

STAFF REPORT
(Final Plat, Preliminary Plat Approved 4/6/23)

CASE NUMBER: SUB2023-00014 – PRAIRIE HILL VINEYARD REPLAT ADDITION

OWNER/APPLICANT: Prairie Hill Vineyard LLC, 21421 West 37th Street North, Colwich, KS 67030; Daniel G. Stockemer, 21421 West 37th Street North, Colwich, KS 67030

SURVEYOR/AGENT: Garber Surveying Service, Attn: Daniel Garber, 2908 North Plum Street, Hutchinson, KS 67502

LOCATION: Southeast corner of West 37th Street North and North 215th Street West (County District 3)

SITE SIZE: 18.43 acres

NUMBER OF LOTS

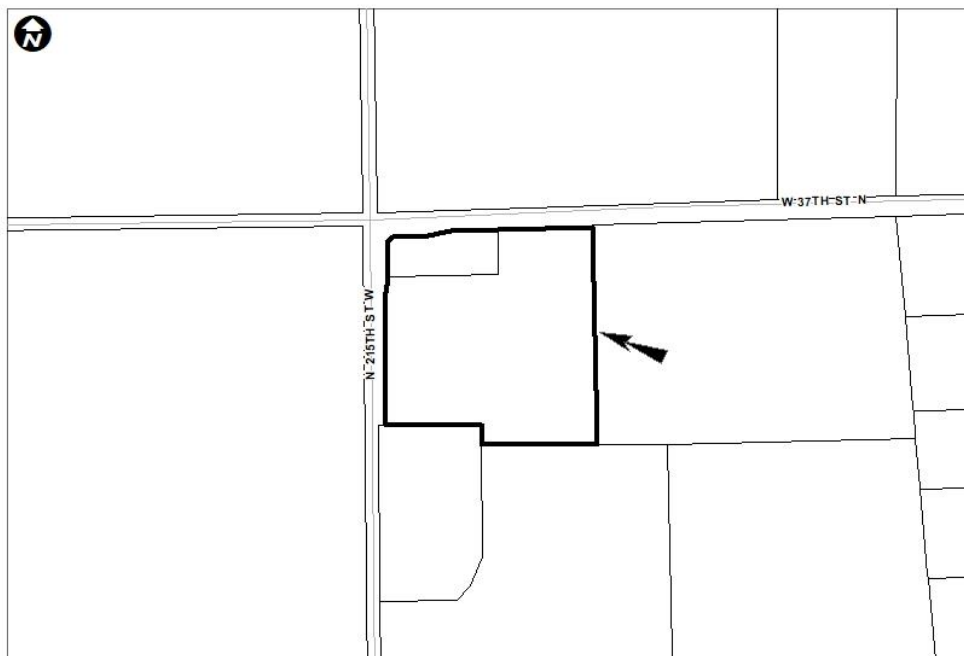
Residential:	2
Office:	
Commercial:	
Industrial:	—
Total:	2

MINIMUM LOT AREA: 2 acres

CURRENT ZONING: RR Rural Residential

PROPOSED ZONING: Same

VICINITY MAP



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NOTE: This site is located in the County in an area designated as “Rural Growth Area” by the Community Investments Plan 2015-2035. This is a replat of the Prairie Hill Vineyard Addition which includes revised access controls along 215th Street and an additional lot.

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. Since sanitary sewer is unavailable to serve this property, the applicant shall contact Metropolitan Area Building and Construction Department to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage facilities.

A memorandum has been obtained specifying approval.

B. The site is currently located within the Sedgwick County Rural Water District No. 4. If service is available, feasible and the property is eligible for service, Metropolitan Area Building and Construction Department recommends connection. If service is unavailable, a memorandum from Metropolitan Area Building and Construction Department is needed specifying approval of water wells.

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. County Stormwater advises the applicant needs to submit a revised drainage plan.

E. The plat denotes one opening and one emergency access opening along 215th Street and three openings along 37th Street. County Public Works requests locations of access openings be dimensioned within access control along 215th Street. The “emergency access point” shall be gated within a Fire Apparatus Access Road (FAAR). All entrance appurtenances shall be removed from the right-of-way.

F. Sedgwick County Fire Department advises the plat will need to comply with the Sedgwick County Service Drive Code as well as the 2018 IFC and Amendments.

A 20-foot minimum paved entrance is needed.

G. The ingress-egress easement 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.

H. 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.

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I. The applicant has submitted a copy of the instrument, which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the appropriate governing body.

J. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to tricia.robello@sedgwick.gov and nstrahl@wichita.gov.

The pipeline easement needs located with respect to the property line and the width shall be noted. The portion of the floodway reserve 20 feet in width needs located along 215th St. West.

K. The signature block for the Chairman of the Board of County Commissioners shall be corrected to Peter F. Meitzner – First District.

L. 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.)

M. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.

N. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: (316) 946-4510) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.

O. 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.

P. 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.

Q. Perimeter closure computations shall be submitted with the final plat tracing.

R. 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.

S. Any relocation or removal of existing service due to this plat will be at the applicant's expense.

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- T. A compact disk (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: kwilson@wichita.gov).

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NOTE: This is unplatted property located in the City as a portion of the property has recently been annexed. A zone change (ZON2023-00036) has been requested for TF-3 Two-Family Residential and LC Limited Commercial for the site.

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. (Items F and P)

STAFF COMMENTS:

- A. City of Wichita Public Works and Utilities Department requires water and sanitary sewer be extended to all lots and blocks. Water transmission and sanitary sewer main acquisition fees are owed for all lots and blocks. A stormwater plan or expected final elevation is requested.

Engineering is requesting additional drainage and/or utility easements where sanitary sewer depths are expected to be greater than 15'. Final elevations will need to be provided to Engineering prior to City Council scheduling.

This plat is located within Sedgwick County Rural Water District (RWD) #3 and if the applicant wants/needs City of Wichita water than the applicant needs to provide a right to serve from RWD #3. A special fee/and or surcharge may be applied to water service/and or bills.

- 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 Stormwater Management and County Stormwater advise the applicant needs to submit a drainage plan for review.
- D. The plat denotes two street openings along Pawnee and one access opening for the commercial lot. The plat denotes two street openings along 127th Street and one access opening for the commercial lot. The final plat has extended Hurst Street to 127th instead of Goldie as shown on the preliminary plat. Traffic Engineering has approved access controls subject to the location of Hurst Street being confirmed compared to the Southeast High School approach.

Traffic Calming elements are needed along Elsie Street.
Sidewalks are required along Elsie and Charli/Hurst streets.

The plat shall accommodate sidewalks and sidewalk easements as necessary for a possible signalized school crossing. The Consultant will need to discuss preferred crossing location with USD 259.

Required auxiliary turn lanes will be installed as part of a private paving petition.

- E. The Applicant shall guarantee the paving of the proposed streets to City standards. The guarantee shall also provide for sidewalks on at least one side of all through, and looped non cul-de-sac streets and a stub street constructed to the south property line.
- F. The Subdivision Regulations limit cul-de-sac streets to 32 dwelling units accessed by a 58-foot local residential street. A MODIFICATION/WAIVER is needed for Elsie Court (34 units).

The Subdivision Committee recommends a MODIFICATION/WAIVER of the design criteria in

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Article 7 of the Subdivision Regulations as 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.

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 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.

H. City Fire Department requests verification of proper hydrant location and protection and following specifications for fire apparatus access roads.

City Fire requires for developments of one or two family dwellings where the number of dwelling units exceeds 30 shall provide two separate and approved fire apparatus access roads. When City Fire requires two fire apparatus access roads, they shall be placed a distance apart following D107.2.

Entrances into Buffalo Pines Addition must be at least 20 feet of drivable surface.

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 restrictive covenant stating when the association will be formed, when the reserve will be deeded to the association and who is to own and maintain the reserve 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. GIS has the following comments:

Elsie St & Pawnee (N/S) Entrance – Change Elsie St & Ct to either GATEWAY ST & CT or GLENWOOD ST & CT, which aligns with existing road names.

Creed St – Needs new name. Does not align with existing CREED ST.

Goldie St – Prefer Fire and/or Public Safety's input on existing similar road name of GOLD ST.

L. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to tricia.robello@sedgwick.gov and nstrahl@wichita.gov.

M. In accordance with the Backyard Drainage Policy, a restrictive covenant shall be submitted stating: "A master drainage plan has been developed for this plat. All drainage easements, rights-of-way, and reserves shall remain at established grades (unless modified with the approval of the City Engineer) and shall be unobstructed to allow for the conveyance of stormwater in accordance with the Stormwater Manual. The maintenance of all drainageways and drainage facilities in backyard drainage easements and reserves shall be the responsibility of the property owner, and shall be enforced by the Homeowners' Association and be provided for in the Homeowners' Association covenants. The property owner shall provide a copy of the Individual Lot Grading Plan and the Individual Lot Grading Plan Certificate pertaining to such owner's lot to any person installing a lawn, landscaping, fencing, or other improvements or structures and require them to maintain the grade levels shown on the Individual Lot Grading Plan Certificate."

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- N. The applicant has submitted a copy of the instrument, which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the appropriate governing body.
- O. This final plat does not include the Note that was included on the preliminary plat that all side yard building setbacks shall be five feet which represents an adjustment of the Zoning Code standard of 6 feet for the TF-3 Two-Family District. The Subdivision Regulations permit the setback provisions to be modified by the plat upon the approval of the Planning Commission.
- P. Approval of this plat will require a waiver of the lot depth-to-width ratio of the Subdivision Regulations for Lots 3 and 4, Block 6. The Subdivision Regulations state that the maximum depth of all residential lots shall not exceed 2.5 times the width.

The Subdivision Committee recommends a MODIFICATION/WAIVER of the design criteria in Article 7 of the Subdivision Regulations as 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.

- Q. Since Reserve J includes a swimming pool, a site plan shall be submitted with the final plat for review by MAPD. The site plan shall include the information indicated in the Subdivision Regulations. The design for the pool must be submitted to Environmental Health Division for review prior to issuing a building permit for the pool.
- 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 Fire Code Official.)
- S. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- T. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: (316) 946-4510) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.
- U. 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.
- V. 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.

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- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. 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.
- Y. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.
- Z. A PDF of the recorded plat should be sent to kwilson@wichita.gov and abias@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).