

STAFF REPORT
(One-Step Final Plat)

CASE NUMBER: SUB 2008-96 -- REGENCY LAKES COMMERCIAL 3RD ADDITION

OWNER/APPLICANT: Regency Land Co., LLC, 150 N. Market, Wichita, KS 67202; Kanza Bank 151 N. Main, Kingman, KS 67068; RBH Hotel Wichita LLC, 8100 E. 22ND St. N., Wichita, KS 67226

SURVEYOR/AGENT: PEC, Attn: Rob Hartman, 303 S. Topeka, Wichita, KS 67202

LOCATION: Northwest corner of 21ST St. North and Greenwich (District II)

SITE SIZE: 11.3 acres

NUMBER OF LOTS

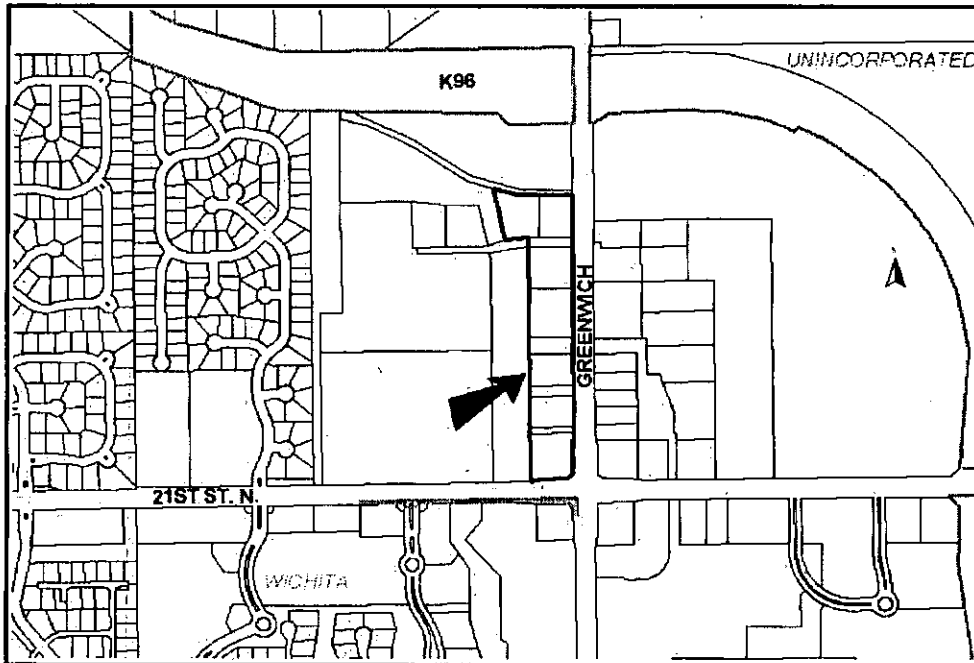
Residential:	
Office:	
Commercial:	7
Industrial:	
Total:	<u>7</u>

MINIMUM LOT AREA: 29,945 square feet

CURRENT ZONING: LC Limited Commercial (Lots 1 and 2), LI Limited Industrial (Lots 3-7)

PROPOSED ZONING: Same

VICINITY MAP



SUB 2008-96 -- One-Step Final Plat of REGENCY LAKES COMMERCIAL 3RD ADDITION
December 11, 2008 - Page 2

NOTE: This is a replat of a portion of the Regency Lakes Commercial 2nd Addition. This plat consists of boundary shifts and revisions to access controls. This site is also contained within Parcels 1-7 of the Regency Lakes Commercial CUP (DP-234).

STAFF COMMENTS:

- A. Wichita Water Utilities Department has advised that water and sewer are available to serve the property.
- B. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) 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. Traffic Engineering needs to comment on the access controls. The plat proposes five openings along Greenwich and one opening along 21st St. North.
- E. The joint access opening 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.
- F. In accordance with the CUP approval, a cross-lot circulation agreement is needed to assure internal vehicular movement between the lots.
- G. A CUP amendment is needed as the CUP parcel boundaries do not correspond with the area being platted.
- H. Since this is a replat of a previous Addition involved with the ownership and maintenance of reserves for that Addition, but not being replatted by this Addition, the above covenants and/or other legal documents shall be provided which provides for this Addition to continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.
- 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. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- L. 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.
- M. **Effective January 14, 2009**, the signature line for the County Clerk needs to be revised to reference "Kelly Arnold".
- 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 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 Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- Q. 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.

- 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 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.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- 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. 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). Please include the name of the plat on the disc.