

ANNEXATION AREA 3.

**CITY OF DERBY
SERVICE EXTENSION PLAN REPORT FOR
PROPERTIES LOCATED:**

**WEST OF ROCK ROAD
&
NORTH OF 63RD STREET SOUTH
(see attached legal description)**

FEBRUARY, 2006

INTRODUCTION

The attached maps and following statements, regarding major municipal services, are presented as a service extension plan report in conjunction with the consideration of the annexation of eligible properties to the City of Derby by the Derby City Council.

State Law requires the preparation of such a plan report when a City pursues annexation in the absence of a petition or request from the properties owners. The plan report is to include a map or maps clearly delineating the land proposed for annexation; the present streets, water mains, sewers or other city utility lines and the proposed extensions thereof; and the general land use pattern in the area proposed for annexation. The plan report is also to include statements setting forth as necessary plans by the City for extending to the proposed annexation area each major municipal service provided to persons and property inside the City. These statements indicate the method by which the City plans to finance the extension of such services and the timing for their provision.

The plan report is placed on file for public inspection in the Office of the City Clerk and it is to be presented during the forthcoming Public Hearing conducted for consideration of the annexation proposal by the City Council of the City of Derby.

DESCRIPTION OF THE PROPOSED ANNEXATION AREA

The proposed annexation area includes one tract (**see Map 1.**), in the general area of Rock Road (1/8th mile west) and 63rd Street South (north side). This tract is approximately 19.38 acres and is under a County Planned Unit Development (PUD) for a church and related uses. To allow for the proposed development, the site was platted in 1999 as the Calvary Baptist 2nd Addition. Being adjacent to Derby's City Limits, annexation of such a site would typically have been required. However, at that time City sanitary sewer was not nearby nor was the area south of 63rd yet platted as the Oaks and Oaks 2nd Additions (platted in 2003) and through which platting guarantees were provided to bring sanitary sewer up to or near this site. Given that the plans for the church and other church related facilities were approved through a County PUD, the Derby Planning Commission felt it was appropriate to initially at least allow the site to develop under County control.

LAND USE AND ZONING-2005

As noted above, the site is presently under a County Planned Unit Development (PUD) for a Church and related uses. Except for the site's west property line, this site is bordered by Derby's City Limits. To the east and north, the site is adjacent to the recently annexed Anderson Farm Commercial Addition that has obtained Derby's "B-3" General Business zoning classification. To the south, south of 63rd Street South are areas platted as the Oaks Additions and zoned under several of Derby's nonresidential classifications (B-1, B-2 and B-3). A portion of the Oaks site to the south has also obtained "R-3", multi-family zoning. At this time, none of these adjoining Derby sites have been developed and remain vacant. To the west is a large, unplatted, rural tract, developed with a single-family dwelling. A little further west is the Town and Country Estates Addition. That Addition is a County development involving a number of residential dwellings developed on large, rural scale lots.

EXTENSION OF MAJOR MUNICIPAL SERVICES

A. Public Streets

This site's access is directly out to 63rd Street South, an arterial street. This street was until recently a typical, paved two lane arterial with open ditches for drainage rather than urban type curb and gutter. At this time, 63rd Street South from essentially K-15 (Buckner) to Rock Road is being reconstructed to an urban four lane and even wider (center turn lane, accel/decel lanes in some cases) arterial with curb and gutter. That is, immediately adjacent to this site, 63rd Street South will be a major urban arterial.

B. Sanitary Sewer

The attached **Map 2** indicates that Derby's municipal sanitary sewer lines are presently still some distance from the site. Given future improvements required for the Oaks Additions and the Anderson Farms Commercial Addition, municipal sewer will be provided in the vicinity of the proposed annexation area (see Map 2A). If extensions or sewer lines beyond those being provided for the Oaks or Anderson Farm Commercial Addition(s) lots are still needed to bring service directly to this tract, a guarantee for an extension was required during the platting of this site. Any such additional sewer line extension is, though, within reason for the development of this tract under Derby's control. The following indicates the estimated cost in extending municipal sanitary sewer to this tract, as indicated by the petition submitted during the platting of the site.

Sanitary Sewer Improvements = \$35,000 (as of 1999)

C. Water Service

Rural Water District #3 has facilities in the vicinity of this site. Also, however, as indicated by **Map 3**, Derby has existing water lines in the vicinity of the annexation area. As can be seen, Derby's municipal water lines exist at a number of locations in the immediate vicinity of the tract. Most significantly, the water line immediately adjacent to the site, in 63rd Street South, is available to the site. As can also be seen on Map 3, fire hydrants have been installed along the water line in 63rd Street South close to and either side of this tract. As with sanitary sewer, at the time of platting a guarantee was required to cover the cost of any needed extension of municipal water to the site itself. **That petition estimated the cost of extending water (site's share for the water line in 63rd Street South) and other related costs at \$36,500 as of 1999.** Based on the size of this site, an internal improvement or water line extension will be needed to provide proper fire protection. Such an improvement would be done as a private improvement.

As required by State Law, if Rural Water District (RWD) facilities are impacted by this annexation, the City will negotiate with the RWD or establish by statutory proceedings appropriate restitution for any such involved facilities.

D. Police Protection

The proposed annexation area is already within or adjacent to an area covered by the City's Police operations. Given the site's proximity to the City, inclusion of that area into the Derby Police Department's area of responsibility requires no addition of staff or equipment than is already available. Law enforcement or police services, are currently provided through the County's Sheriff Department, which provides limited patrolling of such areas.

E. Fire Protection

Being a County site, the nearest fire protection for this site is provided from the County's fire station at the southeast corner of 63rd Street and Rock Road.

Upon annexation, fire protection would be provided by the Derby Fire and Rescue Department (DFRD). DFRD has two fully equipped stations with 24/7 full time coverage. Station 1 is located at 128 West Market and Station 2 is located at 1401 North Rock Road in Derby. DFRD provides a full range of services from full certified EMT's for medical first response to confined space, motor vehicle and water rescue. Derby's fire response time in the City of Derby averages less than 4 minutes. This site specifically is only approximately 1 and 1/4th miles from Station 2 with basically direct access being provided by way of Rock Road and 63rd Street South. Further, with the existing water line in 63rd Street South and fire hydrants that are now available, this site will be well served as to fire protection and that exceeds present services. With two fire stations, Derby also

provides a greater level of availability in an emergency than would be the case for the single facility now provided by the County. Fire protection and other emergency services for this area can therefore be accomplished with existing equipment and staff

F. Other Municipal Services and Facilities

As a nonresidential use access or use of such municipal services as the City's parks, library system or senior center may not be a major concern. Nonetheless such facilities are available to the site, with most such facilities being within ½ to 2 and ½ miles of the site.

Code enforcement activities will be provided through the City's existing Zoning and Building Code personnel. Depending on the City Council's actions on how this site is to be classified under Derby's Zoning Ordinance, if any other rezoning action is desired by the property owner, any such action would proceed through the City of Derby's normal review procedures.

ANDERSON FARM ADDITION

RES A

8

9

7

6

5

Rock Rd

4

3

1

2

1

①

63rd St S

RES D

1

3

5

Newberry

2

2

4

Ⓐ

1



NOTE:
For description of general land use patterns, see accompanying service extension plan.
63rd Street is a paved, multi-lane urban arterial street.

RES GC-B

5

1

Legend

-  Current City Limits
-  Annexation/Proposed City Limits



THE OAKS

ANDERSON FARM ADDITION

RES A

8

9

7

6

5

Rock Rd

4

3

1

2

1

1

63rd St S

RES D

1

3

5

Newberry

2

2

4

A

1

3

4

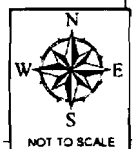
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RES GC-B

1

Legend

- Existing SS Lines
- Existing SS Manholes
- Current City Limits
- Annexation/Proposed City Limits

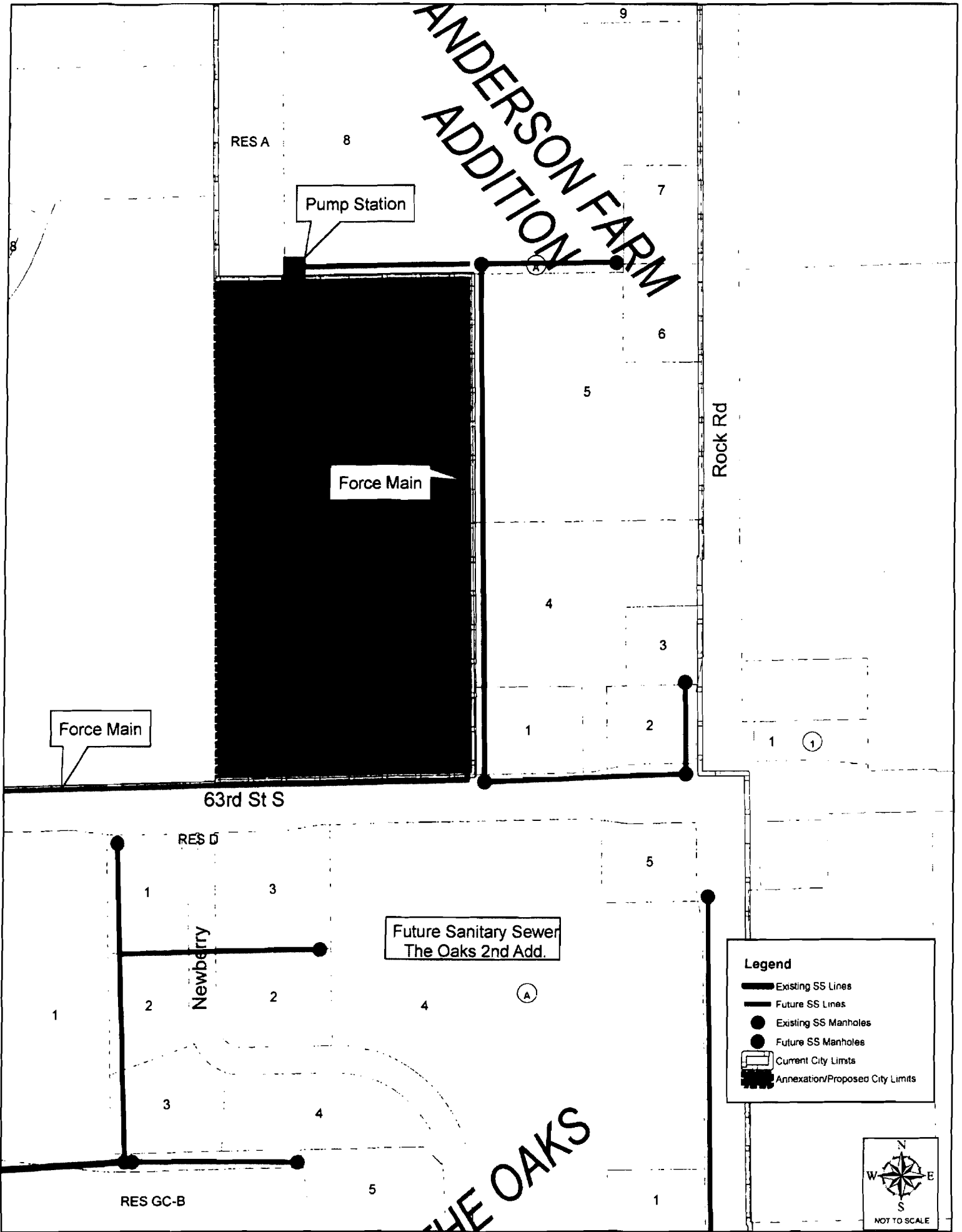


NOT TO SCALE

THE OAKS

Existing Sanitary Sewer Lines
Derby, Kansas
Map #2

ANDERSON FARM ADDITION



Legend

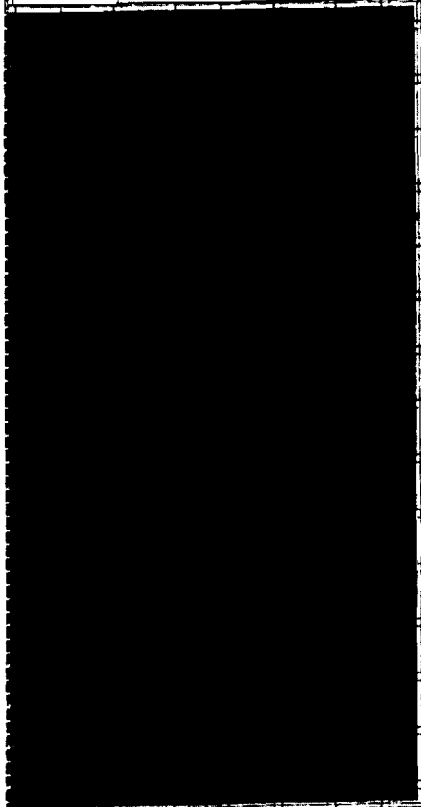
- Existing SS Lines
- Future SS Lines
- Existing SS Manholes
- Future SS Manholes
- Current City Limits
- Annexation/Proposed City Limits



Future Sanitary Sewer Lines
Derby, Kansas
Man #2A

ANDERSON FARM
ADDITION

RES A 8



Rock Rd

63rd St S

RES

Newberry

RES GC-B

Legend

- Existing Water Lines
- ⊕ Existing Fire Hydrants
- ▭ Current City Limits
- ▨ Annexation/Proposed City Limits



THE OAKS

Annexation Area 3.
Legal Description

All of Calvary Baptist Church 2nd Addition, Sedgwick County, Kansas.

OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

| | | |
|---|--|---|
| Lot 1, Block A Annexation No. 8 | Sewell 2 nd Addition | Raymond D. Sewell P.O. Box 264 Derby, KS 67037 |
| Lot 1, Block 1 Annexation No. 9 | Bergman-Mize Addition | Eddie R. & Sylvia C. Miller P.O. Box 653 Derby, KS 67037 |
| Beg at the SEly Cor of Lot 2; th. NWly along the Ely line 145'; th. W to a point 145' Nly of the SW Cor; th. SEly 145' to the SW Cor; th. Ely to beg, Block 1 Annexation No. 9 | " | New Rapid of Kansas, LLC 115 S. Hydraulic Wichita, KS 67211 |
| Beg 1293' N of the SW Cor of the SW/4; th. E 745'; th. N 300'; th. W 745'; th. S 300' to beg, except beg 1293' N & 50' E of the SW Cor of the SW/4; th. N 80.61'; th. SEly 71.26' to a point 62' E of the W line; th. W 12.10' to beg for highway. 25-28-1E Annexation No. 1 | | Wayne L. & Judy M. Wayman 548 E. Main Mulvane, KS 67110 |
| Lot 1, Block A Annexation No. 1 | Mid States of Derby Addition | Property, LLC 548 E. Main Mulvane, KS 67110 |
| Beg 462' E of the NW Cor of the NE/4; th. E 262.14'; th. S 197.7'; th. W 235.95'; th. N 32.67'; th. W29.2'; th. N 165' to beg, except the S 5'; th. E 40' & except the N 40' for road. 31-28-2E Annexation No. 2 | | Robert F. & Patricia S. Word 7401 E. 63 rd St. South Derby, KS 67037 |
| Lot 1 Annexation No. 3 | Calvary Baptist Church 2 nd Addition | Calvary Baptist Church 421 N. Westview Derby, KS 67037 |
| The NE/4, except the E 1980' thereof. 5-29-2E Annexation No. 4 | | William D. Hamilton, David L. Hamilton, Joe S. Hamilton & Beverly J. Coover Trust % Beverly J. Coover Trust 1303 Marlboro Street Wichita, KS 67217 |
| The W 208.71' of the E 399.31' of the N 208.71' of the NE/4, except the N 22.5' for road. 18-29-2E Annexation No. 5 | | Charles F. Everist & Robin L. Pool 7901 E. 87 th St. South Derby, KS 67037 |