

AGENDA ITEM NO. 8
February 14, 2024

<u>CASE NUMBER:</u>	SUB2024-0003 – YELLOWSTONE ADDITION (CITY)
<u>OWNER/APPLICANT:</u>	Kick’N Development Corporation, Attn: Paul Kelsey, 716 N 119 TH Street West, Suite 120, Wichita, KS 67235
<u>SURVEYOR/AGENT:</u>	Baughman Company, P.A., Attn: Kris Rose, 315 South Ellis Street, Wichita, KS 67211
<u>LOCATION:</u>	Southeast Corner of West Pawnee Avenue and South 119th Street West (District IV)
<u>SITE SIZE:</u>	160.45 acres
<u>NUMBER OF LOTS</u>	
Residential:	324
Office:	
Commercial:	12
Industrial:	_____
Total:	336
<u>MINIMUM LOT AREA:</u>	0.17 acres
<u>CURRENT ZONING:</u>	SF-5 Single-Family Residential (after annexation)
<u>PROPOSED ZONING:</u>	LC-Limited Commercial w/CUP and TF-3 Two-Family Residential

[illegible]

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Note: This is a Preliminary Plat for a 336-Lot (324-Residential & 12-Commercial) Subdivision for property to be annexed into the City of Wichita. This plat is associated with annexation case A24-01. The site is currently zoned SF-20 Single-Family Residential in the County and will be converted to SF-5 Single-Family Residential upon annexation. After completion of annexation, portions of the property will be rezoned to LC-Limited Commercial with a CUP and TF-3 Two-Family Residential.

WAIVERS:

- 1) The Subdivision Regulations states that “In order to provide for the development of residential areas characterized by streets with reduced traffic speeds, volumes and the absence of through traffic, the platting of streets with a single point of ingress and egress (cul-de-sac) is permitted. Streets that are designed to have a single point of ingress and egress shall not be longer than 800 feet for urban subdivisions.” Proposed Milstead Street/Milstead Court provide a single point of ingress and egress off West Pawnee Avenue and measures over 800 feet. Approval of this plat will require a waiver of the maximum 800 feet street length of the Subdivision Regulations.

The Subdivision Committee may recommend a MODIFICATION/WAIVER of the design criteria in Article 7 of the Subdivision Regulations only if it finds that the strict application of the design criteria will create an unwarranted hardship, the proposed MODIFICATION/WAIVER is in harmony with the intended purpose of the Subdivision Regulations and the public safety and welfare will be protected.

STAFF COMMENTS:

- A. City of Wichita Public Works and Utilities Department requires the applicant to extend water and sewer to all lots and blocks. Water transmission (acquisition) fees are due for all lots and blocks. Depending on how the sanitary sewer main is constructed, the sanitary sewer main (acquisition) fees may or may not be due for all lots and blocks. A water transmission line will need to be extended southward on 119th Street, from Pawnee Street before the lots along 119th Street can be served with water. A sanitary sewer main will need to be extended from the southeast of plat before this plat can be served with sewer service.

City of Wichita Public Works and Utilities Department requests a 30' utility easement along the east side of plat. Additional easements or temporary easements may be needed along the south side of plat, depending on how the large sanitary sewer main is constructed.

City of Wichita Public Works and Utilities Department requests that a utility plan be submitted for review. Additional easement may be requested based upon the location and depth of utilities.

- B. City of Wichita Public Works and Utilities Department advises the platlor's text on final plat drawing shall read, “No regrading within abutting rights-of-way shall be allowed with the construction of the berms allowed within Reserve “I”. The berms cannot impact access to or bury manholes, water valves and/or water meters.”
- C. The platlor's text on final plat drawing shall include language that the “utility easements are hereby granted to the public as indicated for the construction and maintenance of all public utilities.”

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- D. The platlor's text on final plat drawing shall include language that the "drainage and utility easements are hereby granted to the public as indicated for drainage purposes and for the construction and maintenance of all public utilities."
- E. The platlor's text on final plat drawing shall state "No sign, light poles, private drainage systems, berms, walls, masonry trash enclosures or other structures shall be located within public utility easements unless permitted by the City of Wichita Department of Engineering and that they do not inhibit the conveyance of surface drainage."
- F. The applicant shall submit an Encroachment Agreement to City Public Works prior to submittal of the mylar.
- G. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.
- H. The Applicant shall guarantee the paving of the proposed streets to City standards. In accordance with the Subdivision Regulations, the cul-de-sacs must meet the minimum 35-foot paved radius requirement. The guarantee shall also provide for sidewalks on at least one side of all through, non cul-de-sac streets.
- I. City Stormwater Management advises the applicant needs to submit a drainage plan for review.
- J. County Stormwater Management requests a drainage concept be submitted.
- K. The platlor's text on final plat shall state, "No private drainage systems shall be located within public drainage easements unless a Residential Drainage Relief Permit is obtained from the City of Wichita Public Works & Utilities Department."
- L. Access Controls are shown along West Pawnee Avenue with (2) 64-ft wide openings, (2) 50-foot wide openings, and (1) 30-foot wide joint access opening. Access Controls are shown along South 119th Street West with (2) 64-foot wide openings, (1) 50-foot wide opening, and (2) 30-foot wide joint access openings. Access Controls are shown along proposed Milstead Street with (1) allowed opening only if Lot 80, Block B is developed into a residential use.

The joint access openings shall be established with an access easement by separate instrument with instrument number indicated on final plat drawing. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.

- M. Traffic Engineering requires traffic calming elements along Covington Street.

Traffic Engineering requires a stop sign for northbound Shefford Circle at Yosemite/Shefford Street.

Traffic Engineering advises that any modifications to the medians along Pawnee Avenue to accommodate openings, will require a PPP.

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N. County Public Works approves of the Access Controls along South 119th Street.

County Public Works approves of the connection to the South at the reduced width that matches city right-of-way.

County Public Works states Cedar Crest Court should be Cedar Crest Circle.

- O. 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.
- P. The platting text on final plat shall include language that “the street, drainage and utility easements are hereby granted to the public as indicated for street and drainage purposes and for the construction and maintenance of all public utilities.”
- Q. City Fire Department requests verification of proper hydrant location and protection will be based on the type/size of the building/residential structures and following specifications for fire apparatus access roads.

City Fire Department advises that 26’ FAARs are required for the following per D103.4 Table 3 (amendment):

- o Greenfield Ct
- o Cedar Crest Ct
- o Yosemite Ct (x3)
- o Shefford Circle

City Fire Department advises 2 FAARs are required for over 30 dwellings (Multi-Family) per D107.1:

- o Greenfield Ct – 18 lots
- o Cedar Crest Ct – 22 lots
- o Yosemite Ct (lots 53-71) – 19 lots
- o Yosemite Ct (lots 86-103) – 18 lots
- o Shefford Circle – 18 lots

R. City Environmental Health (EH). The expectation of Environmental Health is the lot will be on City water and City sewer. Environmental Health requires any wells installed on the lot to be properly permitted, installed, and inspected in a manner consistent with City and State requirements.

S. GIS approves of street names.

T. Existing streets labels to shall be revised to “W PAWNEE AVE” and “S 119TH ST W”.

U. The applicant has platted 35-foot front setbacks for commercial lots to be zone changed to LC-Limited Commercial, which represents an adjustment of the Zoning Code standard of 20-feet for the LC-Limited Commercial District. The Subdivision Regulations permit the setback provisions to be modified by the plat upon the approval of the Planning Commission.

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- V. Additional building setback requirements and restrictions for Lots 69 through 80, Block B, per proposed Yellowstone Community Plan. All lots except 69 through 80, Block B are proposed to have 5-foot interior side-yard setbacks.
- W. 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 restrictive 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.
- X. 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.
- Y. The platlor's text on final plat drawing shall state, "Compliance with any platted restrictions and applicable restrictive covenants affecting said Reserves shall be binding on any owners, successors, heirs or assigns."
- Z. 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 Engineers (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.
- AA. 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.
- BB. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to tricia.robello@sedgwick.gov and gshearon@wichita.gov.
- CC. 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 Fire Code Official.).
- DD. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- EE. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: (316) 946-4595) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.

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- FF. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 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.
- GG. The applicant should check City or County GIS mapping to determine whether the location of any taxing district boundaries (e.g. school districts) crosses their property and plan accordingly to avoid unnecessary splitting of lots between taxing districts.
- HH. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater 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.
- II. Perimeter closure computations shall be submitted with the final plat tracing.
- JJ. Evergy will need to request additional easements (forwarded to agent). Proposed Street Light placement approval by Traffic Engineering needed. Heide Bryan, Design Representative, will be the contact for this plat and can be contacted at 316-261-6354. Any relocation or removal of existing service due to this plat will need to be discussed and will be at the applicant's expense.
- KK. A PDF of the recorded plat should be sent to kwilson@wichita.gov. Please provide AutoCAD detailing the final plat in digital format via email to City GIS staff (ARosas@wichita.gov) and County GIS staff (Jack.Joseph@sedgwick.gov).