

S/D No. 81-76 Name Stein Fifth Addition  
Date Application Rec'd. 7-9-81 Preliminary Approval \_\_\_\_\_  
Scheduled S/D Meeting 7-23-81

DESCRIPTION

General Location On the west side of Elizabeth at 42nd Street South

Owner Charles L. Stein  
Surveyor/Engineer Lowell D. High  
Address 1542 S. St. Francis, Wichita Zip Code 67211 Phone 264-0341

- 1. Gross Acreage of Plat 0.99
- 2. Number of Lots :
  - Residential 3
  - Commercial \_\_\_\_\_
  - Industrial \_\_\_\_\_
  - Other \_\_\_\_\_
- 3. Minimum Lot Frontage 73
- 4. Minimum Lot Area 13,995 sq ft.
- 5. Existing Zoning RR
- 6. Proposed Zoning RR
- 7. Lineal Feet of New Street
  - a. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - b. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - c. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - d. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - e. \_\_\_\_\_ R/W \_\_\_\_\_ ft.
  - TOTAL 0 ft.
- 8. Sidewalk adjacent to all streets yes x no
- 9. Is public water available X Yes \_\_\_\_\_ No, Name City of Wichita
- 10. Is sanitary sewer available X Yes \_\_\_\_\_ No, Name City of Wichita
- 11. Has Health Dept. approval been obtained (where applicable) \_\_\_\_\_ Yes \_\_\_\_\_ No
- 12. City of Wichita X 3-Mile Area \_\_\_\_\_ Outside of 3-Mile Area \_\_\_\_\_

STAFF COMMENTS:

- A. This plat is a replat of Lot 1, Block A, Stein 2nd Addition. The south 156 (+) pf that lot was platted as a floodway for the purpose of constructing a detention pond to drain Stein Addition and Stein 2nd Addition. Covenants providing for the establishment of a Homeowners' Association composed of all lot owners within these two additions were recorded with the plats. The purpose of the Association is to own and maintain this floodway. The covenants have a clause making them null and void upon the vacation of the floodway. However, if the Association has already been formed, additional legal documents may need to be filed if this Association is to be dissolved. About a year ago, a detention pond to serve the two Stein plats and several Vilm Gardens lots to the south was constructed on property several hundred feet south of the platted floodway. The applicant shall provide the Planning Department with a copy of the document (grant of floodway, drainage easement, drainage dedication, etc.) which restricts the use of that property to a retention pond for the benefit of certain properties and a copy of any covenants and homeowners' association which are filed of record concerning the ownership and maintenance of said pond. Any deficiencies in said documents which may be discovered upon review by the Planning and Law Departments shall be corrected as a condition of approval of Stein Fifth Addition which vacates the original retention pond area.
- B. The City Engineer's representative shall be prepared to comment on the applicant's drainage plan and state whether any drainage improvements need to be guaranteed with this plat.
- C. In accordance with current sidewalk policy, a sidewalk is required adjacent to the west side of Elizabeth. However, when the plats of Stein Addition and Stein 2nd Addition were approved by the City Commission, the existing sidewalk policy did not require a guarantee for sidewalks in this area. Since the streets have recently been paved

without sidewalks, Planning staff can support a waiver if the applicant wishes to appeal the sidewalk policy to the City Commission as provided for in Section 6 of Ordinance 36-327.

- D. Closure computations shall be submitted with the final plat tracing.
- E. Recording of the plat within 30 days after approval by the Board of City Commissioners.

NOTE: This plat has been submitted in final form only, as provided for in Article 4, Part 5 of the MAPC Subdivision Regulations. The Utility Advisory Committee should be prepared to comment on existing utilities and other various improvements, or discuss the feasibility of the applicant extending and/or installing same.

S/D No. 81-76 Name Stein Fifth Addition  
Date Application Rec'd. 7-9-81 Final ~~Preliminary~~ Approval 7-23-81  
Scheduled S/D Meeting 10-14-82

DESCRIPTION

General Location On the west side of Elizabeth at 42nd Street South

Owner Charles L. Stein  
Surveyor/Engineer Lowell D. High  
Address 1542 S. St. Francis, Wichita, Ks Zip Code 67211 Phone 264-0341

- |   |  |
|---|--|
| 1. Gross Acreage of Plat <u>1.69</u>  | 7. Lineal Feet of New Street               |
| 2. Number of Lots :   | a. <u>        </u> R/W <u>        </u> ft. |
| Residential <u>4</u>  | b. <u>        </u> R/W <u>        </u> ft. |
| Commercial <u>        </u>  | c. <u>        </u> R/W <u>        </u> ft. |
| Industrial <u>        </u>  | d. <u>        </u> R/W <u>        </u> ft. |
| Other <u>        </u>   | e. <u>        </u> R/W <u>        </u> ft. |
| Total Number of Lots <u>4</u>   | TOTAL <u>0</u> ft.                         |
| 3. Minimum Lot Frontage <u>86.5 ft.</u>   | 8. Sidewalk adjacent to all                |
| 4. Minimum Lot Area <u>17,151 sq. ft.</u>   | streets <u>        </u> yes <u>X</u> no    |
| 5. Existing Zoning <u>RB</u>  |  |
| 6. Proposed Zoning <u>RB</u>  |  |
| 9. Is public water available <u>X</u> Yes <u>        </u> No, Name <u>City of Wichita</u>             |  |
| 10. Is sanitary sewer available <u>X</u> Yes <u>        </u> No, Name <u>City of Wichita</u>          |  |
| 11. Has Health Dept. approval been obtained (where applicable) <u>        </u> Yes <u>        </u> No |  |
| 12. City of Wichita <u>X</u> 3-Mile Area <u>        </u> Outside of 3-Mile Area <u>        </u>       |  |

STAFF COMMENTS:

Note: The original Stein Fifth Addition which was recommended for approval by the Subdivision Committee on July 23, 1981, was a 3-lot plat comprising a replat of only Lot 1, Block A, Stein 2nd Addition. The main purpose of that replat was to vacate the floodway which was no longer needed. The retention pond originally proposed for that floodway was constructed further south in order to provide drainage also for some of the lots in Vilm Gardens Second Addition. This revised final plat of Stein Fifth Addition is a replat of all three lots in Block A of Stein 2nd Addition.

- A. A maintenance agreement providing for the continued maintenance of the retention pond located south of this plat has recently been submitted. However, additional signatures are needed on the document in order to cover all owners of the lots being made ultimately responsible for this maintenance. This revised final plat will require revisions in the legal descriptions of the lots listed in this agreement. A certified ownership list of all lots being subjected to this maintenance agreement will be required. The corrected maintenance agreement and ownership list shall be submitted to the Planning Department. The agreement will be recorded after approved by the governing body at the time of plat approval.
- B. In accordance with current sidewalk policy, a sidewalk is required adjacent to the west side of Elizabeth. However, when the plats of Stein Addition and Stein 2nd Addition were approved by the City Commission, the existing sidewalk policy did not require a guarantee for sidewalks in this area. Since the streets have recently been paved without sidewalks, Planning staff can support a waiver of the sidewalks if the applicant wishes to appeal the requirement as provided for in Section 6 of Ordinance 36-327. Such an appeal will require a letter from the applicant to the Board of City Commissioners. This letter should be submitted to the Planning Department for forwarding with the plat to the City Commission. If sidewalks are desired, a notarized sidewalk certificate should be submitted.

- C. The surveyor's text shall specify the quarter section of land in which this property is located. It shall also include wording similar to the following: "The Stein 2nd Addition lots, easements, and floodway encompassed herein are vacated by virtue of K.S.A. 12-512(b)."
- D. Closure computations shall be submitted with the final plat tracing.
- E. Recording of the plat within 30 days after approval by the Board of City Commissioners.