

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

CASE NUMBER: SUB2023-00013 – FALCON FALLS 7TH ADDITION (City)

OWNER/APPLICANT: Barbara A. Mackey, 2212 East 45th Street North, Wichita, KS 67219-3140; (Contract Purchaser) Heights LLC, Attn: Jay Russell, PO Box 75337, Wichita, KS 67275-0337

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

LOCATION: One-Quarter mile north of East 45th Street North, one-half mile east of North Hydraulic Avenue (District I)

SITE SIZE: 20.35 acres

NUMBER OF LOTS

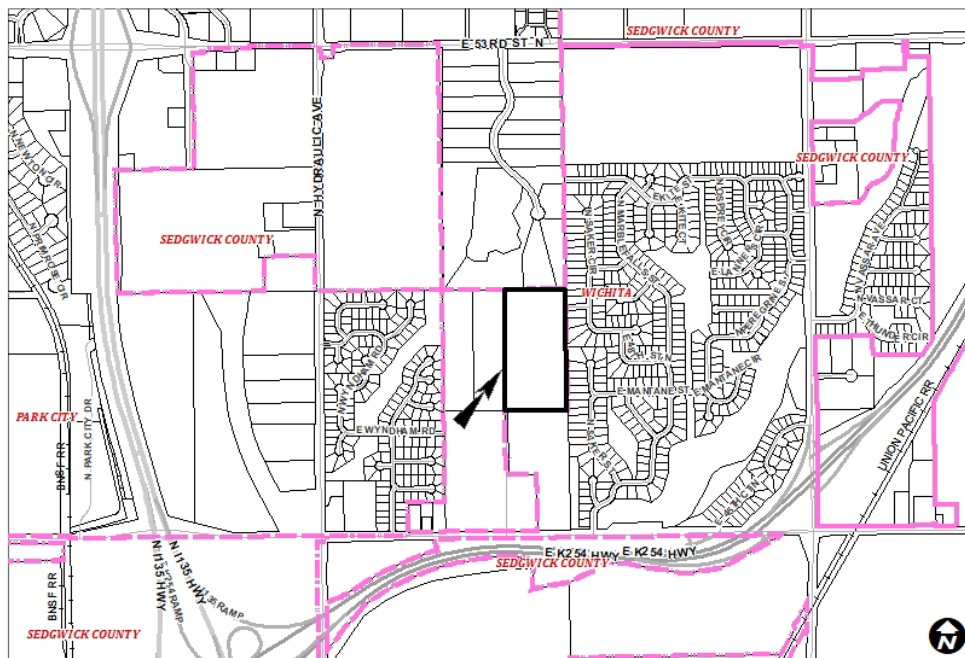
Residential:	52
Office:	
Commercial:	
Industrial:	
Total:	<u>52</u>

MINIMUM LOT AREA: 10,374 square feet

CURRENT ZONING: SF-20 Single-Family Residential

PROPOSED ZONING: SF-5 Single-Family Residential

VICINITY MAP



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NOTE: This site is adjacent to Wichita’s municipal boundaries and the applicant proposes annexation. Upon annexation, the property will be zoned SF-5 Single-Family Residential and allow for the lot sizes being platted.

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. (Item I)

STAFF COMMENTS:

A. The property is adjacent to Wichita’s municipal boundaries and annexation will be requested. Prior to this plat being scheduled on a City Council agenda, annexation to Wichita shall have been completed.

B. City of Wichita Public Works and Utilities Department requires that water and sanitary sewer be extended to all Lots and Blocks. Water transmission and sanitary sewer main acquisition fees are due for all Lots and Blocks.

There is a 10” stub looking west out of MH5653-089. A 10” sanitary sewer line will have to be extended westward, across the pipeline easement.

Additional utility easement is requested for the north side of Reserve A.

The building setback for Lots 8 and 11, Block B needs moved behind easement lines.

Additional easement may be requested depending on the depth of the sewer laterals. Final grade is needed for the plat.

C. City Fire advises Spruce Street extending from 45th Street North will need to meet fire apparatus access road requirements.

City Fire 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.

D. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.

E. City Stormwater Management advise the applicant needs to submit a drainage plan for review. County Stormwater approves of the drainage plan.

F. 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 the 64-foot street which includes extending sidewalk to the east along Thunder Street to Saker Street.

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- G. 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.
- H. 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.
- I. Approval of this plat will require a MODIFICATION/WAIVER of the lot depth-to-width ratio of the Subdivision Regulations for Lots 10, 11, and 15, Block C. 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.

- J. GIS requests Thunder be labelled as "THUNDER ST" for the segment east of Spruce St.
- K. 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.
- L. 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.
- 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."
- N. City Environmental Health requires any wells installed for irrigation purposes to be properly permitted, installed, and inspected in a manner consistent with City and State requirements.
- O. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to tricia.robello@sedgwick.gov and nstrahl@wichita.gov.

A dimension needs added at the northwest corner of Lot 11, Block B.

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- P. 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.)
- Q. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- R. 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.
- S. 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.
- T. 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.
- U. Perimeter closure computations shall be submitted with the final plat tracing.
- V. 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.
- W. Evergy will not need additional easements. Kevin Rieschick, Subdivision Representative, will be the contact for this plat and can be contacted at (785)508-2689. Any relocation or removal of existing service due to this plat will be at the applicant's expense.
- X. 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).