

January 18, 1996

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 96-2 COMOTARA VILLAGE 3RD ADDITION

OWNER/APPLICANT: Alcon Development, Attn: Chuck Caro, 2400 N. Woodlawn, Wichita, KS 67220

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

LOCATION: East of Woodlawn and north of 21st Street North

SITE SIZE: 2.6 Acres

NUMBER OF LOTS

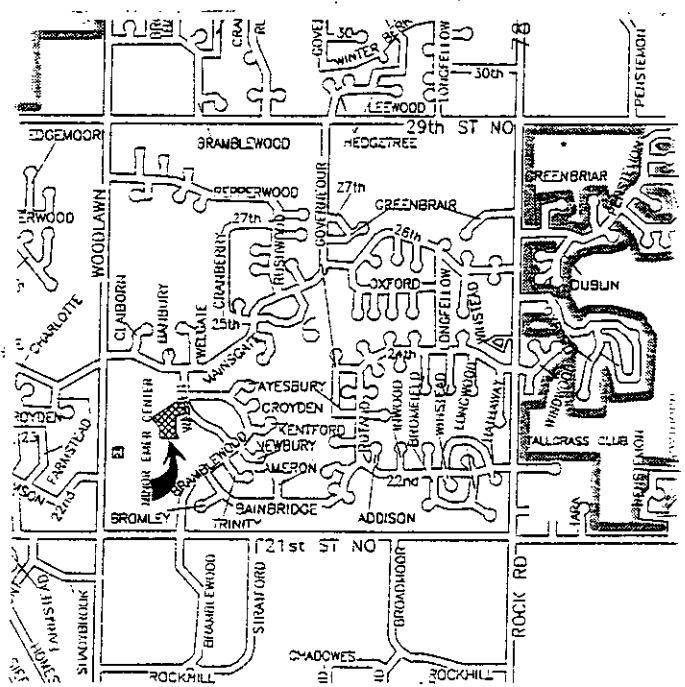
Residential:	
Office:	5
Commercial:	
Industrial:	
Total:	<u>5</u>

MINIMUM LOT AREA: 6,798 sq. ft.

CURRENT ZONING: "BB"

PROPOSED ZONING: Same

VICINITY MAP:



NOTE: This site was originally platted as a one lot plat for purposes of office type development. The site is now being platted for the same intended office uses, but individual lots with separate ownerships is now being considered. Such lots will not in each case have direct access to a public street. However, the Subdivision Regulations do allow for commercial and office type uses to be platted without direct access to a public street provided that an access easement (or agreement) is established which assures that each such platted lot has acceptable access to a public street.

STAFF COMMENTS:

A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. As necessary, the applicant shall also guarantee any needed abandonment or relocation of existing sanitary sewer lines such as indicated on Lot 2.

B. Both City Engineering and the Water Department representative need to indicate requirements in regard to the provision of water service to each platted lot. That is, are guarantees, easements, etc. needed for the provision of water to each lot.

C. The final plat shall either indicate a specific easement, such as Reserve A, as providing access for each lot, with the plat's text clearly establishing such an easement or purpose, or an agreement shall be provided for recording with the final plat which establishes such access for each lot. It is recommended that in any case, the conditions for access such as maintenance, not encumbering the access, etc. be established by separate instrument and recorded.

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. On the final plat, either all of the building setbacks as required by DP-46 shall be platted or only the setback to Walden Drive platted, with the note indicated below (G.) indicating that additional setback requirements exist per DP-46.

G. On the final plat, a note shall be provided indicating that this site is subject to conditions of the C.U.P. (DP-46).

H. The final plat shall state in the plat's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.

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 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.

J. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, 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 a method similar to special assessments.

- K. As shown on the previous plat of this site, unless indicated otherwise by City Engineering, minimum building elevations shall be shown on the final plat. Both on-site and off-site benchmarks shall also be indicated.
- L. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- M. 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.
- N. 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.)
- O. 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.
- P. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- Q. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage concept.
- R. The applicant's agent needs to indicate the nature of the encroachments into the utility easement along this site's easterly line by the properties in the Meadows Addition, i.e., from Lots 23, 24 and 25.

February 22, 1996

STAFF REPORT

(Final Plat, Preliminary Plat Approved 1/18/96)

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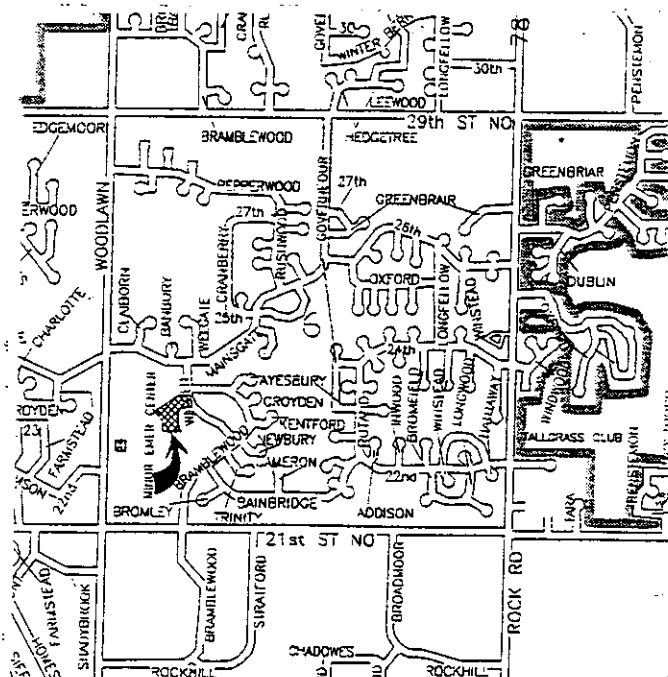
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STAFF COMMENTS:

A. The applicant shall guarantee any needed abandonment or relocation of existing sanitary sewer lines such as indicated on Lot 2.

B. The applicant shall guarantee the extension of City water to serve the lots being platted. City Engineering and Water Department staff need to indicate any requirement and guarantees needed for such improvements.

C. It is recommended that the conditions for access such as maintenance, not encumbering the access, etc. be established by separate instrument and recorded as regards Reserve A's intended purpose.

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. 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.

G. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, 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 a method similar to special assessments.

H. As this site is establishing minimum building elevations, both on-site and off-site benchmarks shall also be indicated on the final plat tracing.

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. The final plat tracing shall indicate the utility easements requested by K.G. & E. (Electric and Gas) which were indicated on a "marked" copy of the plat submitted to the applicant following review of the preliminary plat. The utilities had requested a ten (10) foot easement along the westerly line of the plat (Lots 3 and 4 and Reserves (A & B).
- L. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- M. Recording of the plat within 30 days after approval by the City Council.
- N. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage plan