

**SUBDIVISION COMMITTEE  
METROPOLITAN AREA PLANNING COMMISSION**

**AGENDA ITEM NO. 8**

**May 4, 1995**

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

**CASE NUMBER:** S/D 95-31 E. M. STEVEN'S FOURTH ADDITION

**OWNER/APPLICANT:** Edward M. & Michael E. Stevens, 7333 E. Kellogg, Wichita, KS 67207

**AGENT:** Dave Bayouth, 5325 E. Central, Wichita, Ks 67208

**SURVEYOR/ENGINEER:** Baughman Company, 315 Ellis, Wichita, KS 67211

**LOCATION:** South of Kellogg and east of Webb Road

**SITE SIZE:** 5.25 Acres

**NUMBER OF LOTS**

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

**MINIMUM LOT AREA:** 2.39 Acres

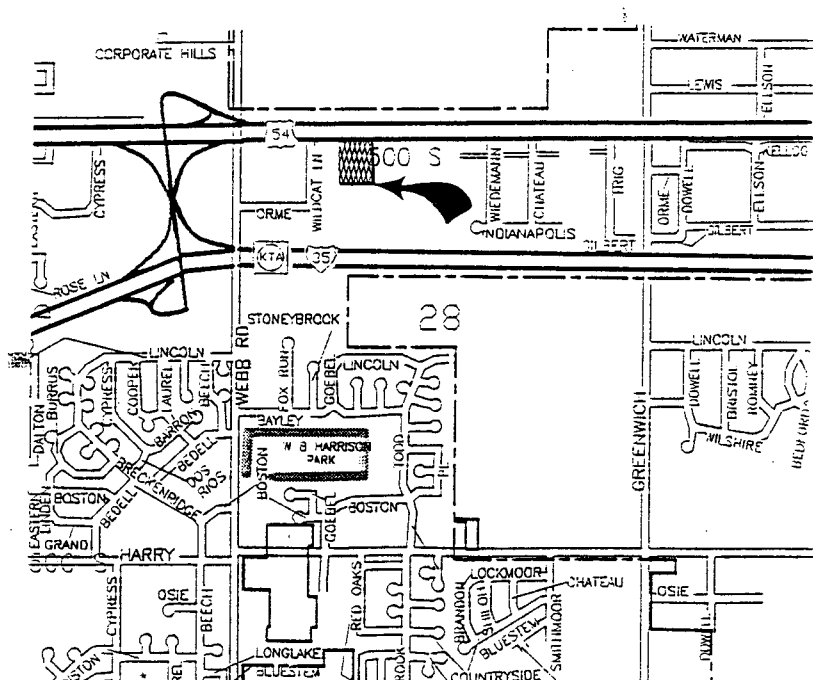
**CURRENT ZONING:** "C"

**PROPOSED ZONING:**

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**VICINITY MAP:**



NOTE: Previous plats named the "E.M. Stevens 4th" Addition have been submitted with one that basically corresponds to the same location as this plat. These plats, however, were never completed and will be considered closed as a result of this plat's present review. Unplatted and platted property to the south of this site do not have direct public access, but rather have been using a private, ingress and egress easement along the eastern portions of these sites. Sanitary sewer has also involved, in part, use of a private sewer line and an atypical extension of public water lines by means of an easement rather than along public streets.

STAFF COMMENTS:

- A. City Engineering needs to indicate if a guarantee is required for sanitary sewer improvements.
- B. City Engineering and the Water Department need to indicate any requirements for water service to this site. In particular are any guarantees needed for the extension of water across this site's frontage to Kellogg Drive.
- C. City Engineering needs to indicate any paving requirements for Kellogg Drive and right-of-way requirements. This plat is indicating that the north 78-feet of the site is apparently under "contract" to the City. Further, under present or future conditions, direct access to Kellogg is not expected from this site, but rather should be by means of a Kellogg Drive that carries traffic east or west to the openings already providing access to Kellogg.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. The final plat shall indicate complete access control between Kellogg Drive as adjacent to this plat and Kellogg. As indicated on this preliminary plat, it appears that "proposed" openings directly onto Kellogg will be employed. If such openings are not allowed by the State or under the condemnation case, this plat cannot be used as a vehicle to obtain such openings. Even if allowed by the State or condemnation case, this plat would be required to dedicate such complete access controls.
- G. It is unclear as to why the 55-foot access easement is not being platted as part of this site. This easement is not shown as part of the Pizza Hut Second plat to the east of this plat. The easement was, however, included within the area of the Moose Lodge plat to the south.  
  
This strip of property should be included as a part of some plat and if in the same ownership as the site now being platted, should be included within the perimeter of this plat rather than platted as a panhandle-type strip for a subsequent plat.
- H. This plat indicates various utility lines (gas, electric, phone) will be relocated. The applicant shall submit letters from all involved utilities indicating that satisfactory arrangements have been made for such relocations.

- I. The applicant shall install or guarantee the installation of all utilities and facilities which 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.)
- J. 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.
- K. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- L. Prior to or at the time of submitting the final plat, the applicant shall submit a drainage plan to City Engineering for review and approval.
- M. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- N. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage plan. Specifically, are any cross-lot drainage agreements or off-site easements needed.



NOTE: Previous plats named the "E.M. Stevens 4th" Addition have been submitted with one that basically corresponds to the same location as this plat. These plats, however, were never completed and will be considered closed as a result of this plat's present review. Unplatted and platted property to the south of this site do not have direct public access, but rather have been using a private, ingress and egress easement along the eastern portions of these sites. Sanitary sewer has also involved, in part, use of a private sewer line and an atypical extension of public water lines by means of an easement rather than along public streets.

STAFF COMMENTS:

- A. Since this site proposes the use of a private sewer line, a letter shall be submitted from the party responsible for that line and their willingness to allow this use. A guarantee (cannot be by petition), however, shall still be submitted for the necessary extension of the private line needed to serve the two (2) lots being platted.
- B. Guarantees shall be provided for the extension of water across this site's frontage to Kellogg Drive and the relocation of a water meter vault.
- C. The applicant shall guarantee the paving of Kellogg Drive adjacent to this site.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property. As indicated by this site's drainage plan, drainage is being directed to Kellogg. A letter shall be submitted from KDOT indicating their willingness to accept such drainage.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- F. This plat indicates various utility lines (gas, electric, phone) will be relocated. The applicant shall submit letters from all involved utilities indicating that satisfactory arrangements have been made for such relocations (KG&E-Electric).
- G. As requested by KG&E-Gas during review of the preliminary plat, sufficient easement needed to be provided along the plat's west line to cover existing lines. KG&E-Gas needs to indicate if such easement is now being shown.  
  
A 30-foot easement is now being indicated; however, the platting binder is also indicating a private 30-foot easement in the same area. Public and private easements should not or cannot overlap each other in such a manner. The applicant needs to verify that the party benefitting from this private easement has released the easement or that the public easement can supersede the private easement.
- H. The applicant shall install or guarantee the installation of all utilities and facilities which 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.)

- I. The platting binder indicates a number of other easements (private) granted by separate instrument. The applicant needs to verify if these easements are outside the limits of the plat or are being adequately incorporated by other platted easements.
- J. 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.
- K. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- L. Recording of the plat within 30 days after approval by the City Council.
- M. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

Post-It® Fax Note	7671	Date	4/4/96	# of pages	▶
To	JOHN SCHMITEI	From	RON CROWELL		
Co./Dept.	BAUGHMAN CO	Co.	KDOT		
Phone #		Phone #	744-1271		
Fax #	262-0149	Fax #			

ent of Transportation

March 26, 1996

US-54  
Sedgwick County

**MEMORANDUM TO: WADE CULWELL, P.E.  
DISTRICT V ENGINEER**

**ATTENTION: Robert G. Kuhn, R.L.S.  
Construction Specialist**

**SUBJECT: Permit request for development abutting  
US-54 right-of-way in Wichita.**

RECEIVED  
APR 23 1996  
District Engineer  
Hutchinson, KS

Returned to you is the original enclosure for the referenced permit request and our comments for your consideration in evaluating the request.

Our review of the plans for the proposed development yielded two drainage concerns with respect to US-54. As stated in the permit request letter from the Baughman Company, we concur that detention storage will be needed for the subject lots that discharge onto US-54 right-of-way. To provide the degree of protection required we recommend the storage provided should be adequate for the 25-year event. Also of concern is possible erosion at the outfall of the two 15-inch RCPs that empty onto US-54 right-of-way.

Based on the information provided and the above discussion, we have no objection to the approval of the subject permit with adequate erosion protection. It should be noted that the detention of storm water is not within public control and the drainage will likely have to be accommodated by public expenditures for future US-54 projects. Also, KDOT assumes no liability for the proposed construction as we have not appraised their design.

If there are any questions pertaining to our drainage analysis, please contact this office.

RECEIVED

APR - 1 1996

METRO ENGINEER  
WICHITA OFFICE

G. David Comstock, P.E.  
Chief, Bureau of Design

By: *James O. Brewer*  
James O. Brewer, P.E.  
Engineering Manager  
State Road Office

JOB:JRR:js

cc: James R. Richardson, Sr. Road Squad Leader



**BAUGHMAN COMPANY, P.A.**  
ENGINEERING, SURVEYING & PLANNING  
316/262-7271 • FAX 316/262-0149 • 315 ELLIS • WICHITA, KANSAS 67211

January 15, 1996

Mr. Ron Crowell  
Kansas Department of Transportation  
3200 E. 45th St. N.  
Wichita, KS 67220

**RE: U.S. Hwy. 54 Right-of-way (R.O.W.) Drainage  
E.M. Stevens 4th Addition  
Wichita, Sedgwick County, Kansas**

Dear Mr. Crowell:

We have reviewed the hydrology and hydraulics for the above referenced site and have determined that the existing drainage flows north to the U.S. Hwy. 54 R.O.W. and then east through the south ditch in the same R.O.W.

For platting purposes, the Wichita - Sedgwick County Metropolitan Area Planning Commission has requested your written permission to drain the two proposed commercial lots onto the above referenced R.O.W. I have enclosed a copy of the "Drainage Plan", which was approved by the City Engineer's Office, for your review. Please note that parking lot detention is required on both lots before discharging onto the U.S. Hwy. 54 R.O.W.

The hearing for this plat is scheduled for Thursday, January 18, 1996. If at all possible, we would like to present your letter at that time. If you have any questions, please feel free to contact me at (316) 262-7271 or by fax at (316) 262-0149. Thank you for your time and effort regarding this matter.

Sincerely,  
**BAUGHMAN COMPANY, P.A.**

*John D. Schmit*  
John D. Schmit, E.I.  
Drainage Engineer

jds  
enclosure: 1

c: Phil Meyer, Baughman Co.  
file

RECEIVED  
JAN 16 1996  
METRO ENGINEER  
WICHITA OFFICE