

2 Nov 1980  
PPF

XXX

October 27, 1980

Paul R. Brown & Associates, Inc.  
102 Colorado Derby Bldg.  
Wichita, Kansas 67202

Attn: Mr. Roger P. Turner

Subject: MacArthur Beach Addn.

Dear Mr. Turner:

This letter is in response to the questions posed in your letter dated October 17th pertaining to MacArthur Beach and Midland Lake.

Until the completion of a more detailed flood insurance study, the Flood Hazard Boundary Maps (FHM) were utilized to indicate areas where flooding might be experienced. With the preliminary detailed study essentially complete, the Federal Insurance Rate Maps are being published to supercede the Flood Hazard Boundary Maps for Wichita.

Although the area in question was not previously shown as being in a flood hazard area the detailed study and recent map indicates that it is. It is my understanding that any new construction in a flood hazard area is required to be built above a specified elevation in order to be built at all. Federal Flood Insurance is required unless a Letter of Amendment is obtained from the administrators of the Flood Insurance Program.

Flood insurance may be written only on "eligible structures". By their definition, an eligible structure is a walled and roofed building principally above ground and affixed to a permanent site.

It is also my understanding that residential dwellings presently existing in a flood hazard area will be expected to carry flood insurance. If compliance with the regulations does not occur it could turn out that flood disaster relief may not be available. Apparently the lending institutes are to notify the property owners involved.

With the area in question being in a designated flood hazard area, it should be expected that a requirement regarding minimum pad elevations will be made by the City.

Upon checking the records it could not be determined if the Midland Lake area has experienced any flooding since the construction of the Wichita-Valley Center Flood Control Project.

Roger P. Turner

-2-

October 27, 1980

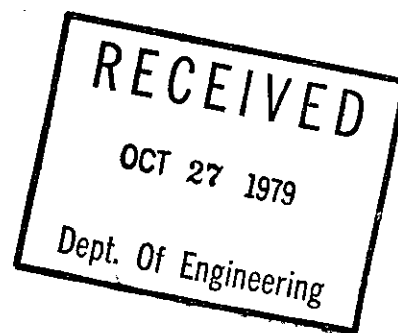
It is hoped that your questions have been answered; however, if this office may be of further assistance, please advise.

Yours truly,

Paul Johnston,  
Director  
Flood Control and Landfill Division

PJ/glm

cc: MacArthur Beach Addn. Plat File  
Paul Graves/Attn: Chris Brietenstein  
David Stowe, Director, Dept. of Oper. & Maint.

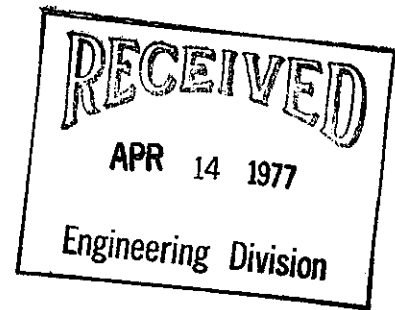


WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
COMMISSION

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4561



April 12, 1977

Professional Engineering  
Consultants  
1440 East English  
Wichita, Kansas 67211

Re: S/D 76-107 - Final plat of  
MAC ARTHUR BEACH

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, April 7, 1977, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. There are several corrections and additions which need to be incorporated in the engineer's text and in the plattor's text. The Planning Department shall be contacted regarding this matter.
- B. The applicant shall guarantee the construction of the accel-decel lane on MacArthur and as well, the major entrance to Lot 1 all as indicated on the associated C.U.P. DP-72.
- C. The applicant shall submit an overall drainage plan as required by the C.U.P. to M. S. Mitchell of the Flood Control Office. A letter obtained from Mr. Mitchell, approving said plan, shall be submitted to the Planning Department.
- D. The applicant shall submit a Homes Association Agreement. Said agreement shall contain provisions for the installation and continued maintenance of all non-public common space, circulation, driveways, parking areas, community recreational facilities, etc. Said agreement shall also contain a provision or clause which will assure that the City can upon proper notice and hearing cause necessary maintenance to be done to said areas and facilities, and the cost thereof assessed to the benefiting properties in the event the Home Association fails to do so. As part of this agreement, or as a separate agreement, assurance should be given that the owner of that portion

S/D 76-107  
April 12, 1977  
Page 2

of the lake not included in this plat will be protected from any adverse conditions created in the lake as a result of the development around the portions of the lake included in this plat.

- E. The applicant shall also submit an overall traffic circulation site plan for review and approval.
- F. It is noted that a portion of the existing pipeline crossing the south part of subject property is not within the existing easement for said line and therefore an additional easement should be provided this portion of the line.
- G. The applicant shall guarantee the extension of city water to serve the lots being platted.
- H. Recording of the plat within 30 days after approval by the Board of City Commissioners.

In addition to the above, the applicant and/or his engineer shall contact the Planning Department relative to the environmental noise protection issue as it relates to the platting of this property.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, April 14, 1977, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Encl.

cc: ✓ MacArthur Beach Properties, 1900 Amidon, 67203  
✓ Dean Sellers, Assistant City Engineer

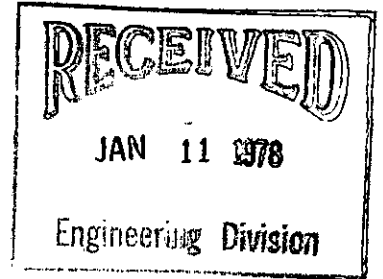
WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT


January 10, 1978

TO Curtis L. Newby, Junior Planner  
FROM Robert A. Lakin, Director of Planning  
SUBJECT MacArthur Beach



Please set up a meeting as quickly as possible between Bill Binter, Ray Bruggeman, Dick Linn and myself to discuss MacArthur Beach noise problems. It is my view that we have probably four alternatives in dealing with this problem, 1) establish setbacks, 2) provide for physical noise barriers, 3) develop a traffic management plan or, 4) waive the requirements relative to noise intrusion in this area. It is my view that we should discuss these alternatives with Binter and take these alternatives back to the Subdivision Committee for their consideration and recommendation and then forward to the Planning Commission and City Commission for final determination.

Public Works is going to provide cost estimates for physical construction alternatives to handle noise along this project area.

  
Robert A. Lakin  
Director of Planning

RAL:rme

cc: Ray Bruggeman, Director of Public Works  
✓ Dick Linn, City Engineer  
Jack H. Galbraith, Chief Planner

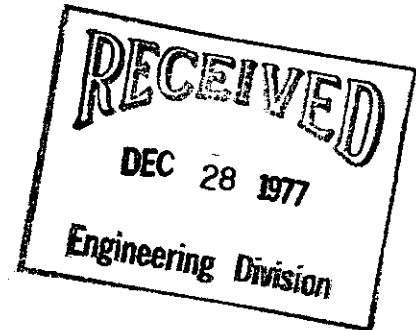
COPY

WICHITA-SEDGWICK COUNTY

DATE

December 23, 1977

**METROPOLITAN AREA PLANNING DEPARTMENT**



TO R. W. Linn, City Engineer  
FROM Robert A. Lakin, Director of Planning  
SUBJECT MacArthur Beach - S/D 76-107

Your suggestion as to handling noise on the MacArthur Beach plat will probably be held unacceptable by the Federal Government in the development of that section of McLean in the event we use Federal funding. I am of the opinion that even if it can be legally accomplished, i.e., the waiving of any of the rights of objection to noise by the current property owner, that the intent and thrust of the noise law has to remove the level of noise from those people who would otherwise be exposed to it. The City Commission also on the Kellogg and Lulu noise report rejected a lack of protest as a valid response to a noise problem.

However, if this is the way the Department of Public Works wants to resolve the issue, I would request that you write FHWA and secure a written consent from them that such a waiver as you are suggesting will be accepted and permitted in a future project in the event we pave McLean Boulevard. If that is acceptable from FHWA (and from our own Legal Department) then this plat should go on the City Commission.

In the event that this is not acceptable, I think that a noise profile should be developed for the project and one of the five alternatives for abatement of the noise be developed and guaranteed as a part of the plat. The plat and this issue should be resubmitted to the Subdivision Committee so they may provide some guidance to the Board of City Commissioners and not let the debate take place there alone. If we do, it will more than likely be sent back to us.

In addition to the problems on this plat, it would be my recommendation that the Department of Public Works develop a procedure on all FAU designated streets as to however you want to handle noise problems.

A handwritten signature in black ink, appearing to read "Robert A. Lakin".

Robert A. Lakin  
Director of Planning

RAL:rme

cc: Ray Bruggeman, Director of Public Works  
Dave Ritchie, Ritchie Paving, Inc.

THE CITY OF WICHITA

OFFICE OF

ENGINEERING

DATE

December 16, 1977

TO Robert Lakin, Director of Planning Department

FROM R. W. Linn, City Engineer

SUBJECT MACARTHUR BEACH  
S/D 76-107

The final plat of MacArthur Beach was approved by MAPC on April 7, 1977, subject to several conditions. In addition to the specific requirements the applicant was advised to contact the Planning Department relative to the environmental noise protection issue as it relates to this plat.

The Engineering Division, Department of Public Works raised this issue based on the action to date on the Federal Aid Urban System project on McLean Blvd., from MacArthur Road to 29th Street South.

McLean Blvd. (immediately adjacent to the east side of this plat) is a part of the designated Urban Highway system for Wichita and any future improvement between MacArthur Road and 47th Street South will be subject to the same rules and regulations as the current project.

Elimination of noise sensitive problems caused by exceeding the standards can be accomplished in several ways:

1. Right-of-way and/or setback requirements at the 70 dba level.
2. Noise barriers
3. Structure insulation, air conditioning, storm windows, etc., to reduce interior noise.
4. Traffic management
5. Combination of the above

The problems associated with efforts to improve an arterial street adjacent to private development raises the issue - should development be permitted to occur adjacent to arterials with no consideration of the noise issue?

Acquiring right-of-way equivalent to the 70 dba contour lines (240'+ from center-line) seems prohibitive. Establishing building setbacks of this magnitude may eliminate potential development completely on many ownerships. Reasonable setbacks combined with noise barriers and/or structural requirements may be an approach to solution of the problem.

Robert Lakin, Director of Planning Department

Page 2

December 16, 1977

A request by the property owner for improving of the adjacent arterial and waiver of the noise regulations might be a possible consideration if it could be binding to subsequent owners or tenants and if this could satisfy the Federal regulations.

Obviously I don't know the answer to the problem, but I think we should develop some policy recommendations for MAPC and City Commission consideration.

---

R. W. Linn  
City Engineer

RWL/dla

cc: R. W. Bruggeman, Director of Public Works  
Dave Ritchie, Ritchie Paving Inc.

## METROPOLITAN AREA PLANNING DEPARTMENT

TO Board of City Commissioners

FROM Robert A. Lakin, Director of Planning

SUBJECT Noise barrier requirement for MacArthur Beach Addition, located on the west side of McLean Boulevard in an area south of MacArthur.

During the consideration of the plat of MacArthur Beach, there was discussion about noise protection requirements on this property since it abuts McLean Boulevard which is part of the designated Urban Highway System for Wichita. Any future improvement of McLean Boulevard at this location, using federal funds, will be subject to approval of a satisfactory environmental impact statement. In order to assure a satisfactory environmental impact statement, any development adjacent to the Urban Highway System must comply with the noise level requirements established by the Federal government. At issue here is whether the local government should require individual developers to comply with noise standards to insure federal compliance or whether local government itself should remedy any noise problems at the time of highway construction.

There are several ways to reduce excessive highway noise:

1. Traffic management
2. Construct physical noise barriers
3. Require setbacks or right-of-way equivalent to the 70 dba contour line (240' ± from centerline of roadway)
4. Require structure insulation sufficient to reduce interior noise (may not fully fulfill Federal requirements)
5. Combinations of the above

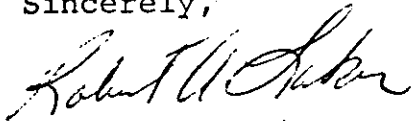
At a meeting held on January 17, 1978, with developers of the MacArthur Beach property and representatives of the Public Works and Planning Departments, the following alternatives, in order of preference, were suggested by the developers:

1. Eliminate truck traffic on McLean Blvd. at this location. (traffic management)
2. Improve McLean Blvd. entirely with local funds and thereby not have to comply with federal noise standards. Use federal funds on other roads.
3. Construct physical barriers to reduce noise:
  - a. Require guarantee from developer for barrier construction at time building permits are requested; or

- b. Require developer to guarantee the construction of the noise barrier before plat is recorded; or
  - c. Have the City guarantee the noise barrier construction at the time the McLean Blvd. improvement project is begun.
4. Take no action on the noise problem and allow the plat to be recorded.

The developers have complied with all other requirements of plat approval and the plat has been scheduled for your agenda of January 31, 1978. At that time it will be necessary to decide on what requirement, if any, you wish to make regarding the reduction of noise adjacent to major roads. This property is the first in Wichita to be newly developed adjacent to a federally funded roadway project and will likely set a precedent for future development along similar roads.

Sincerely,



Robert A. Lakin  
Director of Planning

RAL:LO:et

cc:

E. H. Denton, City Manager

John Dekker, Director of Law

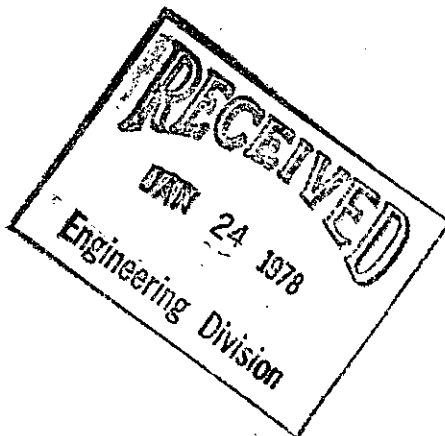
Ray Bruggeman, Director of Public Works

Dick Linn, City Engineer

E. D. Ritchie, P. O. Box 4048, Wichita, Kansas 67204

Bill Binter, MacArthur Beach Properties, 1900 Amidon, Wichita, Ks 67203

Gary Wiley, P.E.C., 1440 East English, Wichita, Kansas 67211



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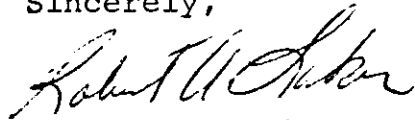
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Robert A. Lakin  
Director of Planning

RAL:LO:et

cc:

E. H. Denton, City Manager

John Dekker, Director of Law

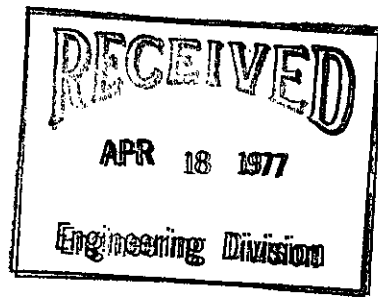
Ray Bruggeman, Director of Public Works

Dick Linn, City Engineer

E. D. Ritchie, P. O. Box 4048, Wichita, Kansas 67204

Bill Binter, MacArthur Beach Properties, 1900 Amidon, Wichita, Ks 67203

Gary Wiley, P.E.C., 1440 East English, Wichita, Kansas 67211



April 14, 1977

Professional Engineering Consultants  
1440 East English  
Wichita, Kansas 67211

Re: S/D 76-107 - Final plat of  
MacArthur Beach

Gentlemen:

At the regular meeting of the Metropolitan Area Planning Commission on April 14, 1977, the above-captioned plat was considered. The action of the Commission was to recommend that the plat be approved as recommended by the Subdivision Committee, subject to the conditions stated in our letter of April 12, 1977.

In addition to complying with those conditions, it is necessary that you meet the following requirements before this plat can be forwarded to the Board of City Commissioners for consideration:

1. Compliance with the requirements of the Metropolitan Area Planning Commission.
2. Submission of the fully completed and signed tracing of the subdivision to the Metropolitan Area Planning Department.
3. Submission of a title report by an abstract or title insurance company, or an attorney's opinion that fee title is vested in the plattor.
4. Certification that all taxes due and payable for 1976 and prior years have been paid.

Please call if you have any questions.

Sincerely,

  
Jack H. Galbraith  
Chief Planner

JHG:bh

cc: MacArthur Beach Properties, 1900 Amidon, 67203

X Dean Sellers, Assistant City Engineer

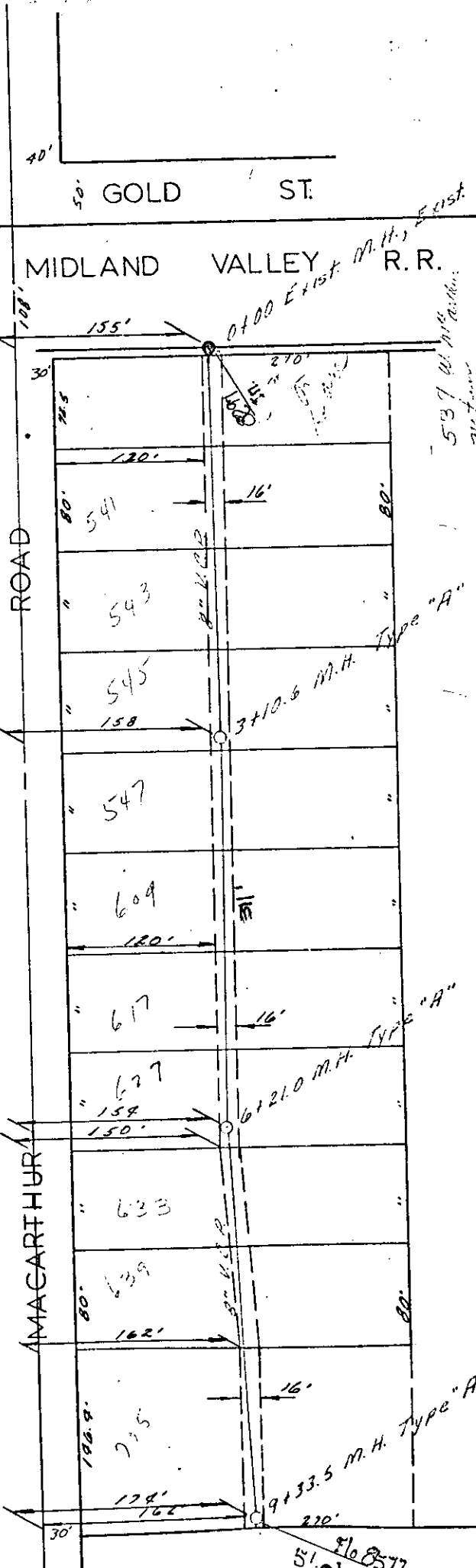
40' 50' GOLD ST.

MIDLAND VALLEY R.R.

East Stub W. 0+02 Beg.

ROAD

MAGARTHUR



0+00 EXIST. M.H. 270' 16' 80' 537 M.H. 715' 715' 715' 715'

3+10.6 M.H. Type "A"

6+21.0 M.H. Type "A"

9+33.5 M.H. Type "A" 8" STUB W.

51.0' 16.8577

ROAD

M-39  
L-15

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CONDENATION

CASE # 65-379

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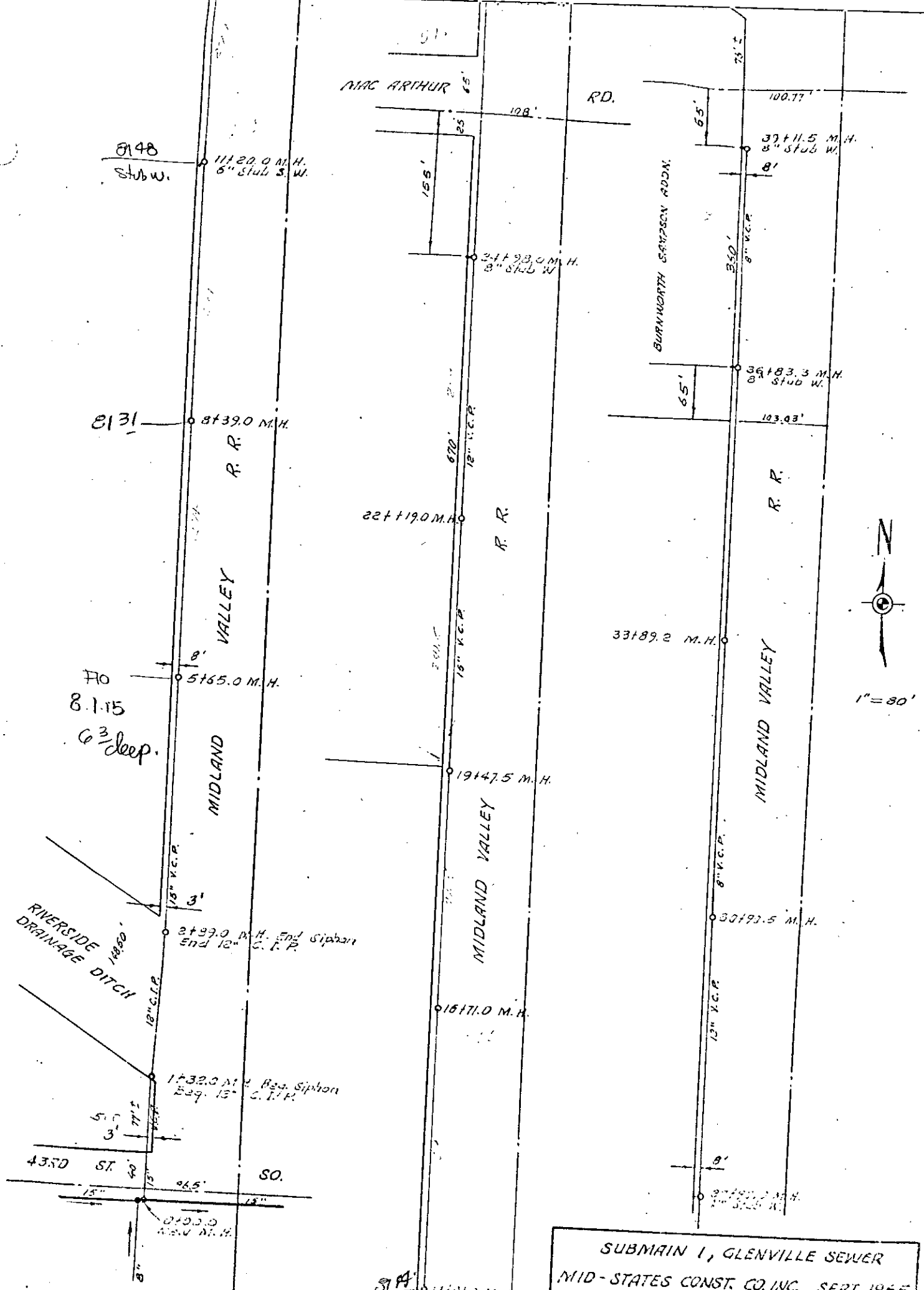
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MIDLAND VALLEY RAILROAD

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SUBMAIN 1, GLENVILLE SEWER  
 MID-STATES CONST. CO. INC., SEPT. 1965



November 8, 1976

*Consultants*  
1440 East English  
Wichita, Kansas 67211

Re: S/D 76-107 - Preliminary plat  
of MAC ARTHUR BEACH

Gentl

At a regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, November 4, 1976, the above captioned plat was considered. The action of the Committee was to approve the preliminary and authorize preparation of the final plat, subject to the following:

- A. Ten feet of additional right-of-way for an accel-decel lane along the south side of MacArthur Road shall be indicated adjacent to Lot 1.
- B. The applicant shall guarantee the construction of the accel-decel lane on MacArthur and as well, the major entrance to Lot 1 all as indicated on the associated C.U.P. DP-72.
- C. The applicant and/or his engineer shall work with the Department of Public Works relative to providing additional right-of-way for the Riverside Drainage protection ditch. Although 50 feet was requested, the Subdivision Committee recommended that no more than 25 feet be required to be dedicated from this plat.
- D. The applicant shall submit an overall drainage plan as required by the C.U.P. to M. S. Mitchell of the Flood Control Office. A letter obtained from Mr. Mitchell, approving said plan shall be submitted to the Planning Department.
- E. "Access control except for one opening" shall be indicated on Lot 1 adjacent to MacArthur.
- F. The applicant shall submit a Homes Association Agreement covering that portion of the overall preliminary plat which is intended to be finalized at this time. Said agreement shall

S/D 76-107

November 8, 1976

Page 2

contain provisions for the installation and continued maintenance of all nonpublic common space, circulation, driveways, parking areas, community recreational facilities, etc. Said agreement shall also contain a provision or clause which will assure that the City can upon proper notice and hearing cause necessary maintenance to be done to said areas and facilities, and the cost thereof assessed to the benefiting properties in the event the Homes Association fails to do so. As part of this agreement or as a separate agreement, assurance should be given that the owner of that portion of the lake not included in this plat will be protected from any adverse conditions created in the lake as a result of the development around the portions of the lake included in this plat.

- G. "Complete access control" shall be indicated adjacent to McLean Boulevard.
- H. An access easement 30 feet in width shall be indicated on each lot to provide a continuous circulation drive across all lots. The applicant shall also submit an overall traffic circulation site plan for review and approval with the submission of the final plat.
- I. The applicant's engineer shall contact KG&E and Southwestern Bell relative to providing easements for their utilities.
- J. The existing Cities Service pipeline and easement at the south line of this property shall be shown on the final plat.
- K. The applicant's engineer shall contact M. S. Mitchell of the Flood Control Office relative to establishing minimum building pad elevations.
- L. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

Enclosed herewith is the "marked" copy of the preliminary plat for your information and files.

If you should have any questions concerning this matter, please call.

Sincerely,

Curtis L. Newby  
Junior Planner

CLN:rme  
Encl.

cc: MacArthur Beach Properties, 1900 Amidon, 67203  
✓ Dean Sellers, Assistant City Engineer

01 slide 01 Proj  
02  
03

PLANNING AGENDA

1. Z-2000 - ZONE CHANGE FROM SINGLE FAMILY TO LIGHT INDUSTRIAL ON THE SOUTHEAST CORNER OF WALKER AND SABIN.

Z-2001 - ZONE CHANGE FROM SINGLE FAMILY TO LIGHT INDUSTRIAL ON THE SOUTHEAST CORNER OF SABIN AND MONROE.

Z-2003 - ZONE CHANGE FROM SINGLE FAMILY TO LIGHT INDUSTRIAL ON THE SOUTHEAST CORNER OF BEBE AND WALKER.

The zoning cases were deferred by the City Commission to the meeting of January 31, 1978, in order that administrative staff may attempt to resolve the drainage concerns of the area.

Meetings have been held among City staff, consultants, the Corps of Engineers and the landowners relative to drainage in "Area B" of Southwest Industrial Park Storm Drainage Improvement Project; however, additional time is necessary to complete the drainage plan.

The City Manager recommends a four week deferral of the matter in order that the consultant may be permitted to work with the developers of the area to prepare a preliminary plan and proposal for drainage to be presented to the City Commission.

ACTION: Defer the matters to February 28, 1978.

2. S/D 76-107 - PLAT OF MAC ARTHUR BEACH LOCATED SOUTH OF MAC ARTHUR ROAD BETWEEN SENECA AND GOLD STREETS.

A five-lot, residential plat containing 39 acres. The Planning Commission recommends approval subject to:

- 1) The applicant submitting restrictive covenants which shall contain provisions for the requirements of establishing a Homeowners Association for the maintenance of all common non-public areas and private drives.
- 2) Recording of the plat within 30 days.

In addition, a report has been provided which outlines consideration of a noise barrier requirement adjacent to McLean Boulevard. The Commissioners may desire to decide what requirements, if any, to make regarding the reduction of noise adjacent to major roads.

ACTION: Approve the accel-decel lane petition and instruct the Director of Law to prepare the necessary resolution, and instruct the City Clerk to file the certificate and restrictive covenants with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and approve the plat as approved by the Metropolitan Area Planning Commission and authorize the Mayor to sign.

3. S/D 77-140 - PLAT OF MARY LOU ADDITION GENERALLY LOCATED ON THE SOUTH SIDE OF PAWNEE IN AN AREA EAST OF OLIVER.

A one-lot, commercial plat containing .6 acres. The Planning Commission recommends approval subject to:

- 1) The applicant submitting by separate instrument a contingent dedication for major street intersection right-of-way on Pawnee. Said dedication to be contingent upon when the City needs the right-of-way for street improvements.

# COMMISSIONERS PROCEEDINGS

5672

January 31, 1978

Vice-Mayor Connie Peters has been requested to present the City Key to Congressman William Clay at the Recognition Banquet held by the Kansas Commission on Civil Rights on February 24, 1978.

Motion--  
--carried

Casado moved that the issuance of the City Key be authorized. Motion carried 4 to 0.

## PROCLAMATION

Proclamation, presented.

Conquer Multiple  
Sclerosis Week

Fish Griffith, Secretary, Multiple Sclerosis, requested that February 13-20, 1978, be proclaimed "Conquer Multiple Sclerosis Week in Wichita".

Motion--  
--carried

Peters moved that the issuance of the proclamation on February 7, 1978, be authorized. Motion carried 4 to 0.

## PLANNING AGENDA:

### PLANNING AGENDA

Z-2000, Z-2001,  
Z-2003

Z-2000 - Zone Change from single family to light industrial on the Southeast Corner of Walker and Sabin, presented.

Z-2001 - Zone Change from single family to light industrial on the Southeast corner of Sabin and Monroe, presented.

Z-2003 - Zone Change from single family to light industrial on the Southeast corner of Bebe and Walker, presented.

The zoning cases were deferred by the City Commission to the meeting of January 31, 1978, in order that administrative staff may attempt to resolve the drainage concerns of the area.

Meetings have been held among City staff, consultants, the Corps of Engineers and the landowners relative to drainage in "Area B" of Southwest Industrial Park Storm Drainage Improvement Project; however, additional time is necessary to complete the drainage plan.

The City Manager recommended a four week deferral of the matter in order that the consultant may be permitted to work with the developers of the area to prepare a preliminary plan and proposal for drainage to be presented to the City Commission.

Motion--  
--carried

Casado moved that the matters be deferred to February 28, 1978. Motion carried 4 to 0.

S/D 76-107 PLAT OF  
MAC ARTHUR BEACH

S/D 76-107 - Plat of Mac Arthur Beach located south of Mac Arthur Road between Seneca and Gold Streets, presented.

A five-lot, residential plat containing 39 acres. The Planning Commission recommended approval subject to:

- 1) The applicant submitting restrictive covenants which shall contain provisions for the requirements of establishing a Homeowners Association for the maintenance of all common non-public areas and private drives.
- 2) Recording of the plat within 30 days.

In addition, a report has been provided which outlines consideration of a noise barrier requirement adjacent to McLean Boulevard. The Commissioners may desire to decide what requirements, if any, to make regarding the reduction of noise adjacent to major roads.

Bob Lakin

Director of Planning, reviewed this matter including alternatives to reduce noise adjacent to McLean Boulevard, and answered questions by the Commission.

# COMMISSIONERS PROCEEDINGS

5673

January 31, 1978

Bill Shook Bill Shook, representing Area Council "C", felt that action should be deferred as they felt this related to their concerns regarding the extension of McLean to the north.

Discussion Discussion was had regarding noise attenuation.

Comm. Porter \*Commissioner Porter excused during part of the discussion.

Dick Linn City Engineer, reviewed the McLean Boulevard project and the reason for the improvement being a part of the urban highway system was the reason the noise matter needed to be addressed.

Dave Ritchie Dave Ritchie, developer, spoke in support of the plat and suggested that a retaining wall be constructed with the street improvement to provide a barrier along McLean and expressed opposition to a deferral of the matter.

Mr. Shook Mr. Shook felt this area should not set a precedent as to noise control to the north or to the south of subject area.

Comm. Shanahan Commissioner Shanahan questioned the need for the improvement of McLean very soon in this area.

Declaration of Covenants & Conds. Declaration of Covenants and Conditions from Mac Arthur Beach Properties, dated September 13, 1977, presented.

Petition 100% petition for paving Accel-Decel lane south side MacArthur Road, from 350 feet west of WL MacArthur Beach Addition to EL Lot 1, Block 1, MacArthur Beach Addition, presented.

Motion-- Porter moved that the accel-decel lane petition be approved and the Director of Law be instructed to prepare the necessary resolution and the City Clerk be instructed to file the certificate and restrictive covenants with the Register of Deeds, the publication and filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 4 to 0.

--carried

S/D 77-140 PLAT OF  
MARY LOU ADDITION

S/D 77-140 - Plat of Mary Lou Addition generally located on the south side of Pawnee in an area east of Oliver, presented.

A one-lot, commercial plat containing .6 acres. The Planning Commission recommended approval subject to:

- 1) The applicant submitting by separate instrument a contingent dedication for major street intersection right-of-way on Pawnee. Said dedication to be contingent upon when the City needs the right-of-way for street improvements.
- 2) The applicant submitting an avigational easement and a noise covenant for subject property.
- 3) Recording of the plat within 30 days after approval by the City Commission.

Avigational  
Easement

Avigational Easement from George and Mary Lou Stevens, Jr., dated December 16, 1977, presented.

Restrictive  
Covenant

Restrictive Covenant from George J. Stevens, Jr., dated December 16, 1977, presented.

Contingent  
Dedication

Contingent Dedication from George J. & Mary Lou Stevens, Jr., dated January 10, 1978, presented.

Motion--

Peters moved that the contingent dedication, avigational easement and noise covenant be accepted and the City Clerk be instructed to file the dedication, easement and covenant with the Register of Deeds, the filing costs of which shall be billed to the applicant; and the plat be approved as approved by the Metropolitan Area Planning Commission and the Mayor be authorized to sign. Motion carried 4 to 0.

--carried

S/D 77-157 PLAT OF  
S & E ADDITION

S/D 77-157 - Plat of S and E Addition generally located on the west side of Hillside Avenue between Waterman and Lewis, presented.

A two-lot plat containing .52 acres. The Planning Commission recommended approval subject to:

- 1) The applicant submitting by separate instrument contingent dedications for the portions of the alley and Hillside Avenue upon which the existing homes and outbuildings are located.
- 2) Recording of the plat within 30 days after approval.

S/D NO. 76-107 Name MAC ARTHUR BEACH  
Date Application Rec'd. 10-26-76 Preliminary Approval \_\_\_\_\_  
Scheduled S/D Meeting 11-4-76

DESCRIPTION

General Location South of MacArthur Road, between Seneca and Gold Streets

Owner MacArthur Beach Properties

Surveyor/Engineer Professional Engineering Consultants

Address 1440 E. English Phone 262-2691

- |   |                        |  |  |
|---|------------------------|--|--|
| 1. Gross Acreage of Plat  | <u>39</u>              | 7. Lineal Feet of New Streets:                                       |  |
| 2. Number of Lots:  |                        | a. <u>        </u> R/W <u>        </u> ft.                           |  |
| Residential   | <u>5</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>5</u>               | TOTAL <u>        </u> ft.  |  |
| 3. Minimum Lot Frontage   | <u>284</u> ft.         | 8. Sidewalk adjacent to all streets? <u>        </u> yes <u>X</u> no |  |
| 4. Minimum Lot Area   | <u>183,750 sq.</u> ft. |  |  |
| 5. Existing Zoning  | <u>AA</u>              |  |  |
| 6. Proposed Zoning  | <u>R-6</u>             |  |  |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u>     |                        |  |  |
| 10. Public Sanitary Sewers <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> |                        |  |  |
| 11. Health Department Approval (where applicable) <u>        </u> (Yes-No)  |                        |  |  |
| 12. City of Wichita <u>X</u> : Three-Mile Area <u>        </u>              |                        |  |  |

STAFF COMMENTS:

- A. Associated cases Z-1703, "AA" to "R-6" and DP-72, Residential Community Unit Plan have been approved by the Board of City Commissioners subject to platting.
- B. Ten feet of additional right-of-way for an accel-decel lane along the south side of MacArthur Road shall be indicated adjacent to Lot 1.
- C. The applicant shall guarantee the construction of the accel-decel lane on MacArthur and as well, the major entrance to Lot 1 all as indicated on the associated C.U.P. DP-72.
- (D) Additional right-of-way for both the *Maximum of 25 in width* Riverside Drainage protection ditch and for McLean Boulevard are needed from subject property. The representatives from the Department of Public Works on the Utility Advisory Committee shall be prepared to discuss the amounts of right-of-way needed at the Subdivision Committee meeting.
- E. The applicant shall submit an overall drainage plan as required by the C.U.P. to M. S. Mitchell of the Flood Control Office. A letter obtained from Mr. Mitchell, approving said plan shall be submitted to the Planning Department.
- F. "Access control except for one opening" shall be indicated on Lot 1 adjacent to MacArthur.
- (G) The plat proposes an additional access point to MacArthur immediately west of McLean Boulevard. The applicant shall be prepared to discuss the location of this access point in relation to the McLean Boulevard and MacArthur Road intersection to avoid a potential traffic hazard by having a private driveway entrance too close to a major street intersection.
- H. The applicant shall submit a Homes Association Agreement covering that portion of the overall preliminary plat which is intended to be finalized

at this time. Said agreement shall contain provisions for the installation and continued maintenance of all nonpublic common space, circulation, driveways, parking areas, community recreational facilities, etc. Said agreement shall also contain a provision or clause which will assure that the City can upon proper notice and hearing cause necessary maintenance to be done to said areas and facilities, and the cost thereof assessed to the benefiting properties in the event the Homes Association fails to do so.

- I "Compete access control" shall be indicated adjacent to McLean Boulevard.
- J. An access easement 30 feet in width shall be indicated on each lot to provide a continuous circulation drive across all lots. The applicant shall also submit an overall traffic circulation site plan for review and approval with the submission of the final plat.
- K. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

S/D NO. 76-107 Name MAC ARTHUR BEACH  
Date Application Rec'd. 1026-76 Preliminary Approval 11-4-76  
Scheduled S/D Meeting 4-7-77

DESCRIPTION

General Location South of MacArthur Road, between Seneca and Gold Streets.

Owner MacArthur Beach Properties  
Surveyor/Engineer Professional Engineering Consultants  
Address 1440 E. English Phone 262-2691

- |   |   |                                      |   |
|---|---|--------------------------------------|---|
| 1. Gross Acreage of Plat                          | <u>39</u>   | 7. Lineal Feet of New Streets:       |   |
| 2. Number of Lots:                                |   | a. <u>35</u> R/W                     | <u>283.36</u> ft.   |
| Residential                                       | <u>5</u>  | b. _____ R/W                         | _____ ft.   |
| Commercial  | _____   | c. _____ R/W                         | _____ ft.   |
| Industrial  | _____   | d. _____ R/W                         | _____ ft.   |
| Other   | _____   | e. _____ R/W                         | _____ ft.   |
| Total Number of Lots                              | <u>5</u>  | TOTAL                                | <u>283.36</u> ft.   |
| 3. Minimum Lot Frontage                           | <u>284</u> ft.                                    | 8. Sidewalk adjacent to all streets? | <u>yes</u> <input checked="" type="checkbox"/> <u>no</u> <input type="checkbox"/> |
| 4. Minimum Lot Area                               | <u>183,750</u> sq. ft.                            |                                      |   |
| 5. Existing Zoning                                | <u>AA</u>   |                                      |   |
| 6. Proposed Zoning                                | <u>R-6</u>  |                                      |   |
| 9. Public Water Supply                            | <u>Yes (Yes-No)</u> , Name <u>City of Wichita</u> |                                      |   |
| 10. Public Sanitary Sewers                        | <u>Yes (Yes-No)</u> , Name <u>City of Wichita</u> |                                      |   |
| 11. Health Department Approval (where applicable) | _____ (Yes-No)                                    |                                      |   |
| 12. City of Wichita                               | <u>X</u> : Three-Mile Area _____                  |                                      |   |

STAFF COMMENTS:

- A. There are several corrections and additions which need to be incorporated in the engineers text and in the plattors text. The Planning Department shall be contacted regarding this matter.
- B. The applicant shall guarantee the construction of the accel-decel lane on MacArthur and as well, the major entrance to Lot 1 all as indicated on the associated C.U.P. DP-72.
- C. The applicant shall submit an overall drainage plan as required by the C.U.P. to M.S. Mitchell of the Flood Control Office. A letter obtained from Mr. Mitchell, approving said plan shall be submitted to the Planning Department.
- D. The applicant shall submit a Homes Association Agreement. Said agreement shall contain provisions for the installation and continued maintenance of all nonpublic common space, circulation, driveways, parking areas, community recreational facilities, etc. Said agreement shall also contain a provision or clause which will assure that the City can upon proper notice and hearing cause necessary maintenance to be done to said areas and facilities, and the cost thereof assessed to the benefiting properties in the event the Homes Association fails to do so. As part of this agreement or as a separate agreement, assurance should be given that the owner of that portion of the lake not included in this plat will be protected from any adverse conditions created in the lake as a result of the development around the portions of the lake included in this plat.
- E. An access easement 30 feet in width shall be indicated on each lot to provide a continuous circulation drive across all lots. The applicant shall also submit an overall traffic circulation site plan for review and approval with the submission of the final plat.

- F. It is noted that a portion of the existing pipeline crossing the south part of subject property is not within the existing easement for said line and therefore an additional easement should be provided this portion of the line.
- G. Recording of the plat within 30 days after approval by the Board of City Commissioners.