

March 2, 1995

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 94-79 BUCKHEAD ADDITION

OWNER/APPLICANT: Kelsey Development, Attn: Paul Kelsey, 11535 14th Street Cir N.,
Wichita, KS 67212

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

LOCATION: North of Central Avenue and west of 119th Street West

SITE SIZE: 80.83 Acres

NUMBER OF LOTS

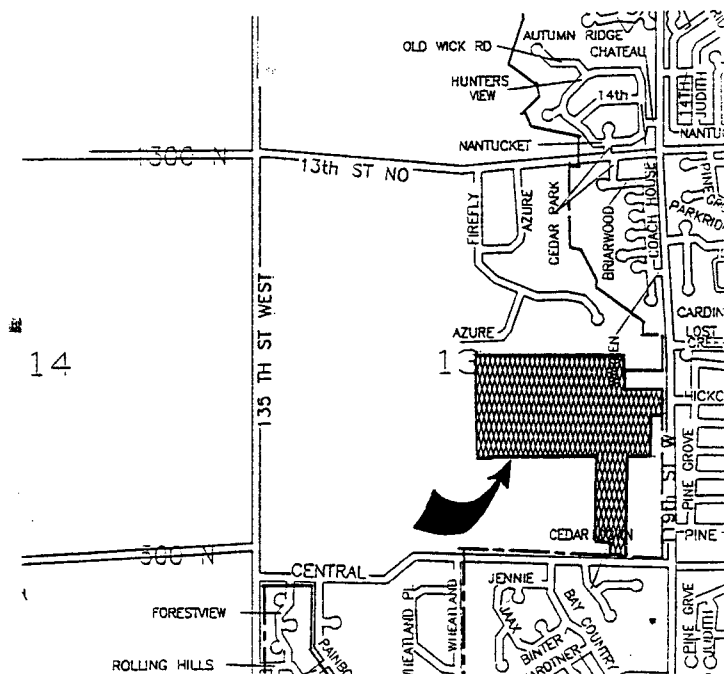
Residential:	167
Office:	
Commercial:	
Industrial:	
Total:	<u>167</u>

MINIMUM LOT AREA: 8,160 sq. ft.

CURRENT ZONING: R-1

PROPOSED ZONING: AA (Upon Annexation)

VICINITY MAP:



NOTE: This site is presently located in the County and is under "R-1" zoning. Lot sizes, however, are being platted at a size requiring either a zone change to County "AA" zoning or for property intending to be annexed to Wichita. The site is adjacent to Wichita and will be using City services. Consequently, annexation of this property to Wichita will be required and is apparently being anticipated by the applicant. It should be noted that adjacent to this site both 119th Street and Central are paved.

STAFF COMMENTS:

- A. Prior to this plat being submitted to the City Council of Wichita for review, this property shall have been annexed to the City. This will allow the lot sizes being proposed by the plat.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. As necessary this guarantee shall include any needed off-site extensions and the provision by separate instrument of any associated off-site easements.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted. Both City Engineering and the Water Department representative need to indicate the situation in regard to extending water along Central. Under typical circumstances, developments involving all or most of a quarter section would be expected to participate in water line extensions, along the adjacent arterials, for the length of the site's development or frontages to these arterials. The unusual configuration of this addition has resulted in a large number of lots being platted while minimal frontage to Central is actually involved.

In regard to existing guarantees, planned projects and City policy, City Engineering and the Water Department need to indicate how this property should participate in the extension of water lines in Central. At this time, a water line is in place along 119th Street West, but as for Central the line terminates just west of 119th Street West.
- D. The applicant shall guarantee the paving of the proposed interior streets. As indicated on the plat, Cedar Park/Hickory will require paving to the collector street status. In regard to sidewalks, the paving guarantees shall include a sidewalk on both sides of Cedar Park/Hickory (a collector), one side of Hickory as it extends out to 119th Street West and one side of the looped street Firefly-Birch-Bay Country.
- E. Based on the limited access to this site from Central and 119th Street West, and the eventual platting of approximately 167 residential lots, Traffic Engineering needs to indicate if any traffic improvements need to be guaranteed to serve this site.
- F. The applicant shall guarantee any drainage improvements required by the platting of this property.
- G. The applicant shall guarantee construction of the storm sewers required by this plat.
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.

- I. Based on the design of this plat and the limited access being provided, a large portion of the addition west of what is being platted as Reserves A & D or proposed lakes, will for now have but one way in and out. That is, beyond Cedar Park Circle, 108 lots will be accessible by only one street entrance. As with previous plats, emergency access has become a concern with such developments. While the Subdivision Regulations addresses the need for emergency access, it is done in terms of "when feasible" but also is directed specifically at cul-de-sac, dead-end, type streets. Hickory at the west line of this plat is shown as a continuous, street and not a cul-de-sac and consequently, the provision of emergency access may not be technically applicable in this case. As a practical matter, emergency access or even proper or actual access for that matter can and should be a concern.

Among the possible recommendations for this portion of the site are:

That a or additional street stubs be shown for the area between Central and this site. Without doubt this area will eventually be platted into residential uses similar to this Addition. The Subdivision Regulations indicate that such street connections shall be provided. A stub for example could be provided from what is shown as Firefly and/or from Cedar Park in the area of Lot 9. As required by the Subdivision Regulations, such connections would aid in the circulation between these areas but would eventually be another means for emergency access to these sites. Because of existing platting to the north, no such connections can be provided.

That temporary emergency access be provided for the area west of the Lakes. Such emergency access could either be provided across other adjacent properties, if possible, e.g., from Hickory directly southward to Central. Alternatively, an on-site route may be possible such as from Cedar Park across the south line of Lot 15, Reserve D, Lots 27, 28, and 18, then along Lot 17 & 18 to Birch. Such temporary easement could be made to automatically expire upon any other street connection which provided additional access to an adjacent arterial.

That no final plat be accepted west of the Lakes until an actual street connection becomes available or emergency access is obtained.

That a redesign of the plat be required such that a second street, possibly coming off of Cedar Park and along the south line of Reserve D be provided as a means for additional access for the western portion of the site, i.e., following the same alignment of the above noted temporary access easement.

In regard to approvals of plats it should be noted that it is specifically within the Planning Commission's authority to address design issues; among which, issues of appropriate access would be an applicable area of review.

- J. The representative from the City and/or County Fire Departments need to comment upon the street names being used for this site. All names appear to be acceptable, existing names. However, circles instead of courts should be used in nearly every case of a cul-de-saced street. In regard to Kenny, this street could be a circle, but Cedar Down Ct. could be more appropriate. Also Azure and Firefly are used in the addition to the north but take some severe changes in

direction that could cause at least addressing problems for this Addition.

- K. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- L. 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. This covenant shall also provide for the homeowners' association to maintain the "parking strip" areas for Central and 119th Street West adjacent to the site.
- M. 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.
- N. In order to make the Reserves more accessible to the residents in the addition, it is recommended that additional access, such as an extension of the Reserves be provided in such locations as in the area of Lots 23 and 24 on Azure Ct., Lots 5 and 6 from Hickory to Reserve A, and so forth.
- O. Since this plat involves the platting of a floodway, the plattor's text on the final plat shall reference the standard floodway language.
- P. If required, the final plat tracing shall reference the required minimum building pad elevation in Mean Sea Level as well as City Datum. The platting of the minimum building pad elevation shall be noted on the face of the plat as well as in the plattor's text.
- Q. If this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).
- 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. If any of the Reserves are proposing structures, appropriate building setbacks shall be shown to adjacent streets.
- T. Complete access control shall be dedicated from any Reserve or lot adjacent to 119th Street or Central.

- U. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- V. 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.
- W. 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.)
- X. 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.
- Y. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Z. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Ron Little, Kansas Department of Fish and Wildlife, 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.
- AA. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- BB. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 7

April 20, 1995

STAFF REPORT
(Final Plat, Preliminary Plat Approved 3/2/95)

CASE NUMBER: S/D 94-79 BUCKHEAD ADDITION

OWNER/APPLICANT: Kelsey Development, Attn: Paul Kelsey, 11535 14th Street Cir N.,
Wichita, KS 67212

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

LOCATION: North of Central Avenue and west of 119th Street West

SITE SIZE: 53.1 Acres

NUMBER OF LOTS

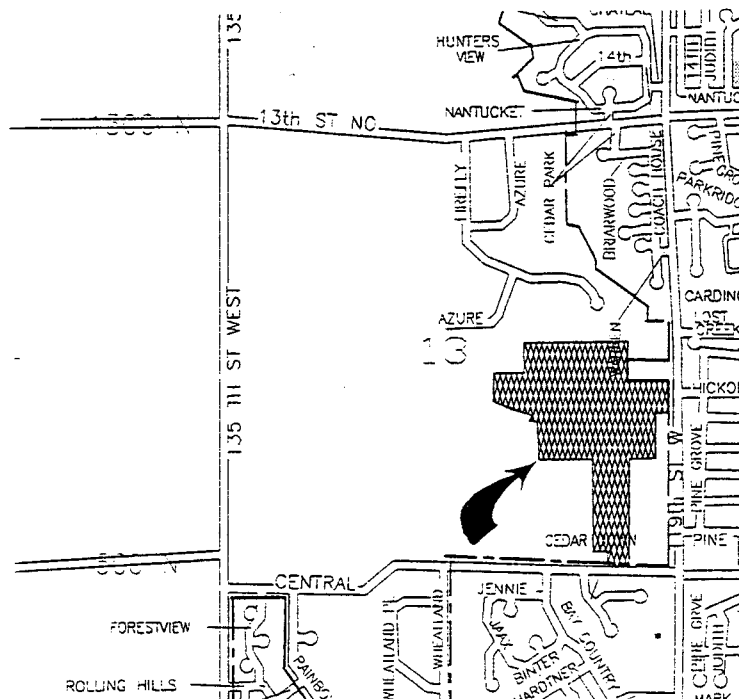
Residential:	88
Office:	
Commercial:	
Industrial:	
Total:	88

MINIMUM LOT AREA: 8,400 sq. ft.

CURRENT ZONING: R-1

PROPOSED ZONING: AA (Upon Annexation)

VICINITY MAP:



NOTE: This site is presently located in the County and is under "R-1" zoning. Lot sizes, however, are being platted at a size requiring either a zone change to County "AA" zoning or for property intending to be annexed to Wichita. The site is adjacent to Wichita and will be using City services. Consequently, annexation of this property to Wichita will be required and is apparently being anticipated by the applicant. It should be noted that adjacent to this site both 119th Street and Central are paved. This final plat is only a portion of the originally approved preliminary plat. The overall preliminary plat involves an area of over 80 acres and proposed 167 residential lots.

STAFF COMMENTS:

- A. Prior to this plat being submitted to the City Council of Wichita for review, this property shall have been annexed to the City. This will allow the lot sizes being proposed by the plat.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. As necessary this guarantee shall include any needed off-site extensions and the provision by separate instrument of any associated off-site easements.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted. Prior to submitting the final plat, the applicant was to meet with City Engineering to determine if or how this site should participate in the extension of City water along Central in particular as regards planned improvements and already existing guarantees. City Engineering needs to indicate any requirements in regard to such improvements.
- D. The applicant shall guarantee the paving of the proposed interior streets. As indicated on the plat, Cedar Park/Hickory will require paving to the collector street status. In regard to sidewalks, the paving guarantees shall include a sidewalk on both sides of Cedar Park/Hickory (a collector), one side of Hickory as it extends out to 119th Street West and one side of the looped street Firefly-Birch-Bay Country.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. The applicant shall guarantee construction of the storm sewers required by this plat.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. In regard to street names, circles instead of courts should be used in nearly every case of a cul-de-sac street. The two cul-de-sac streets noted as Cedar Down Ct. should for instance be named Circles. Also, this street should be called Cedar Downs, which agrees with the existing name in this area. In regard to Kenny, this street could be a circle, but Cedar Downs Ct. could be more appropriate. The representative from the City's Fire Department should be prepared to also indicate any concerns with street names.
- 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. This covenant shall also provide for the homeowners' association to maintain the "parking strip" areas for Central and 119th Street West adjacent to the site.

- 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. In order to make the Reserves more accessible to the residents in the addition, it is recommended that additional access, such as an extension of the Reserves be provided in such locations as in the area of Lots 5 and 6 from Hickory to Reserve A.
- L. If this plat involves the platting of a floodway, the plattor's text on the final plat shall reference the standard floodway language. City Engineering needs to confirm if a floodway is involved with this site.
- M. For lots adjacent to the Lakes, the final plat tracing shall reference the required minimum building pad elevations in Mean Sea Level as well as City Datum. The platting of the minimum building pad elevation shall be noted on the face of the plat as well as in the plattor's text.
- N. Since this property is establishing minimum building pad elevations, the face of the plat shall reference the location and elevation of permanent on-site and off-site benchmarks. Section 5-402(N).
- O. 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.
- P. If any of the Reserves are proposing structures, appropriate building setbacks shall be shown to adjacent streets.
- Q. 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.)
- R. 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.
- S. 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 316-946-4527) prior to development of the plat so that the type of delivery, and the

tentative mailbox locations can be determined.

- T. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Ron Little, 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.
- U. On the final plat tracing, the platator's text shall be amended to note that streets are being dedicated to and for the use of the public.
- V. For Lots 1 & 2, Block D a 25-foot building setback to Hickory shall be platted.
- W. On the final plat tracing, the Mayor's signature block shall be appropriately revised.
- X. During review of the preliminary plat, numerous easements were requested by the Utilities. Such easements shall be provided on the final plat tracing.
- Y. The applicant's agent needs to verify if certain items indicated in the platting binder effect the platting of this site. A drainage agreement, a Floodway Reserve agreement and a right-of-way agreement to Southwestern Bell are listed in the binder and the applicant needs to, if appropriate, address any conditions involving the platting of this site. Copies of these agreements shall be submitted to Planning for the plat file along with an explanation as to what the agreements involve.
- Z. Perimeter closure computations shall be submitted with the final plat tracing Section 5-101(c).
- AA. Recording of the plat within 30 days after approval by the City Council.
- BB. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.