



**Note:** This site was recently annexed by the City of Wichita. The applicant has requested a zone change from SF-6, Single-Family Residential to LC, Limited Commercial for the portion of the plat abutting the north and south sides of 45<sup>th</sup> St. North. The site is located in the Bel Aire Area of Influence.

**STAFF COMMENTS:**

- A. The applicant shall guarantee the extension of City water and sanitary sewer services to the site. City Engineering needs to comment on the need for any additional guarantees or easements. An off-site drainage agreement is required.
- B. This plat will be subject to approval of the associated zone change and any related conditions of such a zone change.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning department for recording.
- D. City and County Engineering need to comment on the status of the applicant's drainage plan.
- E. County Engineering needs to comment on the access controls. Distances should be shown for all segments of access control. County Engineering has required complete access control along the plat's frontage to Oliver. Shared openings are required between Lots 1 and 2, Block C, and between Lots 3 and 4, Block C.
- Access controls have been platted as requested.
- F. County Engineering will meet with the applicant regarding the need for alignment of Willowpoint Road on both sides of Oliver.
- 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 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 which 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. It is recommended that the applicant plat a pedestrian access easement between Lots 15 and 16, Block A, to increase the accessibility and usefulness of Reserve B.  
D  
The requested pedestrian access easement has been platted.
- J. City Fire Department has required new street names.
- K. The applicant shall submit a copy of the instrument which establishes the pipeline easements on the property, which verifies that the easements and setbacks shown are sufficient and that utilities may be located adjacent to and within the easements.

- L. Based upon the platting binder, property taxes are still outstanding. Before the plat is scheduled for City Council consideration, proof shall be provided indicating that all applicable property taxes have been paid.
- M. The platting binder indicates a party holding a mortgage on the site. This party's name must be included as a signatory on the plat, or else documentation provided indicating that such mortgage has been released.
- N. **County Engineering** has required a major intersection right-of-way for 45<sup>th</sup> St. North and Oliver. The Subdivision Regulations require a 75-ft half-street right-of-way at arterial intersections.
- O. For Lot 5, Block A, the lot depth to width ratio exceeds the maximum 2.5 to 1 as specified by the Subdivision Regulations. *A modification from the Subdivision Committee has been approved.*
- P. A street stub should be provided along the west line of the plat to provide potential street connection to adjoining undeveloped property.  
  
The street stub has been platted as requested.
- Q. The applicant shall guarantee the paving of the proposed interior streets. The paving guarantee shall also provide for sidewalk on at least one side of all through, non-cul-de-sac streets.
- R. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- S. 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.
- T. 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.)
- U. 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.
- V. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- W. 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.

- X. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- Y. Perimeter closure computations shall be submitted with the final plat tracing.
- Z. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- AA. 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. KGE has requested additional easements.
- BB. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

STAFF REPORT  
(Preliminary Plat)

**CASE NUMBER:** SUB 2000-109 -- EAGLE'S LANDING AT NORTH OLIVER ADDITION

**OWNER/APPLICANT:** Leewood Homes, Inc., 3500 N. Rock Road, Bldg 2200, Suite 204,  
Wichita, KS 67226

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

**LOCATION:** Southwest corner of 45<sup>th</sup> St. North and Oliver

**SITE SIZE:** 71.29 Acres

**NUMBER OF LOTS**

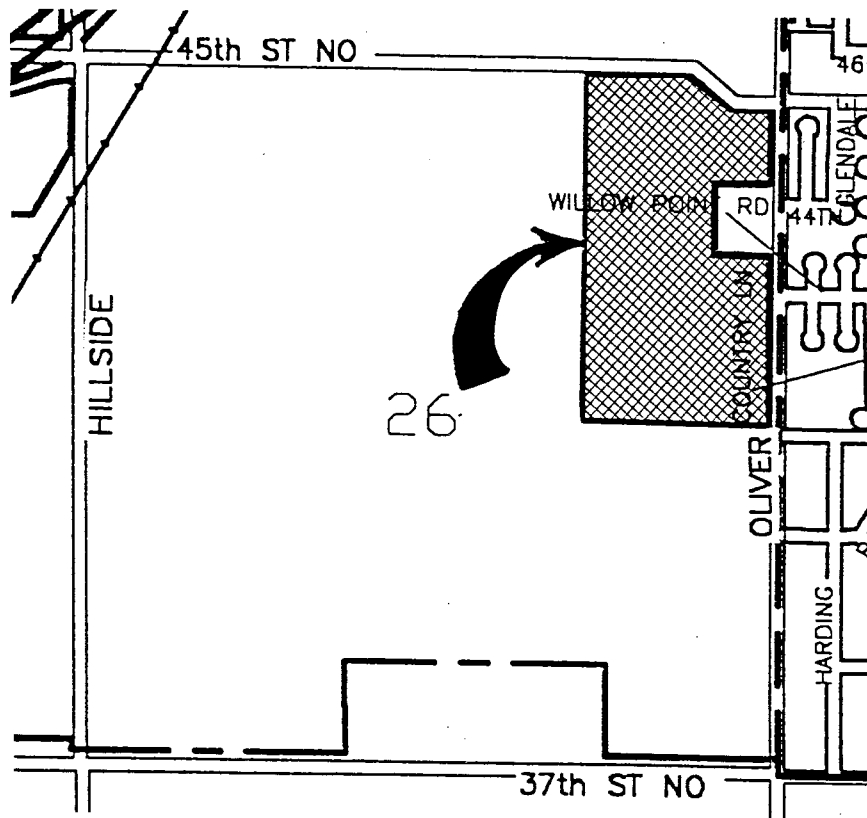
Residential:	163
Office:	
Commercial:	5
Industrial:	
Total:	168

**MINIMUM LOT AREA:** 8,400 Sq. Ft.

**CURRENT ZONING:** SF-20, Single-Family Residential

**PROPOSED ZONING:** SF-6, Single-Family Residential; LC, Limited Commercial

VICINITY MAP



**Note:** This site was recently annexed by the City of Wichita. However the City has been enjoined from implementing the annexation ordinance due to a lawsuit filed by the City of Bel Aire. If the annexation is sustained by the Court, the property will be zoned SF-6, Single-Family Residential and thereby permit the lot sizes being platted. The City of Bel Aire's Planning Commission will be reviewing the plat on December 11, 2000.

It is located in the Bel Aire Area of Influence. The Applicant intends to request a zone change to LC, Limited Commercial for the portion of the plat along the south side of 45<sup>th</sup> St. North.

**STAFF COMMENTS:**

- A. The applicant shall guarantee the extension of City water and sanitary sewer services to the site. City Engineering needs to comment on the need for any additional guarantees or easements.
- B. This plat will be subject to approval of the associated zone change and any related conditions of such a zone change.
- C. Prior to this plat being heard by City Council, the annexation by the City of Wichita will need to be sustained by the Court.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning department for recording.
- E. City and County Engineering need to comment on the status of the applicant's drainage concept. County Engineering has requested a drainage easement within Lot 1, Block C.
- F. County Engineering needs to comment on the need for access controls. The Subdivision regulations require 150 feet of complete access control from the Oliver/45<sup>th</sup> St. intersection. Distances should be shown for all segments of access control. In accordance with the Subdivision regulations, any access openings located within 200 feet of the Oliver/45<sup>th</sup> St. intersection are limited to right-turns only, and shall be referenced on the face of the plat; or a guarantee provided for the future construction of a raised medial. The final plat shall reference the access controls in the plat's text. County Engineering has required complete access control along the plat's frontage to Oliver. Shared openings are required between Lots 1 and 2, Block C, and between Lots 3 and 4, Block C.
- G. County Engineering needs to comment on the need for alignment of Willowpoint Road with Willowpoint Road to the east of Oliver.
- H. 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.
- I. For those reserves being platted for drainage purposes, the required covenant which 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.

- J. It is recommended that the applicant plat a pedestrian access easement between Lots 15 and 16, Block A, to increase the accessibility and usefulness of Reserve B.
- K. 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.
- L. City Fire Department needs to comment on the plat's street names. The name "Eagles Landing" exceeds the 12-character limit as specified in the Subdivision regulations.
- M. County Engineering has required a major intersection right-of-way for 45<sup>th</sup> St. North and Oliver. The Subdivision Regulations require a 75-ft half-street right-of-way at arterial intersections.
- N. County Engineering has required a 50-ft half-street right-of-way along 45<sup>th</sup> St. North.
- O. For Lot 5, Block A, the lot depth to width ratio exceeds 2.5 to 1 and a modification from the Subdivision Committee will be required.
- P. Because of the landlocked nature of Reserve F, a means of access should be provided.
- Q. A street stub should be provided along the west line of the plat to provide potential street connection to adjoining undeveloped property.
- R. The applicant shall guarantee the paving of the proposed interior streets. The paving guarantee shall also provide for sidewalk on at least one side of all through, non-cul-de-sac streets.
- S. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- T. 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.
- U. 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.)
- V. 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.
- W. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.

- X. 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.
- Y. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- Z. Perimeter closure computations shall be submitted with the final plat tracing.
- AA. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- BB. 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.
- CC. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.