

STAFF REPORT
(FINAL PLAT, PRELIMINARY PLAT APPROVED 3/27/03)

CASE NUMBER: SUB 2003-22 -- WILLOWBEND NORTH ESTATES SECOND ADDITION

OWNER/APPLICANT: Legacy Bank, 240 W. Wichita, Colwich, KS 67030; Kelsey Investments, Inc., 716 N. 119th Street W., Wichita, KS 67212

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

LOCATION: West of Rock Road, South of 45th Street No.

SITE SIZE: 9.33 acres

NUMBER OF LOTS

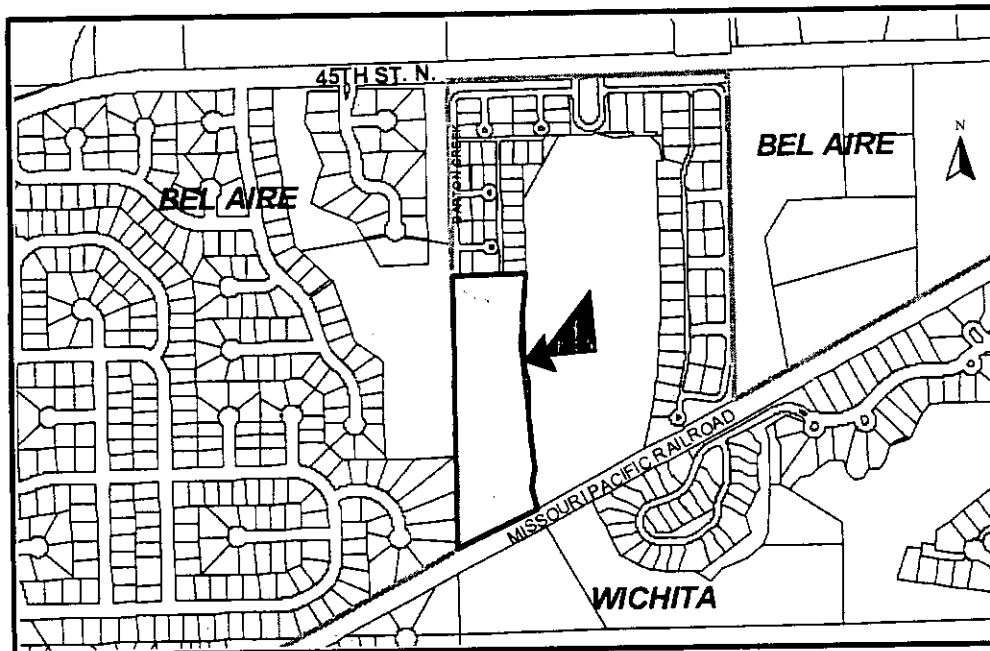
Residential:	24
Office:	
Commercial:	
Industrial:	
Total:	<u>24</u>

MINIMUM LOT AREA: 5,940 sq. ft.

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This is an unplatted site located within the City.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan.
- D. County Surveying has advised that the temporary utility easement needs located.
- E. County Surveying has advised that center line curve data is needed.
- F. The applicant shall guarantee the paving of the proposed interior streets. For Reserve B being platted for a private street, improvements shall be guaranteed for construction to a public street standard; however as private improvements, guarantees cannot be provided through the use of petitions.
- G. 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 that 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.
- H. A covenant shall be submitted regarding the private street that sets forth ownership and maintenance responsibilities. The plat's text shall reference the platting of the reserve for private street purposes and shall state which specific lots are to be accessed by the reserve.
- I. 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.
- J. It is recommended that Reserve A be extended to Barton Creek Circle by access easements or by narrow strips of Reserve between the lots to increase its accessibility and usefulness for all homeowners in the Addition.

An access easement has been platted as requested.

- 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.

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- L. For those reserves being platted for drainage purposes, the required covenant that 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. 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.
- N. 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.
- O. 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.)
- 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.
- Q. 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.
- 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.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- 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.

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W. 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
(Preliminary Plat)

CASE NUMBER: SUB 2003-22 -- WILLOWBEND NORTH ESTATES 2ND ADDITION

OWNER/APPLICANT: Legacy Bank, 240 W. Wichita, Colwich, KS 67030; Kelsey Investments, Inc., 716 N. 119th St. W., Wichita, KS 67212

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

LOCATION: West of Rock Road, South of 45th St. North

SITE SIZE: 9.33 acres

NUMBER OF LOTS

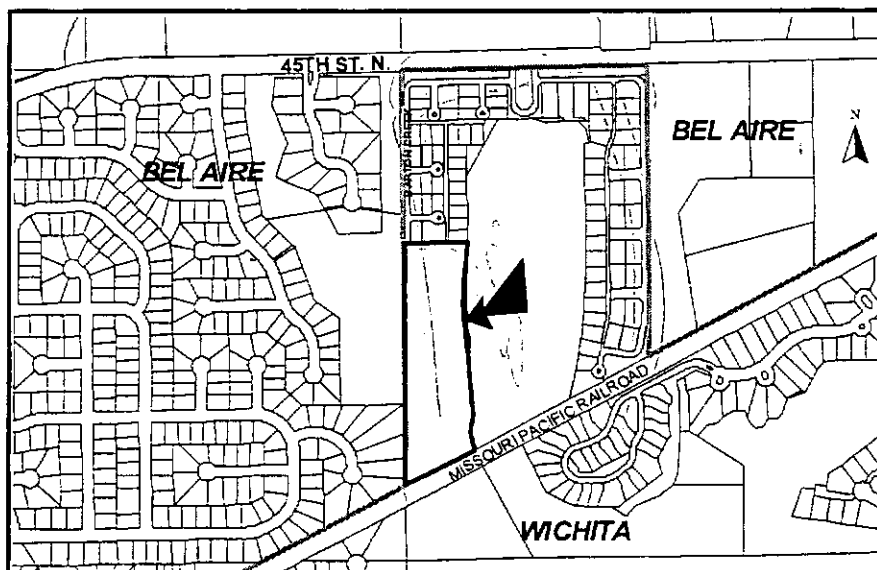
Residential:	24
Office:	
Commercial:	
Industrial:	
Total:	<u>24</u>

MINIMUM LOT AREA: 5,940 sq. ft.

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This is an unplatted site located within the City.

Planning Staff recommends approval of the plat.

STAFF COMMENTS:

- A. 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.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage concept.
- D. If any drainage will be directed onto the adjacent railroad right-of-way, a letter shall be provided from that railroad indicating their agreement to accept such drainage.
- E. The plat's text on the final plat shall note the dedication of the streets to and for the use of the public.
- F. The applicant shall guarantee the paving of the proposed interior streets. For Reserve B being platted for a private street, improvements shall be guaranteed for construction to a public street standard; however as private improvements, guarantees cannot be provided through the use of petitions.
- G. A 15-ft private street drainage and utility easement shall be platted adjoining both sides of Reserve B and the 32-ft 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. A covenant shall be submitted regarding the private street, which sets forth ownership and maintenance responsibilities. The plat's text shall reference the platting of the reserve for private street purposes and shall state which specific lots are to be accessed by the reserve.
- J. Reserve B shall be labeled as private street and shown appropriate street names.
- K. 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.
- L. It is recommended that Reserve A be extended to Barton Creek Circle by access easements or by narrow strips of Reserve between the lots to increase its accessibility and usefulness for all homeowners in the Addition.
- M. Because of the landlocked nature of Reserve A being platted, a means of access shall be provided to such a Reserve.

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- N. The final plat shall state in the platdor's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- 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. GIS needs to comment on the plat's street names.
- 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 platdor'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.
- T. 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.)
- U. 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.
- V. 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.
- W. 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.
- X. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than one acre 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.

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- Y. Perimeter closure computations shall be submitted with the final plat tracing.
- Z. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- AA. 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.
- BB. 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.

WILLO2CLOSE

CLOSURE - WILLOWBEND NORTH ESTATES 2ND ADDITION

PT 01	North: 3277.8781	East :	6144.9845
Line	Course: N 00-47-41 W	Length:	1307.5200
PT 02	North: 4585.2723	East :	6126.8491
Line	Course: N 89-12-20 E	Length:	336.4600
PT 03	North: 4589.9374	East :	6463.2767
Line	Course: S 01-23-56 E	Length:	45.2500
PT 04	North: 4544.7009	East :	6464.3814
Line	Course: S 06-33-39 W	Length:	141.6600
PT 05	North: 4403.9686	East :	6448.1956
Line	Course: S 00-47-41 E	Length:	267.5000
PT 06	North: 4136.4944	East :	6451.9059
Line	Course: S 14-17-11 E	Length:	66.5900
PT 07	North: 4071.9637	East :	6468.3382
Line	Course: S 00-47-41 E	Length:	219.1200
PT 08	North: 3852.8648	East :	6471.3774
Line	Course: S 05-38-51 E	Length:	194.1400
PT 09	North: 3659.6671	East :	6490.4823
Line	Course: S 09-00-28 W	Length:	80.0200
PT 10	North: 3580.6340	East :	6477.9537
Line	Course: S 12-49-54 E	Length:	111.3800
PT 11	North: 3472.0355	East :	6502.6898
Line	Course: S 61-30-25 W	Length:	407.0000
PT 01	North: 3277.8752	East :	6144.9877