

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 11

May 8, 1997

STAFF REPORT

(Final Plat, Preliminary Plat-Approved 4/3/97)

CASE NUMBER:

S/D 97-25 - BRADFORD NORTH 3RD ADDITION

OWNER/APPLICANT:

**3AH, Inc., Mathais Eck, President, 455 N. Maize Road, Wichita, KS
67212**

SURVEYOR/ENGINEER:

**Mark Savoy, Savoy, Ruggles & Bohm, P.A., 924 N. Main, Wichita, KS
67203**

LOCATION:

Southwest corner of 29th Street North, and Tyler Road.

SITE SIZE:

19.36 +/- Acres

NUMBER OF LOTS

Residential:	36
Office:	
Commercial:	3
Industrial:	==
Total:	39

MINIMUM LOT AREA:

9,000 square feet

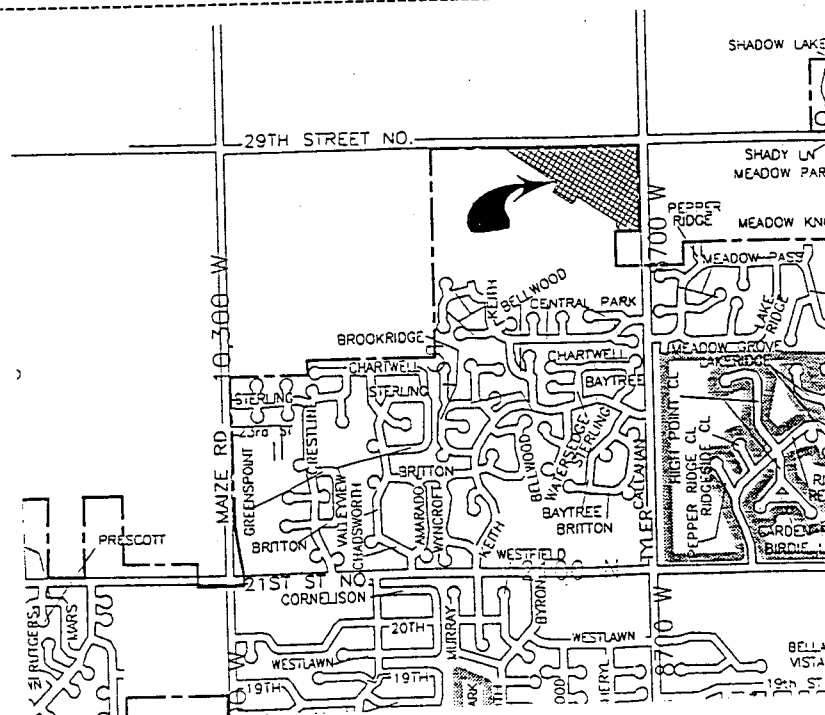
CURRENT ZONING:

"LC" and "SF-6"

PROPOSED ZONING:

"LC", "SF-6", and "TF-3" (Z-3234 and Z-3235)

VICINITY MAP:



NOTE: When the area to the south of this plat was being platted, a street connection was provided in order to connect that plat with this site in the event residential development was eventually planned for the area now being platted. That street connection was provided in the area now being platted as Lot 18, Block 1. This plat is, therefore, indicating its intention to not provide for any such integration of residential areas.

Also, when property to the east of Tyler Road platted (Northridge Lakes) the pipe line crossing that site, (the same as crosses this site), was included within a Reserve, rather than being allowed as part of platted lots. Such platting of pipeline areas as Reserves is intended to provide a greater degree of safety by preventing numerous lot owners from carrying out activities in such areas, but also such long Reserves can be used as recreational corridors if properly developed as part of an Addition. This plat, however, is proposing to place all of the pipeline easement, setbacks, etc. as portions of lots. For a number of lots, this is resulting in what appears to be large lots, but what are in essence extremely limited as usable area.

Further, this site will need to obtain a zone change in order to reflect the development now being planned. Typical "LC" zoning exists at the southwest corner of Tyler and 29th Street North. However, the applicant is indicating that a portion of this area is being platted for residential, "TF-3" uses. Consequently, all such residential areas need to be zoned to that classification, including those lots not now covered by "LC" zoning. For Lot 15 of Block 3, the southern one-third of that lot, does not have "LC" zoning and will, consequently, need an appropriate zone change for that portion of the lot.

STAFF COMMENTS:

- A. Prior to this plat being forwarded to the City Council for approval, all necessary zone changes shall have been obtained and this plat shall be subject to any relevant conditions of such a zone change. It should be noted that without such a zone change, the area now zoned "LC" would require preparation of a CUP and the platting and guaranteeing of improvements for commercial type uses. Zone changes have been filed and will be scheduled for the MAPC's 6/12/97 hearing date.
- B. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. As requested by City Engineering, a sewer layout plan shall also be provided to City Engineering. If sewer is planned along the north line of this plat, City Engineering needs to indicate if the 15-foot easement, as shown, is adequate.
- C. The applicant shall guarantee the extension of City water to serve the lots being platted.
- D. The applicant shall guarantee any drainage improvements required by the platting of this property.
- E. The applicant shall guarantee construction of the storm sewers required by this plat.

- F. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks along one side (south side) of the through street (Meadow Park) running from Tyler to 29th Street North.
- G. At the time of final plat review, the paving of Tyler Road for access to this site needs to be resolved. City Engineering needs to indicate the status of various guarantees and/or projects involving paving of Tyler Road, south of 29th Street North.
- H. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- 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 home/lot owners association to maintain the "parking strip" areas located between the perimeter of this plat and the driving surfaces of both 29th Street North and Tyler Road.
- J. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement. If a setback from the pipeline easement is provided for in the pipeline easement agreement, it shall be indicated on the face of the plat.
- K. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- L. On the final plat tracing, dimensions from lot corners shall be shown for lots 1 and 16 in Block 1 so as to better locate the easements along these lots' side property lines.
- M. On the final plat tracing, the plat's text shall be revised to properly reference the dedication of access control. Specifically, the present wording should be expanded to note that the access control is being granted to the City of Wichita (as indicate in the face of the plat), with the location of openings to be approved by the City Engineer.
- N. Since this plat is replatting or vacating and replatting various public reservations, the surveyor's text should reference KSA 12-512 (b) as amended.
- O. On the final plat tracing, the building setback on Lots 1, 2, and 3, Block 3 shall be labeled.

Below the north arrow, the legend shall also note that S.B. is for the Building Setback. Also, if the "control point" stands for iron or rebar set, the legend should also note that for the dot symbol.
- P. The applicant is reminded that all applicable property taxes must be paid before a plat can be recorded.

- 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 316-729-0102) 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, 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.
- U. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- V. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- W. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

April 3, 1997

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 97-25 - BRADFORD NORTH 3RD ADDITION

OWNER/APPLICANT: 3AH, Inc., Mathais Eck, President, 455 N. Maize Road, Wichita, KS 67212

SURVEYOR/ENGINEER: Mark Savoy, Savoy, Ruggles & Bohm, P.A., 924 N. Main, Wichita, KS 67203

LOCATION: Southwest corner of 29th Street North, and Tyler Road.

SITE SIZE: 19.36 +/- Acres

NUMBER OF LOTS

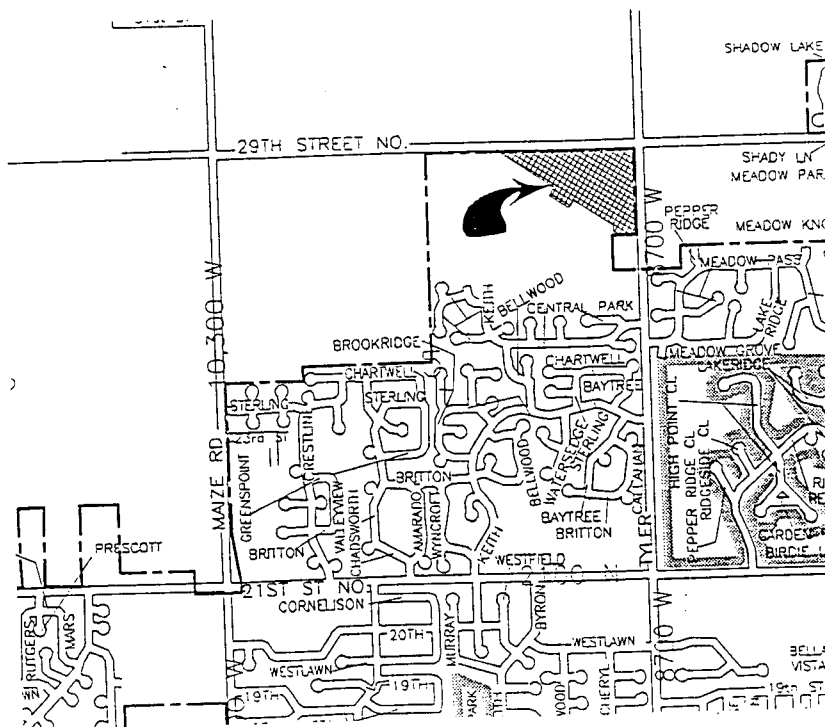
Residential:	35
Office:	
Commercial:	3
Industrial:	==
Total:	38

MINIMUM LOT AREA: 9,000 square feet

CURRENT ZONING: "LC" and "SF-6"

PROPOSED ZONING: "LC", "SF-6", and "TF-3"

VICINITY MAP:



NOTE: When the area to the south of this plat was being platted, a street connection was provided in order to connect that plat with this site in the event residential development was eventually planned for the area now being platted. That street connection was provided in the area now being platted as Lot 18, Block 1. This plat is, therefore, indicating its intention to not provide for any such integration of residential areas.

Also, when property to the east of Tyler Road platted (Northridge Lakes) the pipe line crossing that site, (the same as crosses this site), was included within a Reserve, rather than being allowed as part of platted lots. Such platting of pipeline areas as Reserves is intended to provide a greater degree of safety by preventing numerous lot owners from carrying out activities in such areas, but also such long Reserves can be used as recreational corridors if properly developed as part of an Addition. This plat, however, is proposing to place all of the pipeline easement, setbacks, etc. as portions of lots. For a number of lots, this is resulting in what appears to be large lots, but what are in essence extremely limited as usable area.

Further, this site will need to obtain a zone change in order to reflect the development now being planned. Typical "LC" zoning exists at the southwest corner of Tyler and 29th Street North. However, the applicant is indicating that a portion of this area is being platted for residential, "TF-3" uses. Consequently, all such residential areas need to be zoned to that classification, including those lots not now covered by "LC" zoning. For Lot 15 of Block 3, the southern one-third of that lot, does not have "LC" zoning and will, consequently, need an appropriate zone change for that portion of the lot.

STAFF COMMENTS:

- A. The applicant is advised that the plat name, Bradford North 2nd Addition, has already been used. This plat shall, therefore, be renamed as the Bradford North 3rd Addition.
- B. Prior to this plat being forwarded to the City Council for approval, all necessary zone changes shall have been obtained and this plat shall be subject to any relevant conditions of such a zone change. It should be noted that without such a zone change, the area now zoned "LC" would require preparation of a CUP and the platting and guaranteeing of improvements for commercial type uses.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. As was noted for recent plats in this area, limitations on sewer service in this area are occurring. City Engineering needs to indicate if this site is impacted by any such limitations.
- D. The applicant shall guarantee the extension of City water to serve the lots being platted.
- 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.

- R. On the final plat, dimensions for lot corners shall be shown for lots in Block 1 so as to better locate the easements along the rears of these lots.
- S. 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.)
- T. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- U. 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.
- V. 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.
- W. 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- X. 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.
- Y. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- Z. The representatives from **City Engineering** should be prepared to comment on the status of the applicant's drainage concept.

- G. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks along one side (south side) of the through street (Meadow Park) running from Tyler to 29th Street North.
- H. City Engineering needs to indicate paving requirements for Tyler or 29th Street North, adjacent to this site. Various City and/or County projects are apparently in progress for these streets.
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. For Lot 17, Block 3, 100-feet of complete access control shall be shown from the lot's northeast corner to both Tyler and 29th Street North.
- K. The final plat shall state in the platter'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 home/lot owners association to maintain the "parking strip" areas located between the perimeter of this plat and the driving surfaces of both 29th Street North and Tyler Road.
- M. The applicant shall submit a copy of the instrument which establishes the Arkansas Louisiana Gas Company Pipe Line Easement on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement. If a setback from the pipeline easement is provided for in the pipeline easement agreement, it shall be indicated on the face of the plat.
- N. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- O. On the final plat, it shall be more clearly noted as to utilities within Reserves. Only Reserve F appears to show an easement for utilities while the note on the preliminary plat implies utilities and easements are to be provided within all of the Reserves.
- P. On the final plat, it appears that the appropriate street names for this site would be Meadow Park for the entire length of the diagonal street segment, with Meadow Park Court for the two cul-de-sac sections. The Fire Department representative needs to confirm appropriate street names for this Addition.
- Q. On the final plat, open areas or dashed lines shall be used to indicate where Meadow Park (Drive/Lane) intersects 29th Street North and Tyler Road. Solid lines are used to indicate private streets, platted as Reserve.