tool would address many of the issues associated with this type of plat.

Because of this plat's impact on the growth pattern for the City, and its ability to impair the expansion of City services, the City opposes this plat.

Closure

CLOSURE - REDMOND ESTATES

PT 01	North: 5087.4407	East :	12651.5036
Line	Course: S 00-00-00 W	Length:	1172.5200
PT 02	North: 3914.9207	East :	12651.5036
Line	Course: N 88-02-17 W	Length:	2646.6700
PT 03	North: 4005.5313	East :	10006.3851
Line	Course: N 00-05-36 W	Length:	1331.0700
PT 04	North: 5336.5995	East :	10004.2169
Line	Course: S 87-51-08 E	Length:	2398.9700
PT 05	North: 5246.6933	East :	12401.5016
Line	Course: S 00-03-50 E	Length:	149.9800
PT 06	North: 5096.7134	East :	12401.6688
Line	Course: S 87-52-20 E	Length:	250.0000
PT 01	North: 5087.4313	East :	12651.4964