

**STAFF REPORT  
(One-Step Final Plat)**

**CASE NUMBER:** SUB2024-00066 – UPLAND ESTATES (County)

**OWNER/APPLICANT:** KWH Investments, LLC, 4208 S. 359<sup>th</sup> St. W., Cheney, KS 67025

**SURVEYOR/AGENT:** Garber Surveying Service, P.A., 2908 N Plum St, Hutchinson, KS 67502

**LOCATION:** Southeast corner of East 77th Street North and North 47th Street East (District 1)

**SITE SIZE:** 22 acres

**NUMBER OF LOTS**

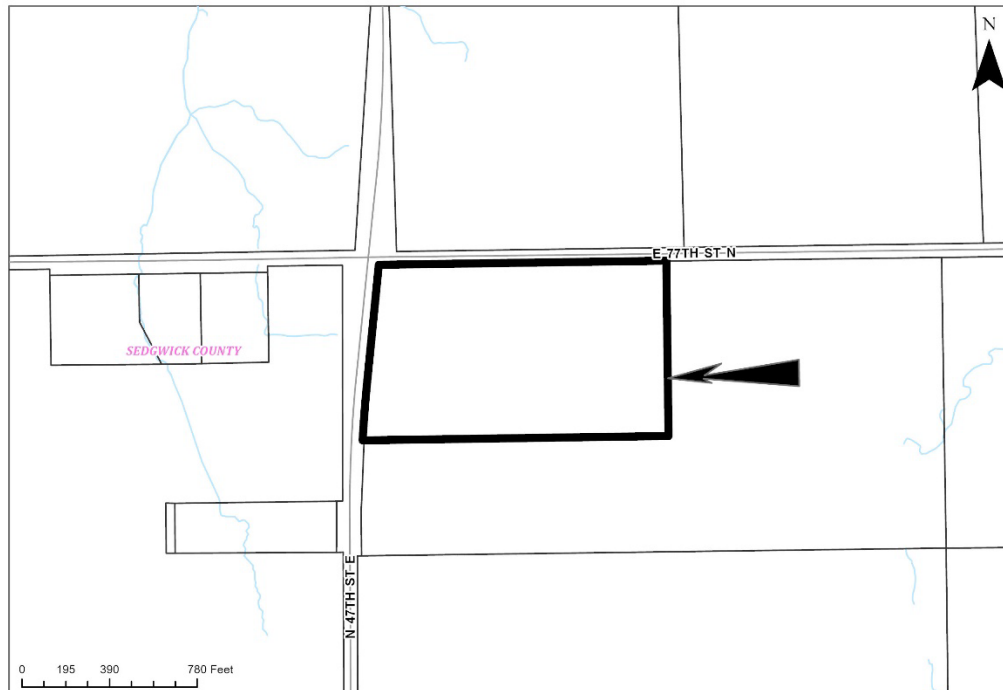
Residential:	6
Office:	
Commercial:	
Industrial:	
Total:	6

**MINIMUM LOT AREA:** 2.281 acres

**CURRENT ZONING:** RR-Rural Residential

**PROPOSED ZONING:** RR-Rural Residential

**VICINITY MAP**



Note: This is a One-Step Final Plat for a 6-Lot Residential Subdivision on un-platted property located in Unincorporated Sedgwick County. The plat is located within the Kechi Urban Area of Influence. The plat has been forwarded to the City of Kechi for review and comment.

Complete Access Controls are indicated along North 47<sup>th</sup> Street East and East 77<sup>th</sup> Street North with (1) 40-foot opening for each right-of-way. Proposed Lot 1, 5, and 6 will be accessed off North 47<sup>th</sup> Street East via a 40-foot Joint Access Easement. Proposed Lots 2,3, and 4 will be accessed of East 77<sup>th</sup> Street North via a 40-foot Joint Access Easement.

**WAIVERS:** The applicant requests a MODIFICATION/WAIVER of the lot depth-to-width ratio of the Subdivision Regulations for Lot 1. The Subdivision Regulations Section 7-204(D) states that the maximum depth of all residential lots shall not exceed 2.5 times the width.

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. Metropolitan Area Building and Construction Department

1. The site is currently located within the Sedgwick County Rural Water District No. 2. 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.
2. Soils Work completed and a memo has been issued.

B. County Stormwater Management

1. Drainage Plan is approved, as long as the applicant provides a cross lot drainage agreement between the proposed lots.

C. Sedgwick County Fire

1. Advises the plat will need to comply with the Sedgwick County Service Drive Code as well as the 2018 IFC and Amendments.

D. County Public Works

1. States Lot 5 shall not be granted access to 77th St.
2. States Lot 5 must have access to Oliver.
3. States no lot splits shall be allowed due to access issues. (A note shall be stated on face of plat)
4. States standard 60ft. right-of-way widths and intersection approaches shall be provided along both Oliver and E. 77th St. N based upon the center lines of those roads.
5. Advises in general Flag Lots are discouraged per the subdivision regulations.

E. Planning

1. Joint Access Easement to be label “by separate instrument”. Copy of easement to be forwarded to MAPD.
2. Lots 4 and 5 are flag lots and do not meet the 200-foot minimum lot width. A building setback shall be platted at a location where the 200-foot minimum lot width can be established.
3. “North Oliver Street” to be labeled as “North 47th Street East” and indicated as such in vicinity map and in plattor’s text referencing access control opening.
4. “Bryan Frye” revised to “Bryan K. Frye”

F. County Surveying

1. No Comment.

G. Evergy

1. Evergy Distribution has reviewed this preliminary plat and will not need to request additional easements, and this is a county plat so no Street light placement will be marked. Steven Chronister, Area Design Representative, will be the contact for this plat and any project associated to it. He can be contacted at (785) 508-2682. Standard language will apply; Any relocation or removal of existing Evergy equipment will be at the applicant’s expense.
2. Evergy Transmission Evergy Transmission has no comment as we do not hold any easements on the property being platted and the applicant advised they are dedicating an additional 30 feet of right-of-way so Evergy transmission poles will remain in the right-of-way. Tim Vice Engineering Tech Evergy Transmission Engineering is the contact for that department he can be reached at Tim.Vice@Evergy.com or (785)379-4375. Standard language will apply; Evergy Transmission would not support any vacation or portion of a vacation that pertains to any transmission easements or rights that have been awarded to Evergy or any of its previous companies.

**ITEMS NEEDED ALONG WITH MYLAR:**

- 1) If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.
- 2) The 40-ft access easement shown on the plat shall be established with an access easement 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. A copy of said instrument shall be submitted to MAPD.
- 3) 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.
- 4) Perimeter closure computations shall be submitted with the final plat tracing.
- 5) County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to [tricia.robello@sedgwick.gov](mailto:tricia.robello@sedgwick.gov) and [gshearon@wichita.gov](mailto:gshearon@wichita.gov).

**REMINDERS:**

- 1) If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.
- 2) 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, if applicable, required by Article 8 for fire protection shall be as per the direction and approval of the Fire Code Official.).
- 3) The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) A PDF of the recorded plat should be sent [jmeinecke@wichita.gov](mailto:jmeinecke@wichita.gov). Please provide AutoCAD detailing the final plat in digital format via email to City GIS staff ([ARosas@wichita.gov](mailto:ARosas@wichita.gov)) and County GIS staff ([Jack.Joseph@sedgwick.gov](mailto:Jack.Joseph@sedgwick.gov)).