

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 3
July 12, 1990

STAFF REPORT
(Final Plat)

CASE NUMBER: S/D 86-87 - CHILTON'S 600 S. WASHINGTON ADDITION

OWNER/APPLICANT: H. Stan Chilton, 725 E. Lincoln, Wichita, KS 67211

SURVEYOR/ENGINEER: Baughman Company, P.A.

LOCATION: East side of Washington, in an area south of Kellogg.

SITE SIZE: 2.06 Acres

NUMBER OF LOTS

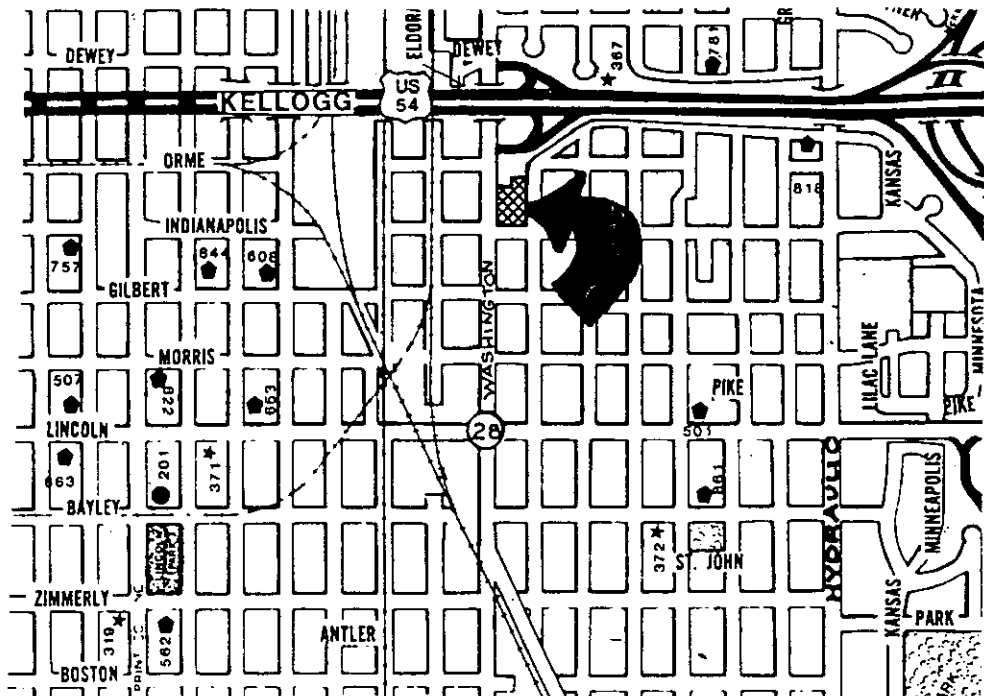
Residential:	
Office:	
Commercial:	2
Industrial:	
Total:	2

MINIMUM LOT AREA: 44,996 sq. ft.

CURRENT ZONING: "B" Multiple Family Dwelling

PROPOSED ZONING: "C" Commercial (Z-2777)

VICINITY MAP:



STAFF COMMENTS:

NOTE: A preliminary plat for this site was approved by the Subdivision Committee on October 9, 1986. At that time, the plat involved 3-lots, with the northern most lot including excess right-of-way for U.S. 54, which the applicant was attempting to purchase. However, the purchase of this property for right-of-way did not include fee title by the City or State. Consequently, the original property owners have to consent to this sale and these owners could not be contacted. The applicant is now requesting, so as to retain an approved zone change to "C" (commercial zoning), that he be allowed to complete the plat with the property presently under his ownership, or the two (2) lots indicated on the final plat.

A further complication for this site is the issue of vacating the north-south alley. This plat leaves portions of alley to both the north and south of the site. For the northern section it is felt that no separate vacation needs to be undertaken at this time. Rather, this portion of alley will be vacated at some future date when this site is acquired and replatted by this applicant or another individual. For the alley section to the south, a separate vacation is needed. The applicant is owner of the property to the west of the alley, while to the east another ownership is involved. Although the property owners to the east have indicated, according to the applicant, that they do not have any problem with the alley being vacated, they are not willing to sign an application for vacation of the alley. Consequently, the applicant has submitted an application for this vacation with his signature and is requesting that the Director of Planning be authorized to sign for the other abutting property owner. The Director of Planning has indicated that he supports this vacation request.

- A. The applicant shall guarantee the closure of those driveways to Washington Street which are in excess of the access control being platted.
- B. The applicant shall guarantee the closure of the alley return to Ida Street. This guarantee shall provide for the removal of asphalt from the Ida Street pavement to the east line of what was indicated as Lot 3 on the preliminary plat.
- C. The applicant shall guarantee any drainage improvements required by the platting of this property.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

- E. The applicant shall vacate, by separate instrument, the north/south alley right-of-way adjacent to the east line of Lots 21 and 23, on Washington, in Wollman's Addition to Wichita, Kansas. This vacated alley right-of-way will need to be retained as a utility easement in the Vacation Order. The application will need to guarantee the closure of the vacated alley return to Indianapolis Street. Approval of this plat is subject to the Metropolitan Area Planning Commission's authorization for the Planning Department Director to sign the vacation application for the other abutting property owner and subsequently the approval of this off-site vacation case.
- F. When the Planning Commission considered the applicant's associated zone case, a compromise with the neighborhood was reached which involved the landscaping of the 30-foot wide strip of ground adjacent to Ida. This 30-foot wide strip of ground is the property which the applicant's zoning case retains in the multi-family zoning district. At the Planning Commission meeting, it was suggested that the plat of this property indicate a 30-foot landscaped area as a reserve for landscaping purposes. With the factors in mind, the final plat has indicated the platting of 30-foot wide reserves for landscaping adjacent to Ida. The applicant has also submitted a landscape plan to the Planning Department for review and approval. A guarantee for the installation of landscape materials will be required. This guarantee shall also provide for the closure of the driveways to Ida Street and for the removal of driveway pavement from the landscape reserves.
- G. The applicant shall submit a covenant indicating the ownership and maintenance responsibilities of Reserves A and B. This covenant shall further indicate that the terms of the covenant run with the land are are binding on future owners and assigns.
- H. The applicant is advised that internal storm sewers may be required at the time of site development.
- I. The final plat tracing shall indicate for the MAPC's signature block "George Sherman, Acting Chairman" and for the City Clerk's signature block "Pat Burnett, Deputy City Clerk."
- J. In order to avoid possible confusion, on the face of the plat, where access control is being established across the site's north line, it should specifically indicate that the "Complete Access Control" is to U.S. 54 and not across this site to any potential property platted from the excess right-of-way.
- K. 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.

- L. 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.
- M. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- N. Recording of the plat within 30 days after approval by the City Council.
- O. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage plan.