

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

September 5, 1991

STAFF REPORT
(Final Plat; Preliminary Plat
Approved July 25, 1991)

CASE NUMBER: S/D 91-34 - ASHLEY PARK II ADDITION

OWNER/APPLICANT: Bristol Park, Inc., Jay W. Russell, 515 N. Ridge Rd., Wichita, KS 67212

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

LOCATION: North of Maple on Brownthrush Circle

SITE SIZE: 8 Acres

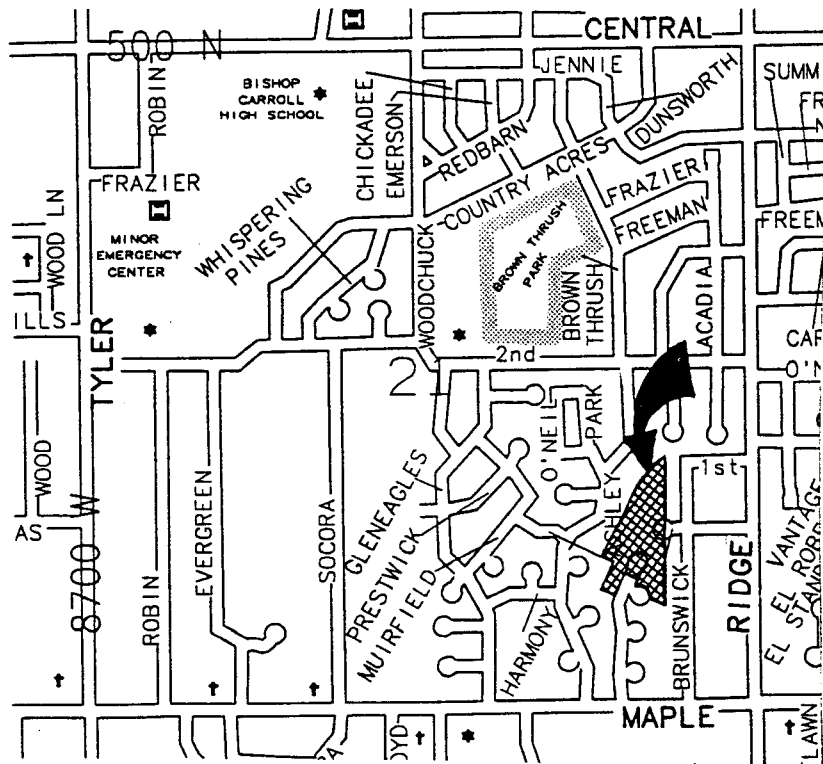
NUMBER OF LOTS

Residential:	13
Office:	
Commercial:	
Industrial:	
Total:	13

MINIMUM LOT AREA: 8,300 sq. ft.

CURRENT ZONING: "A" Two Family Dwelling & "AA" One Family Dwelling

VICINITY MAP:



NOTE: This addition involves a replat of a portion of the Bristol Park Addition which was platted in September, 1989. A reconfiguration of lots is being proposed due to the extension of Brown Thrush Circle to the northern end of the plat. However, the applicant has indicated a desire to not allow Brown Thrush Circle to physically tie into Douglas Avenue. During review of the C.U.P. (DP-189) that effects this site, it was indicated that property owners to the east of the proposed Bristol Park Addition did not want a street extended into their area from that addition. Also, this replat proposes changing an area just off of Maple, originally platted as a reserve for a swimming pool, into a buildable lot. Both the Bristol Park and Ashley Park (first) Additions are combined into the same homeowner's association and both additions are within DP-189.

STAFF COMMENTS:

- A. As requested by City Engineering, the applicant shall submit an agreement to redistribute specials for existing guarantees. Because of changes in the planned street, new paving guarantees, including drainage and provision for a turnaround for the termination of Douglas adjacent to this plat, shall be provided. Also, if acceptable to City Engineering any required improvements for the emergency entrance in Reserve A shall be included in this guarantee.
- B. As was noted during the review of the preliminary plat the applicant is requesting that Brown Thrush Circle not be required to connect to the existing street, Douglas Ave. at this plat's northern end. In order to prevent these streets from physically abutting and subsequently being connected, a reserve strip (Reserve A) is being platted. Such separation of streets and use of reserve strips is allowed under the Subdivision Regulations only if their control is placed with the governing body under conditions approved by the Planning Commission (section 7-201(F)).

The applicant shall therefore provide by separate instrument a contingent dedication of reserve A for street right-of-way. The conditions of this dedication shall indicate the ownership and maintenance of the reserve will remain the responsibility of the homeowner's association until such time as either the City Engineer or Director of Planning determine and the City Council concurs, that for public safety or convenience that the right-of-way is needed in order to provide for the connection of Douglas and Brown Thrush Circle at this location.

- C. For lots 5 through 8, Block 1, this plat is proposing a significant change in the development depicted on the C.U.P. (DP-189) and as originally platted in Bristol Park. The western portion of these lots and what appears to be the northern portion

of lot 8 was originally platted as a portion of a Reserve in the Bristol Park Addition. Further, those areas were specifically in parcel 4 of the C.U.P. indicated for drainage, open space, etc. type uses, but not for residential lots.

Although a good portion of this reserve is involved in a drainage improvement, typically filled with water, a sidewalk system either side of the water area has been or was being built both on the west and east sides of the reserve. Open space and/or recreational type uses were also indicated for the Reserve and particularly would have been appropriate for the area immediately north of lot 8. Considering the proposed change to the previously platted Reserve and the alteration of Parcel Boundaries depicted in the C.U.P., the applicant shall, prior to this plat being scheduled for City Council, obtain either an adjustment or amendment to the C.U.P. to for this change in parcel boundaries.

As was required during the review of the preliminary plat the applicant shall submit a letter from the Ashley Park homeowner's association indicating their concurrence in these changes to the Reserves.

- D. 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. Since this property is a replat of a portion of the Bristol Park Addition, the applicant shall submit appropriate legal documents for recording which provide for this property to share the responsibility for the maintenance of the reserves platted as a part of the original plat.
- E. The applicant is advised that the configuration of Lot 4, Block 2 and Lot 8, Block 1, is awkward and may subject these properties to disproportionately high assessments.
- F. The applicant is advised that according to the title binder, outstanding taxes exist for this site and release of the final plat tracing for recordings will not be done unless proof is provided that all appropriate property taxes have been paid in full.
- G. The applicant shall submit letters from K.G. & E. and Cablevision indicating that adequate arrangements have been made for the relocation of their facilities resulting from this replat.
- H. It is noted that on line 25 of the plattor's text that the word "all" has been misspelled as "al".

- I. On the final plat tracing the plattor's text shall be amended to further and more specifically indicate that fencing or similar drainage obstructions will not be allowed within the "Floodway Easement" along Lots 5 thru 8, Block 1.
- J. 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.
- 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. 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.
- N. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- O. Recording of the plat within 30 days after approval by the City Council.
- P. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept. Also, Engineering was requested to determine if the platting of a floodway easement along the west end of Lots 5 through 8, rather than some other form of drainage way (floodway, floodway reserve, etc.), was acceptable.

SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

July 25, 1991

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 91-34 - ASHLEY PARK II ADDITION

OWNER/APPLICANT: Bristol Park, Inc., Jay W. Russell, 515 N. Ridge Rd., Wichita, KS 67212

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

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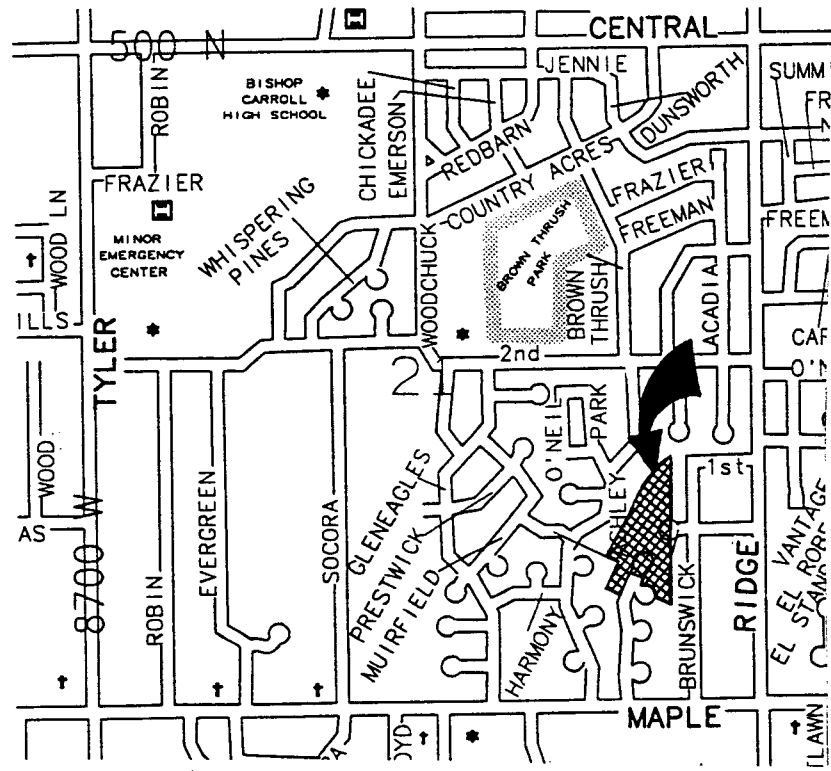
NUMBER OF LOTS

Residential:	13
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VICINITY MAP:



NOTE: This addition involves a replat of a portion of the Bristol Park Addition which was platted in September, 1989. A reconfiguration of lots is being proposed due to the extension of Brown Thrush Circle to the northern end of the plat. However, the applicant has indicated a desire to not allow Brown Thrush Circle to physically tying into Douglas Avenue. During review of the C.U.P. (DP-189) that effects this site, it was indicated that property owners to the east of the proposed Bristol Park Addition did not want a street extended into their area from that addition. Also, this replat proposes changing an area just off of Maple, originally platted as a reserve for a swimming pool, into a buildable lot. Both the Bristol Park and Ashley Park (first) Additions are combined into the same homeowner's association and both additions are within DP-189.

STAFF COMMENTS:

- A. Since this plat involves a replat of an addition for which existing guarantees exist for needed improvements, but in which a significant change in the street layout is proposed, City Engineering needs to indicate its requirements concerning guarantees. Specifically, are new guarantees to be required, is information or agreement needed to redistribute existing specials, and are there any costs associated with the previous plat and improvements that may need to be paid off due to this replat?
- B. The subdivision regulations indicate that unless prevented by physical conditions or if adjoining areas involve incompatible uses, that adjacent properties should be platted so as to provide for a reasonable interconnection of street systems. Further, the platting of reserve strips to prevent such interconnections is to be avoided. However, the regulations do indicate that such situations may be allowed if either the platting of such a reserve strip is provided for in a C.U.P. and that such a reserve area was approved by the Planning Commission and the appropriate governing body or that the reserve is platted in such a manner that its (their) control is placed with the governing body under conditions approved by the Planning Commission (7-201(F)).

In regard to the above noted requirements, the final plat shall either show Brown Thrush Circle connecting to Douglas Avenue or the applicant shall provide for the Reserve A (a reserve strip) in one of the two manners indicated above.

- C. If the applicant desires to plat Reserve "A", City Engineering, County Engineering, and the City Fire Department should be prepared to comment on any conditions they feel necessary because of this. That is, what form of emergency access across the reserve should be guaranteed, is the termination of Douglas without a turnaround acceptable, and so forth.

- D. For lots 5 through 8, Block 1, this plat is proposing a significant change in the development depicted on the C.U.P. (DP-189) and as originally platted in Bristol Park. The western portion of these lots and what appears to be the northern portion of lot 8 was originally platted as a portion of a Reserve in the Bristol Park Addition. Further, those areas were specifically in parcel 4 of the C.U.P. indicated for drainage, open space, etc. type uses, but not for residential lots.

Although a good portion of this reserve is involved in a drainage improvement, typically filled with water, a sidewalk system either side of the water area has been or was being built both on the west and east sides of the reserve. Open space and/or recreational type uses were also indicated for the Reserve and particularly would have been appropriate for the area immediately north of lot 8. Considering the proposed change to the previously platted Reserve and the alteration of Parcel Boundaries depicted in the C.U.P., the applicant shall, prior to or at the time of submitting the final plat, submit a letter from the homeowner's association indicating their position on this change. Further the applicant shall meet with the Planning Department staff to determine if the change on C.U.P. parcel boundaries will require an adjustment or amendment to the C.U.P. Either change must be obtained prior to this plat being submitted for City Council review.

- E. While the area at the southeast corner of Lot 1, Block 3 (the previous reserve adjacent to Maple) is a platted reserve in the Bristol Park Addition, it would be practical to include this triangular area as a new Reserve, platted with this Addition, rather than leaving it as a fragment of the Bristol Park Addition. The interpretation of access controls, location of easements, potential vacations, etc. would be more easily understood if this area is shown as a Reserve with this Addition.
- 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. Since this property is a replat of a portion of the Bristol Park Addition, the applicant shall submit appropriate legal documents for recording which provide for this property to share the responsibility for the maintenance of the reserves platted as a part of the original plat.
- G. The applicant is advised that the configuration of Lot 4, Block 2 and Lot 8, Block 1, is awkward and may subject these properties to disproportionately high assessments. The applicant should be prepared to indicate their reasons for platting these lots in such a manner.

- H. Both the wall easement along Lot 1, Block 3 and the pedestrian access easement between Lots 4 and 5, Block 1 shall be referenced in the plat's text. It shall be noted that utilities may cross the wall easement and that the pedestrian easement is for access to the previously platted Reserve.
- 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.
- J. Requirements for a final plat (see pages 24-29, Part 4, Article 5 of the MAPC Subdivision Regulations).
- K. 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.
- 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. 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.
- N. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- O. City Engineering needs to comment on any drainage improvements that may be required and to any requirements concerning existing guarantees and/or the need to repetition improvements required by this replat.

ASHLEY PARK II

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B799 ASH2

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706		N	20799.719	E	21977.057	S	0+00
	N 65-51'54.2"W		125.337				
PT389		N	20850.968	E	21862.677	S	1+25.337
	R = 50.000	L =	123.926	DEL =	-142-00'32.5"		
	T = 145.248	LC =	94.554	N 46-52'10.4"W			
PC389		N	20915.611	E	21793.671	S	2+49.263
	N 63-19'28.6"W		15.276				
705		N	20922.469	E	21780.021	S	2+64.539
	N 26-40'31.4"E		107.692				
780		N	21018.699	E	21828.368	S	3+72.231
	N 63-19'28.6"W		64.000				
781		N	21047.430	E	21771.179	S	4+36.231
	S 26-40'31.4"W		160.194				
692		N	20904.287	E	21699.263	S	5+96.425
	N 63-19'28.6"W		109.068				
695		N	20953.251	E	21601.803	S	7+05.493
	N 23-42'41.0"E		346.053				
782		N	21270.091	E	21740.961	S	10+51.546
	N 66-17'19.0"W		55.000				
779		N	21292.208	E	21690.604	S	11+06.546
	N 23-42'41.0"E		527.324				
PC388		N	21775.017	E	21902.657	S	16+33.870
	R = 286.480	L =	126.319	DEL =	+25-15'49.5"		
	T = 64.203	LC =	125.298	N 36-20'35.8"E			
PT388		N	21875.942	E	21976.911	S	17+60.189
	S 00-00'28.0"E		1076.223				
706		N	20799.719	E	21977.057	S	28+36.412
LENGTH=	2836.412	AREA=	208634.245 SF				4.790 ACRES

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B79B      ASH2
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783      N      20068.139 E      21539.301 S      0+00
      NORTH      70.000
681      N      20138.139 E      21539.301 S      0+70.000
      EAST      114.665
PT349      N      20138.139 E      21653.966 S      1+84.665
      R = 1004.331      L = 35.751      DEL = - 02-02'22.4"
      T = 17.878      LC = 35.749      S 10-46'50.3"E
PC349      N      20103.020 E      21660.653 S      2+20.416
      null distance and bearing
PT390      N      20103.020 E      21660.653 S      2+20.416
      R = 173.352      L = 33.661      DEL = + 11-07'31.5"
      T = 16.883      LC = 33.608      S 06-14'15.8"E
PC390      N      20069.611 E      21664.304 S      2+54.077
      S 89-19'30.0"W      125.012
783      N      20068.139 E      21539.301 S      3+79.089
LENGTH=      379.089      AREA=      8366.044 SF      .192 ACRES

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