

January 4, 1996

STAFF REPORT

(Final Plat, Preliminary Plat Approved 12/7/95)

CASE NUMBER: S/D 95-75 CALDWELL EQUIPMENT ADDITION

OWNER/APPLICANT: Caldwell Equipment Company, Inc., 1210 S. West Street, Wichita, KS 67213

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

LOCATION: North of MacArthur and west of Ridge Road

SITE SIZE: 10.7 Acres

NUMBER OF LOTS

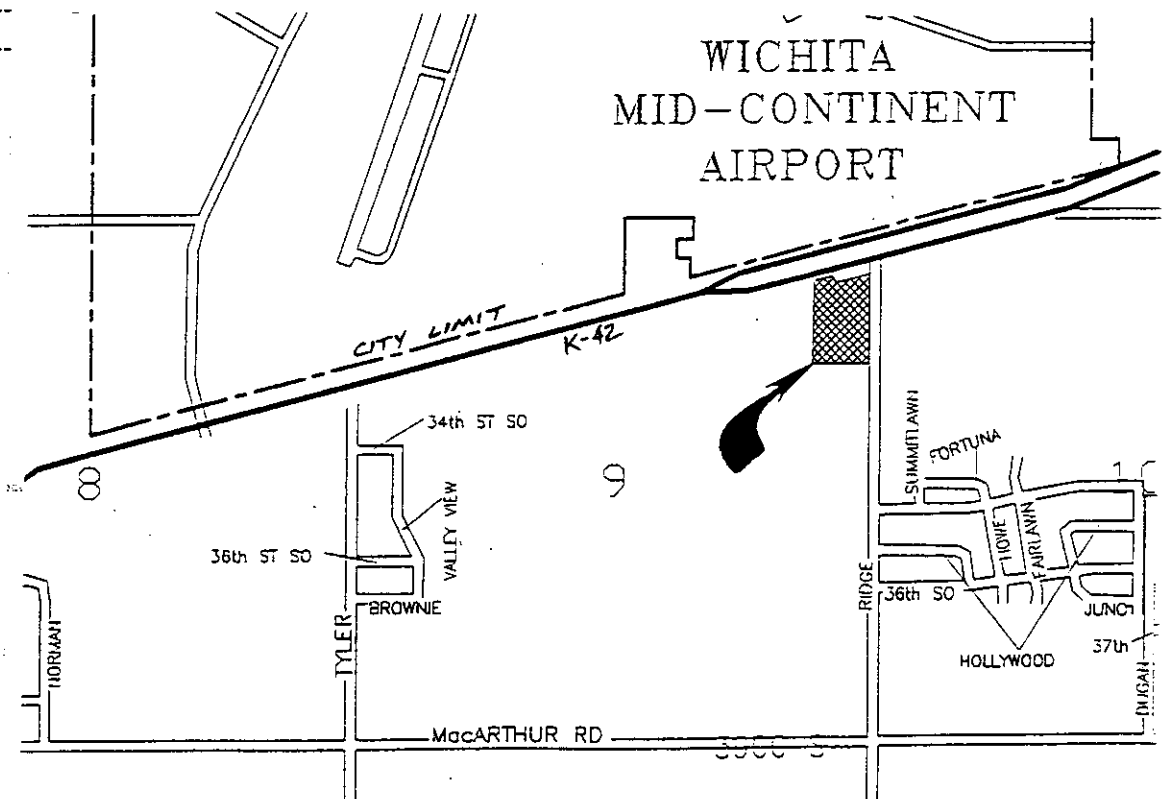
Residential:	
Office:	
Commercial:	
Industrial:	1
Total:	1

MINIMUM LOT AREA: 466,851.57 sq. ft.

CURRENT ZONING: "R-1" 10.7 Acres

PROPOSED ZONING: "E" - 8.8 Acres (SCZ-0693)
"R-1" 1.9 Acres

VICINITY MAP:



NOTE: Although this site is presently in the County, it is adjacent to Wichita's City Limits. However, City utilities do not now appear to be directly available to the site. The site is, though, involved in a requested zone change (SCZ-0693) to "E" Light Industrial zoning and as noted by the Subdivision Regulations would be considered an urban type plat, requiring the use of both municipal sewer and water facilities. While such sites have in the past been allowed to plat and use on-site facilities providing use restrictions are established if annexed, City Fire Department requirements will require access to an acceptable fire fighting source of water (fire hydrant). Since no such source of water may presently be available, the applicant is requesting that annexation of the site not be required at this time. Staff's position is that the applicant should request annexation now.

STAFF COMMENTS:

- A. Although one of the primary purposes of the City/County Subdivision Regulations is not to just assure that a given site meets necessary requirements for development but to also assure that needed improvements will also be made or become available for the orderly development of adjacent properties, the following conditions or recommendations are being provided. Specifically, this site shall:
1. The Subdivision Committee recommends that annexation not be required until development is adjacent to the site (e.g., east, south or west side); and that the applicant not be required to extend sewer or water utilities to the site until such utilities are adjacent to the site. It is the City Council's policy to require annexation when property is being platted, and when that property is eligible for annexation. This property abuts the City limits along its north property line. The applicant will need to request that the City Council waive their annexation policy. The Health Department has indicated on-site domestic waste water treatment is acceptable. The Fire Department has indicated that the fire code will require sufficient water available on site with which to fight fires before a building permit may be issued.

The applicant will need to request the City Council to waive the extension of municipal services until they become reasonably available. That is, if acceptable to the City, a request for future annexation should be provided or if required to annex, a waiver of improvements, at this time be allowed.
 2. As determined appropriate by City Engineering and the City's Water Department, and based upon the City's action in regard to annexation and/or waiver of improvements, the applicant shall submit guarantees for the extension of municipal sanitary sewer and water to this site. If annexation is not required at this time or improvements waived until a future period, guarantees shall still be provided for the future participation in such improvements.
 3. If water and sewer improvements are not required at this time, both City and/or County Engineering and the County Health Department need to indicate if an on-site sewer and water system is acceptable. The lagoon system for sewage disposal has been approved by the Health Department; if the sewage being disposed is other the domestic, then the State Health Department may take over approval of the lagoon system for commercial activity.

If acceptable, since neither municipal water nor sanitary sewer is available to serve this property, the applicant shall contact the Environmental Health Division of the Health Department to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage facilities and water wells. A memorandum shall be obtained specifying approval.

In addition, since this site is proposed for "E" zoning, but is indicating actual uses that will generate only normal, residential type wastes and/or water needs, the applicant shall also submit to the Health Department for approval and to Planning for recording with the plat, a covenant which assures that only residential type wastes and water uses will be generated at this site, unless or until municipal services actually becomes available.

- B. The applicant shall guarantee any drainage improvements required by the platting of this property.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. The applicant shall submit an avigational easement covering all of subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- E. The applicant is advised that based on the Airport Hazard Zoning Ordinance, this site may be restricted to structures, signs, etc. of no greater than 25-feet in height.
- F. 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.)
- G. 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.
- H. 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 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. 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.
- I. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- J. - Recording of the plat within 30 days after approval by the City Council.
- K. The representatives from County/City Engineering should be prepared to comment on the status of the applicant's drainage plan.