

**STAFF REPORT**  
**(Preliminary Plat)**

**CASE NUMBER:** SUB 2006-73 -- TARA CREEK ADDITION

**OWNER/APPLICANT:** Eugene Vitarelli, 1822 Longfellow, Suite 10, Wichita, KS 67207

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

**LOCATION:** North of Pawnee, West side of 127th East

**SITE SIZE:** 20.31 acres

**NUMBER OF LOTS**

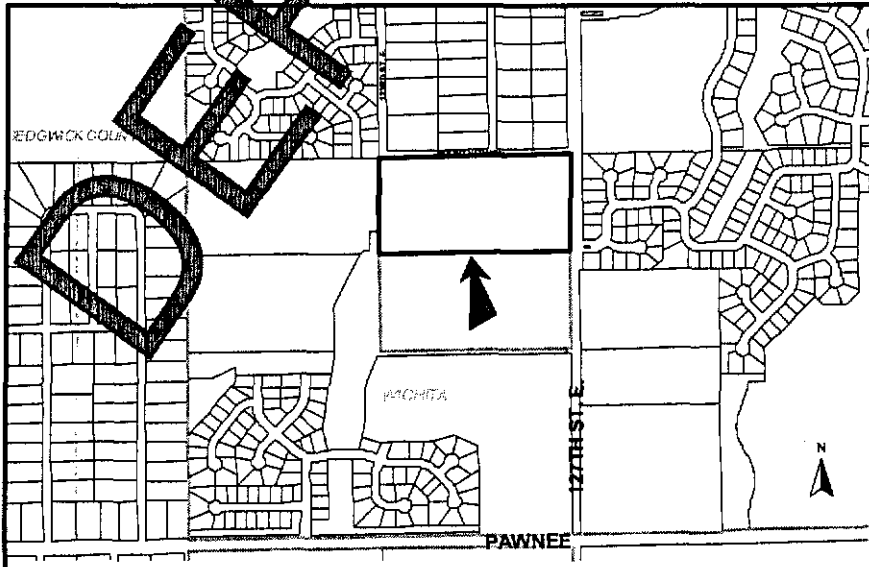
Residential:	46
Office:	
Commercial:	
Industrial:	
Total:	46

**MINIMUM LOT AREA:** 7,472 square feet

**CURRENT ZONING:** SF-5, Single-Family Residential

**PROPOSED ZONING:** Same

**VICINITY MAP**



**STAFF REPORT**  
(Revised Preliminary Plat, Deferred 8/24/06)

**CASE NUMBER:** SUB 2006-73 -- TARA CREEK ADDITION

**OWNER/APPLICANT:** Eugene Vitarelli, 1822 Longfellow, Suite 10, Wichita, KS 67207

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

**LOCATION:** North of Pawnee, West side of 127th St. East

**SITE SIZE:** 20.31 acres

**NUMBER OF LOTS**

Residential:	46
Office:	
Commercial:	
Industrial:	
<b>Total:</b>	<b>46</b>

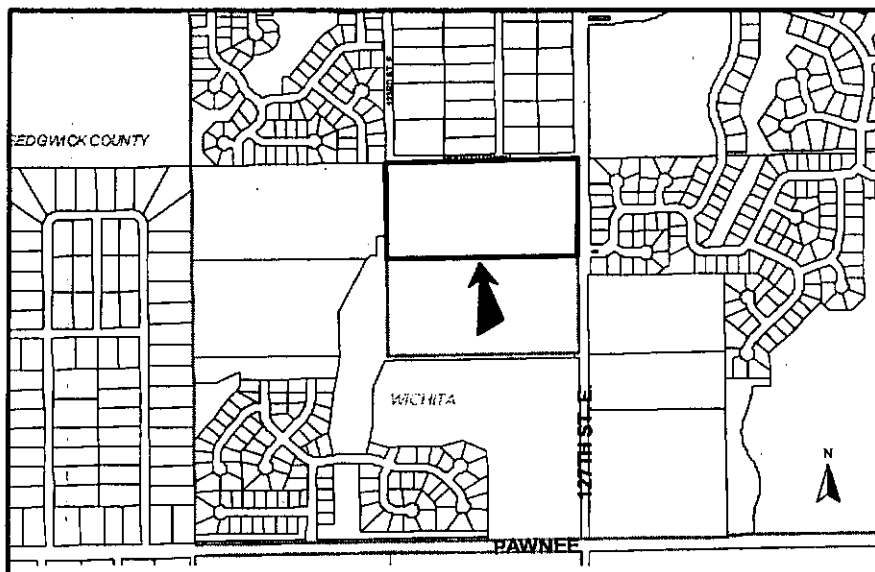
**MINIMUM LOT AREA:** 7,472 square feet

**CURRENT ZONING:** SF-5, Single-Family Residential

**PROPOSED ZONING:** Same

---

**VICINITY MAP**



**NOTE:** This unplatted site is located in the County adjoining Wichita's city limits and annexation is required.

This revised preliminary plat includes a revised street layout.

**STAFF COMMENTS:**

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. The site has already been included in the sewer main benefit district.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions 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 drainage concept is approved. The south ditch of Mt. Vernon appears to be south of the north line of the plat and needs to be covered by a drainage or street easement.*
- E. **Traffic Engineering** needs to comment on the access controls. The plat proposes one street opening to 127th St. East and complete access control along Mt Vernon. *Access controls are approved.*
- F. **Traffic Engineering** has requested the dedication of 20 feet additional street right-of-way along Mt Vernon.
- G. On the final plat, the plattor's text shall note the dedication of the streets to and for the use of the public.
- H. The Applicant shall guarantee the paving of the proposed streets.
- I. The final plat tracing shall state in the plattor's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- J. 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.
- K. 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.
- L. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.

- L. City Fire Department has requested a second point of access. The Subdivision Committee has approved a second point of access extending to Mt Vernon. This access easement may be established by separate instrument. A restrictive covenant shall be provided that: a) limits development to 30 lots prior to a secondary access being constructed, and b) provides for the elimination of the secondary access upon the construction of a connecting street to the west.
- M. City Fire Department requests a temporary turnaround at the west property line. This turnaround can either be established by the plat or by separate instrument, with the vacation of the temporary cul-de-sac being effective upon the extension of the street westward.
- N. The right-of-way width needs to be denoted for Mt Vernon.
- 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 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.
- 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 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.
- 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 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. A compact disc (CD), 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 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.

**STAFF REPORT**

(Final Plat, Preliminary Plat Approved 9/14/06, Deferred 8/24/06)

**CASE NUMBER:** SUB 2006-73 -- TARA CREEK ADDITION

**OWNER/APPLICANT:** Eugene Vitarelli, 1822 Longfellow, Suite 10, Wichita, KS 67207

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

**LOCATION:** North of Pawnee, West side of 127th St. East

**SITE SIZE:** 20.31 acres

**NUMBER OF LOTS**

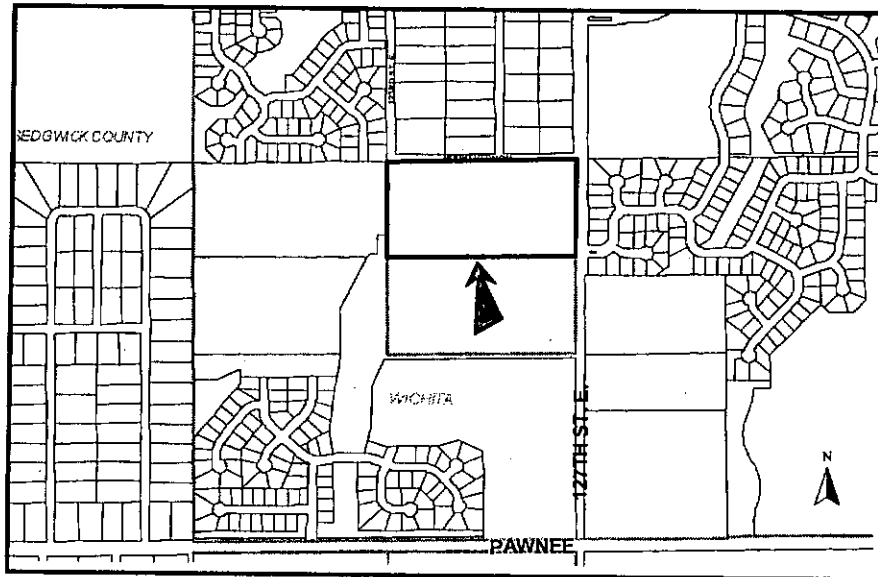
Residential:	46
Office:	
Commercial:	
Industrial:	
Total:	<u>46</u>

**MINIMUM LOT AREA:** 8,400 square feet

**CURRENT ZONING:** SF-5, Single-Family Residential

**PROPOSED ZONING:** Same

**VICINITY MAP**



**NOTE:** This unplatted site is located in the County adjoining Wichita's city limits and annexation is required.

**STAFF COMMENTS:**

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted. The site has already been included in the sewer main benefit district.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. City Engineering needs to comment on the status of the applicant's drainage plan.
- E. Traffic Engineering needs to comment on the access controls. The plat proposes one street opening to 127th St. East and complete access control along Mt Vernon. Access controls are approved.
- F. Traffic Engineering has requested the dedication of 20 feet additional street right-of-way along Mt Vernon. The applicant will be providing a 20-ft contingent street dedication overlaid with a 20-ft drainage easement.

The contingent street dedication has been platted as requested. On the final plat, the contingent dedication of right-of-way needs to be referenced in the plat's text as follows, "The contingent street dedication shall become effective in the event that the City determines a need for the right-of-way for any street-related purposes."

- G. The Applicant shall guarantee the paving of the proposed streets.
- H. 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.
- I. 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.
- J. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- K. GIS needs to comment on the plat's street names. Street names are approved.

- M. In the title block "An Addition to Wichita, Sedgwick County" needs to be added.
- N. GIS needs to comment on the plat's street names. *Street names are approved.*
- O. Block 2 needs to be labeled.
- P. 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.
- 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 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.

**SUB 2006-73 -- Revised Preliminary Plat of TARA CREEK ADDITION**  
**September 14, 2006 - Page 4**

- Z. A compact disc (CD), 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 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.