

SCANNED

STAFF REPORT  
(Preliminary Plat)

**CASE NUMBER:** SUB 2009-62 -- DUGAN WEST KELLOGG COMMERCIAL ADDITION

**OWNER/APPLICANT:** John E. Dugan, 2416 Morning Dew, Wichita, KS 67205

**SURVEYOR/AGENT:** Baughman Company, P.A., Attn: Kris Rose, 315 Ellis, Wichita, KS 67211

**LOCATION:** South side of Kellogg, East of 135<sup>th</sup> St. West (District IV)

**SITE SIZE:** 55.6 acres

**NUMBER OF LOTS**

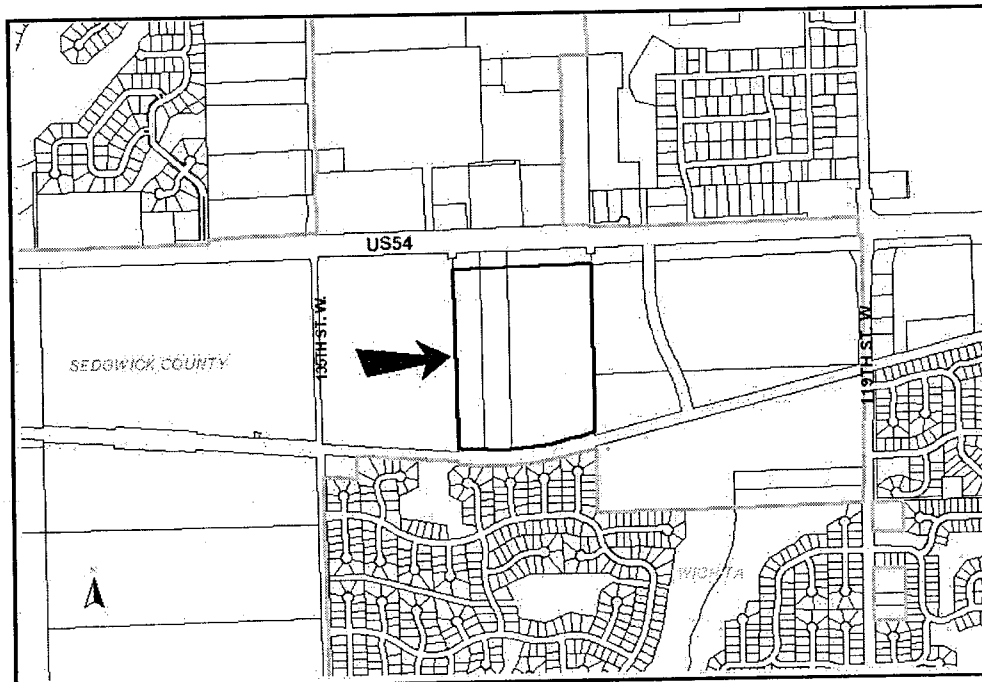
Residential:	
Office:	
Commercial:	6
Industrial:	
Total:	<u>6</u>

**MINIMUM LOT AREA:** 1.4 acres

**CURRENT ZONING:** SF-20 Single-family Residential

**PROPOSED ZONING:** LC Limited Commercial

**VICINITY MAP**



**NOTE:** This unplatted site is located in the County adjoining Wichita's city limits and annexation is required. The site has been approved for a zone change (ZON 2009-20) from SF-20 Single-Family Residential to LC Limited Commercial. The Dugan West Kellogg Community Unit Plan (CUP 2009-18, DP-320) was also approved for this site.

**STAFF COMMENTS:**

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed.
- B. City of Wichita Water Utilities Department requests a guarantee for the extension of water (transmission and distribution mains) and sewer (lateral mains) to serve all lots being platted.
- C. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage concept. The standard floodplain language needs to be referenced in the plat's text. County Engineering requests a drainage plan. The minimum pads should reflect elevations of the City of Wichita's study of Calfskin Creek. The portion of Lot 5 currently located in the FEMA floodplain needs to be platted as a reserve.
- E. Access controls have been platted in accordance with the CUP approval. The plat proposes four openings along Kellogg Drive. The final plat shall reference the dedication of access controls in the plat's text.
- F. The joint access openings shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- G. In accordance with the Kansas Wetland Mapping Conventions under the Memorandum of Understanding between the United States Department of Agriculture - Natural Resources Conservation Service; United States Environmental Protection Agency; United States Army Corps of Engineer (USACE); and United States Fish and Wildlife Service, this site has been identified as one with potential wetland hydrology. The USACE should be contacted (316-322-8247) to have a wetland determination completed.
- H. The final plat tracing shall state in the plat's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- I. 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.
- J. For those reserves being platted for drainage purposes, the required covenant that provides for ownership and maintenance of the reserves, shall grant to the appropriate governing body 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.
- K. A note shall be placed on the final plat, indicating that this Addition is subject to the conditions of the Dugan West Kellogg Community Unit Plan (CUP 2009-18, DP-320).
- L. On the final plat, the wall easement shall be referenced in the plat's text. The applicant is advised that the CUP approval included a wall also along the east property line.
- M. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- N. On the final plat tracing, the MAPC signature block needs to reference "G. Nelson Van Fleet" as Chairman.
- 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.

SCANNED

- Q. 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.)
- R. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- S. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the United States 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.
- 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 National Pollutant Discharge Elimination System 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. 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. A compact disc (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. If a disc is not provided, please send the information via e-mail to Cheryl Holloway (E-Mail address: [cholloway@wichita.gov](mailto:cholloway@wichita.gov)). Please include the name of the plat on the disc.